

DOCUMENTS ON PALESTINE

Volume I (until 1947):

1. Pre-Ottoman/Ottoman Era and Occupation by Allied Forces
(until 1922)
2. British Mandate Era and the UN Partition Plan (1923-1947)

Edited by Dr. Mahdi Abdul Hadi



PASSIA
Palestinian Academic Society for the Study of International Affairs

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Introduction

Palestine has enjoyed geographic, religious and political centrality in the Middle East and has since the beginning of the last century been vulnerable to the plans and ambitions of foreign powers. The resulting conflicts have led to the dispersal and prolonged suffering of the Palestinian people, and during the past eight decades in particular the Palestinian people have fought continuously to defend their internationally recognized rights to freedom and independence.

The ambitions and policies of the various external powers involved over the years have had an undeniable impact on inter-Arab relations, and on the international relations of Arab states. They have also had a direct effect on shaping the history of Palestine and the evolution of its future. Despite this external pressure, the Palestinians have succeeded in defending and maintaining their Arab identity and political presence by organizing socio-economic institutions and a political infrastructure which have allowed them to challenge the power of the various conquerors in the ongoing national struggle. Having legitimate representation forced other parties to recognize and engage with them despite attempts to deny them their rights to self-determination and national independence.

This volume is one of a series that organizes key political documents covering the time from the pre-Ottoman period to 2007. This volume includes the texts or excerpts of over 130 documents, covering the Ottoman Era and occupation by Allied Forces, the British Mandate Era, to the UN Partition Plan of 1947. This introductory chapter outlines the history of this period to provide a framework to guide the reader to the historical context of these documents.

The Ottoman Period

Many historians recognize the history of Palestine as part of the geographic, demographic and political history of Greater Syria. Until the end of the First World War they see the Palestine Question as part of a greater Arab cause, while others emphasize its later development in the face of the challenge of the Zionist movement at the end of the 19th century.

The leaders of the early Palestinian national movement were leaders in the Arab awakening and challenge to Ottoman rule. They established and led various organizations in the joint Arab effort to revive their language and culture, and to express their aspirations for independence within a wider Arab cause. These Arab leaders were very aware of the threat that was posed by the colonial powers and the Zionist movement.

During the First World War the Western Allies pinpointed the weakness of the Turkish Ottoman Empire - an ally of Germany - which was partially caused by the unrest of the Arab people calling for autonomy and independence. In 1915 the British government commissioned Sir Henry MacMahon to correspond with the Hashemite leader Sharif Hussein Ibn Ali of Mecca to encourage him to rise against the Ottomans. In return MacMahon offered British support for a unified Arab kingdom under Hashemite leadership. This assurance contributed to the outbreak of the Arab revolt of June 1916.

In the same year the French and British reached a secret agreement (the Sykes-Picot agreement) dividing the Ottoman Empire under their control after the war. Britain would acquire Iraq and Jordan, while France would receive Syria (including Lebanon). Palestine was to be divided with France controlling the North and Britain the Haifa-Akko area, the rest (excluding the Negev) to be placed under international administration.

At the same time the British held talks with Zionist leaders and promised their support for a Jewish 'homeland' in Palestine. Formalized in the Balfour Declaration (November 1917), the British also promised to protect the rights of non-Jewish inhabitants of Palestine.

Allied Occupation

The First World War continued and Amir Feisal, son of Sharif Hussein Ibn Ali, led the Arab revolt forces alongside Allied troops into Damascus in October 1917 and within two months the British Army entered Jerusalem under General Allenby, ending 400 years of Ottoman rule. The British then established the Occupied Enemy Territory Administration (OETA) which controlled the area from 1918-1920.

The three British pledges (the MacMahon-Hussein Correspondence of 1915; the Sykes-Picot Agreement of 1916; and the Balfour Declaration of 1917) were contradictory and the British encouraged their allies – the Arab national movement under Amir Faisal, and the Zionist movement under Chaim Weizmann – to formulate an early agreement on Arab-Jewish relations. Faisal knew no English and Weizmann no Arabic so the British intermediaries, including T.E. Lawrence, drafted the documents according to their interpretation of what was agreed. Faisal added his own handwritten conditions in Arabic to the English document.

In 1920 the new League of Nations gave Britain mandated control of Palestine and Sir Herbert Samuel was appointed High Commissioner. In that year Amir Faisal was proclaimed King of Syria and Chaim Weizmann was elected president of the Zionist Organization.

From 1921 the Arabs in Palestine increased their resistance to the British Mandate and to Jewish immigration, and the British invited Arab delegations to London to meet with Weizmann to try and bring about an understanding. This and later meetings were unable to deliver what the British hoped for. In the same year the Haycraft Commission led to the publication of the Churchill White Paper which redefined the British interpretation of its responsibilities to the Mandate and the Jewish 'homeland,' and Transjordan was separated from the area eligible for 'homeland' pledges made by Balfour.

British Mandate Period and UN Partition Resolution

The Mandate document gave Britain control of Palestine and provided for a Jewish homeland therein, but stressed the rights of the non-Jewish native population. In 1929 the Arab Revolt broke out in Palestine and the Shaw Commission was formed to re-examine the immigration policy and to set up a committee to investigate the economic capacity of Palestine. In 1930 a combined paper (Passfield White Paper) drew the conclusions together and recommended that Jewish immigration be limited as it threatened Arab well-being and development. The Zionists reacted with a major campaign and Prime Minister Ramsay

McDonald wrote to Weizmann largely nullifying the immigration clauses in the Passfield White Paper.

The Palestinian Great Revolt began in 1936. Another commission was appointed under Peel to investigate the situation in Palestine. In its report in 1937, it concluded that Jews and Arabs could not live in peace and suggested partition into two states as the solution. Partition was largely rejected by the Arabs and divided the Zionists. The British accepted partition in principle and set up the Woodhead Commission to investigate its practicability. The revolt resurfaced in 1938 and at the end of that year the Woodhead Report concluded that partition was not practicable. This was followed by various proposals and discussions but none led to a solution.

At St James's Palace in London, the Round Table Conference of 1939 led to an impasse. The Zionist delegation called for increased immigration quotas and settlements, while the Arab delegation demanded rejection of the Balfour Declaration and an end to Zionist immigration. Colonial Secretary McDonald's White Paper of that year outlined the creation of a single Palestinian state and a five year immigration policy. This was rejected by the Zionist movement but it remained British policy until 1947.

In the early 1940s David Ben Gurion mobilized American Jewry and at the 1942 Biltmore Conference of American Zionists a call was made for the 'gates of Palestine to be opened for a Jewish Commonwealth'.

After the Second World War a joint Anglo-American Committee of Inquiry resolved that there should be increased Jewish immigration, and the adoption of a Trusteeship for Palestine. The British government rejected this proposal leading to a search for a solution on the basis of Federalization or Cantonization.

The Zionists in Palestine increased their military campaign against British rule, justifying their call for a state on the basis of the promises made by European leaders, especially following the Holocaust. In 1947, following the bombing of the King David Hotel by the Jewish Irgun terrorist organization and the hanging of two British sergeants, the British turned the Palestinian question over to the new United Nations.

In April 1947 the UN established a Special Committee on Palestine (UNSCOP) which presented majority and minority reports of recommendations to the UN. In November 1947 the General Assembly passed Resolution 181 which followed the recommendations of the majority report, calling for the partition of Palestine into an Arab and a Jewish state with an international enclave encompassing Jerusalem and Bethlehem.

A Final Note

Although we have endeavored to make this publication as reader/user friendly as possible, one should be aware that there is some inconsistency in terms of the spelling of non-English words - names and places (such as Haram Ash-Sharif or *Intifada*) – since we adhered, wherever possible, to the original version rather than apply our usual spelling rules. It is for the same reason that the volumes contain a number of minor typographical errors such as the omission of apostrophes, inconsistent capitalization, and spelling mistakes found in the originals.

Footnotes included in the volumes - excluding those marked “the ed.” - are mostly those that appeared in the original texts though the readership note that the numbering will not necessarily be accordance with the original version.

*Dr. Mahdi Abdul Hadi
Chairman of PASSIA*

1. Pre-Ottoman/Ottoman Era and Occupation by Allied Forces (until 1922)

OMAR IBN AL-KHATTAB COVENANT, 636 AD

When Omar Ibn al-Khattab, the second of the Rightly-Guided Caliphs entered the city of Jerusalem, then known as Ilia' in 636 A.D. (15 AH), the first thing he did in the conquered city was a visit to the Doomsday Church. He wrote to the people of Jerusalem and Patriarch Safronius a covenant of peace and protection which came to be known the Covenant of Omar (known in the west as the Code of Omar). Following is the full text of the covenant:

In the Name of Allah, the Most Merciful, the Most Compassionate

This is an assurance of peace and protection given by the servant of Allah Omar, Commander of the Believers to the people of Ilia' (Jerusalem). He gave them an assurance of protection for their lives, property, church and crosses as well as the sick and healthy and all its religious community.

Their churches shall not be occupied, demolished nor taken away wholly or in part. None of their crosses nor property shall be seized. They shall not be coerced in their religion nor shall any of them be injured. None of the Jews shall reside with them in Ilia'.

The people of Ilia shall pay Jizia tax (head tax on free non-Muslims living under Muslim rule) as inhabitants of cities do. They shall evict all Romans and thieves.

He whoever gets out shall be guaranteed safety for his life and property until he reach his safe haven. He whoever stays shall be (also) safe, in which case he shall pay as much tax as the people of Ilia' do. Should any of the people of Ilia wish to move together with his property along with the Romans and to clear out of their churches and crosses, they shall be safe for their lives, churches and crosses, until they have reached then safe haven. He whoever chooses to stay he may do so and he shall pay as much tax as the people of Ilia' do. He whoever wishes to move along with the Roman, may do so, and whoever wishes to return back home to his kinsfalk, may do so. Nothing shall be taken from them, their crops have been harvested. To the contents of this convent here are given the Covenant of Allah, the guarantees of His Messenger, the Caliphs and the Believers, provided they (the people of Ilia') pay their due Jizia tax.

Witnesses hereto are:

Khalid Ibn Al-Walid
Amr Ibn Al-Ass
Abdul-Rahman Ibn'Auf
Mu'awiya Ibn Abi-Sifian

Made and executed in the year 15 AH.



**LETTER TO THE JEWISH NATION FROM THE FRENCH COMMANDER-IN-CHIEF
BUONAPARTE, GENERAL HEADQUARTERS, JERUSALEM, 20 APRIL 1799**

[While the French armies camped outside of Acre, their commander Napoleon issued the following letter offering Palestine as a homeland to the Jews under French protection.]

**BUONAPARTE, COMMANDER-IN-CHIEF OF THE ARMIES OF THE FRENCH REPUBLIC
IN AFRICA AND ASIA, TO THE RIGHTFUL HEIRS OF PALESTINE.**

Israelites, unique nation, whom, in thousands of years, lust of conquest and tyranny have been able to be deprived of their ancestral lands, but not of name and national existence!

Attentive and impartial observers of the destinies of nations, even though not endowed with the gifts of seers like Isaiah and Joel, have long since also felt what these, with beautiful and uplifting faith, have foretold when they saw the approaching destruction of their kingdom and fatherland: And the ransomed of the Lord shall return, and come to Zion with songs and everlasting joy upon their heads; they shall obtain joy and gladness and sorrow and sighing shall flee away. (Isaiah 35,10)

Arise then, with gladness, ye exiled! A war unexampled In the annals of history, waged in self-defense by a nation whose hereditary lands were regarded by its enemies as plunder to be divided, arbitrarily and at their convenience, by a stroke of the pen of Cabinets, avenges its own shame and the shame of the remotest nations, long forgotten under the yoke of slavery, and also, the almost two-thousand-year-old ignominy put upon you; and, while time and circumstances would seem to be least favourable to a restatement of your claims or even to their expression, and indeed to be compelling their complete abandonment, it offers to you at this very time, and contrary to all expectations, Israel's patrimony !

The young army with which Providence has sent me hither, let by justice and accompanied by victory, has made Jerusalem my head-quarters and will, within a few days, transfer them to Damascus, a proximity which is no longer terrifying to David's city.

Rightful heirs of Palestine!

The great nation which does not trade in men and countries as did those which sold your ancestors unto all people (Joel,4,6) herewith calls on you not indeed to conquer your patrimony; nay, only to take over that which has been conquered and, with that nation's warranty and support, to remain master of it to maintain it against all comers.

Arise! Show that the former overwhelming might of your oppressors has but repressed the courage of the descendants of those heroes who alliance of brothers would have done honour even to Sparta and Rome (Maccabees 12, 15) but that the two thousand years of treatment as slaves have not succeeded in stifling it.

Hasten!, Now is the moment, which may not return for thousands of years, to claim the restoration of civic rights among the population of the universe which had been shamefully withheld from you for thousands of years, your political existence as a nation among the nations, and the unlimited natural right to worship Jehovah in accordance with your faith, publicly and most probably forever (Joel 4,20).



THE BLACKSTONE MEMORIAL, WASHINGTON, DC, 5 MARCH 1891

[The Blackstone Memorial was a Christian Zionist petition presented in 1891 to US Pres. Benjamin Harrison in favor of the restoration of Palestine to the Jews]

To His Excellency

BENJAMIN HARRISON, President of the United States, and
HON. JAMES G. BLAINE, Secretary of State.

In presenting the Memorial asking your good offices with the Governments of Europe for an international Conference in behalf of the Russian Jews, the undersigned begs to state that he has not sought for a multitude of signatures, but only representative names, and the cordial endorsement which the Memorial has received, gives assurance that the signatures could be indefinitely multiplied.

That the Memorial is really an outgrowth of the Conference between Christians and Jews recently held in Chicago.

That it was not deemed wise to hold further public meetings, or in any way, protest against the course being pursued by the Russian Government, and that therefore he undertook the task of presenting the Memorial personally to the signers.

That he is peculiarly gratified to find the plan proposed, commended by most eminent Jewish and Christian individuals, after carefully scrutinizing it in all its bearings.

That he spent several weeks in Palestine and Syria in 1889 and has somewhat carefully studied the conditions of the Jews there and in Europe and in America, and that he believes the project of restoring the autonomy of government of Palestine to them to be both feasible and politic.

That while a very few, of what are termed ultra radical, reformed, Jewish Rabbis have renounced their belief in ancient Scriptures, and openly proclaim that the Jews should amalgamate with the various nations, wherein they are scattered, the great body of the Jews, both clergy and laity, still cling to their time honored hopes of national restoration and will quickly respond to any such opportunity with abundant energy, means, and enthusiasm.

That the land of Palestine is capable of remarkable development, both agriculturally and commercially. Its geographical situation, as the half way house between Europe and Asia, is unequaled. That the Railroad now building from Joppa to Jerusalem, if extended via Damascus, Tadmor and the Euphrates valley, could not fail to become an international highway.

That while the Turkish government has lately shown some improvement, and has fostered the building of excellent common roads and given greater freedom for the activity of foreigners, still it is marvelously behind the times in which we live, and no great development can be expected under it.

That in support of this statement he would mention the unreasonable tax upon olive trees, and also the fanaticism which, because of a little cemetery on the shore at Joppa, prevents the excavating and dredging out of the ancient remarkable harbor, so greatly needed for commercial purposes.

That all the great European powers are jealous of each other's influence in, or possible occupation of, Palestine, and that this favors the giving of it to such an energetic small nation as the Jews under international guarantees and protection.

That the powers have already taken somewhat similar action by the appointment of a Christian governor over the Lebanon district of Syria.

That the poverty of the Turkish Government, makes the possible funding of a portion of the National debt by rich Jewish bankers, an important factor in the case.

That the unsettled indemnity claimed by Russia against Turkey is another significant item, which may be favorably used to promote the accomplishment of this plan.

That all the European nations sympathizing with the sad condition of the Jews in Russia, and yet not wishing them to be crowded into their own countries, will, he believes, cheerfully assent to this restoration to Palestine as the most natural alternative.

That he has special reasons for believing such sentiment already prevails, to a large extent, in Great Britain, and it seems to appeal to all classes of Christians as a magnificent humanitarian movement.

That only peaceable diplomatic negotiation is necessary, he believes, to accomplish the object, and that all private ownership of land and property should be carefully respected and protected.

That being on such friendly terms with Russia and having no complications in the Orient, it is most fitting and hopeful that our government should initiate this movement.

That there seem to be many evidences to show that we have reached the period in the great roll of the centuries, when the ever living God of Abraham, Isaac and Jacob, is lifting up His hand to the Gentiles, (Isa. 49:22) to bring His sons and His daughters from far, that he may plant them again in their own land, Ezk. 34, &c. Not for twenty-four centuries, since the days of Cyrus, King of Persia, has there been offered to any mortal such a privileged opportunity to further the purposes of God concerning His ancient people,

May it be the high privilege of your Excellency, and the Honorable Secretary, to take a personal interest in this great matter, and secure through the Conference, a home for these wandering millions of Israel, and thereby receive to yourselves the promise of Him, who said to Abraham, "I will bless them that bless thee," Gen. 12:3.

Most Respectfully, Your humble servant,

Wm. E. Blackstone.

THE BLACKSTONE MEMORIAL, 1891:

Presented to the president of the United States in favor of the restoration of Palestine to the Jews.

What shall be done for the Russian Jews? It is both unwise and useless to undertake to dictate to Russia concerning her internal affairs. The Jews have lived as foreigners in her dominions for centuries and she fully believes that they are a burden upon her resources and prejudicial to the welfare of her peasant population, and will not allow them to remain. She is determined that they must go. Hence, like the Sephardim of Spain, these Ashkenazim must emigrate. But where shall 2,000,000 of such poor people go? Europe is crowded and has no room for more peasant population. Shall they come to America? This will be a tremendous expense, and require years.

Why not give Palestine back to them again? According to God's distribution of nations it is their home, an inalienable possession from which they were expelled by force. Under their cultivation it was a remarkably fruitful land sustaining millions of Israelites who industrially tilled its hillsides and valleys. They were agriculturists and producers as well as a nation of great commercial importance - the center of civilization and religion.

Why shall not the powers which under the treaty of Berlin, in 1878, gave Bulgaria to the Bulgarians and Servia to the Servians now give Palestine back to the Jews? These provinces, as well as Rouma-

nia, Montenegro and Greece, were wrested from the Turks and given to their natural owners. Does not Palestine as rightfully belong to the Jews? It is said that rains are increasing and there are evidences that the land is recovering its ancient fertility. If they could have autonomy in government the Jews of the world would rally to transport and establish their suffering brethren in their time-honored-habitation. For over seventeen centuries they have patiently waited for such an opportunity. They have not become agriculturists elsewhere because they believed they were mere sojourners in the various nations, and were yet to return to Palestine and till their own land. Whatever vested rights, by possession may have accrued to Turkey can be easily compensated, possibly by the Jews assuming an equitable portion of the national debt.

We believe this is an appropriate time for all nations and especially the Christian nations of Europe to show kindness to Israel. A million of exiles, by their terrible suffering, are piteously appealing to our sympathy, justice, and humanity Let us now restore to them the land of which they were so cruelly despoiled by our Roman ancestors.

To this end we respectfully petition His Excellency Benjamin Harrison, President of the United States, and the Honorable James G. Blaine, Secretary of State, to use their good offices and influence with the Governments of their Imperial Majesties-

Alexander III, Czar of Russia;
 Victoria, Queen of Great Britain and Empress of India;
 William II, Emperor of Germany;
 Francis Joseph, Emperor of Austr-Hungary;
 Abdul Hamid II, Sultan of Turkey;
 His Royal Majesty, Humbert, King of Italy;
 Her Royal Majesty Marie Christiana, Queen Regent of Spain;
 and the Government of the Republic of France and with the Governments of Belgium, Holland,
 Denmark, Sweden, Portugal, Roumania, Servia, Bulgaria and Greece.

To secure the holding at an early date, of an international conference to consider the condition of the Israelites and their claims to Palestine as their ancient home, and to promote, in all other just and proper ways, the alleviation of their suffering condition.

(Followed by approx. 400 additional signatures)

Respectfully presented by Wm. E. Blackstone, Chairman of the Conference of Christians and Jews lately held in Chicago.



THEODORE HERZL, THE JEWISH STATE, 1896 [EXCERPTS]

PREFACE

THE IDEA which I have developed in this pamphlet is an ancient one: It is the restoration of the Jewish State.

The world resounds with clamor against the Jews, and this has revived the dormant idea.

I claim no new discoveries; let this be noted at once and throughout my discussion. I have discovered neither the Jewish situation as it has crystallized in history, nor the means to remedy it. The materials for the structure I here sketch exist in reality, they are quite tangible; this anyone can establish to his

own satisfaction. Hence, if this attempt to resolve the Jewish question is to be described by a single word, let it be labeled not a “fantasy,” but at most a “construction.”

I must first of all defend my sketch from being treated as “Utopian.” To do this is simply to protect superficial critics from committing a foolish error. Though, indeed, it would be no disgrace to have written an idealist Utopia. And very likely I could also assure myself easier literary success while avoiding all responsibility, if I were to offer this plan in the form of romantic fiction to a public that seeks to be entertained. But this is no amiable Utopia such as have been projected in abundance before and since Sir Thomas More. And it seems to me that the situation of the Jews in various lands is grave enough to make quite superfluous any attention-getting tricks.

An interesting book, *Freiland*, by Dr. Theodor Hertzka, which appeared a few years ago, may serve to illustrate the distinction I draw between my construction and a Utopia. His is the ingenious invention of a modern mind thoroughly schooled in the principles of political economy; it is as remote from actuality as the equatorial mountain on which his dream state lies. “Freiland” is a complicated mechanism with numerous cogs and wheels that even seem to mesh well; but I have no reason whatever to believe that they can be set in motion. Even if I were to see “Freiland societies” come into being, I should regard the whole thing as a joke.

The present scheme, on the other hand, involves the use of a motive force which exists in reality. In view of my own limitations, I shall do no more than suggest what cogs and wheels constitute the machinery I propose, trusting that better mechanics than myself will be found to carry the work out.

The decisive factor is our propelling force. And what is that force? The plight of the Jews.

Who would dare to deny that this exists? We shall discuss it fully in the chapter on the causes of anti-Semitism.

Now everyone knows how steam is generated by boiling water in a kettle, but such steam only rattles the lid. The current Zionist projects and other associations to check anti-Semitism are teakettle phenomena of this kind. But I say that this force, if properly harnessed, is powerful enough to propel a large engine and to move passengers and goods, let the engine have whatever form it may.

I am profoundly convinced that I am right, though I doubt whether I shall live to see myself proved so. Those who today inaugurate this movement are unlikely to live to see its glorious culmination. But the very inauguration is enough to inspire in them a high pride and the joy of an inner liberation of their existence.

To avoid all suspicion of Utopianism, I shall also be very sparing of picturesque details in my exposition. I expect, in any case, that unthinking scoffers will caricature my sketch in an attempt to vitiate the whole idea. A Jew, of excellent judgement in other respects, to whom I explained my plan, remarked that “It is the hallmark of Utopias to present facets of the future as facts in present reality.” This is a mistake. Every finance minister bases his budget estimates on future figures, and not only on projections of the actual average returns of previous years, or on previous revenues in other states, but sometimes on figures for which there is no precedent whatever; as, for example, in instituting a new tax. Anyone who has examined a budget knows that this is so. But is such a financial draft considered Utopian, even when we know that the estimates will never be rigidly adhered to?

But I expect far more of my readers. I ask the cultivated men whom I address to set aside many preconceptions. I shall even go so far as to ask those Jews who have most earnestly tried to solve the Jewish question to look upon their previous attempts as mistaken and impracticable.

There is one danger I must guard against in the presentation of my idea. If I am restrained in describing all these things that lie in the future, I may appear to be doubting the possibility of their even being realized. If, on the other hand, I speak of them quite unreservedly as realized, I may appear to be building castles in the air.

I therefore state, clearly and emphatically, that I believe in the achievement of the idea, though I do not profess to have discovered the shape it may ultimately take. The world needs the Jewish State; therefore it will arise.

The plan would seem made enough if a single individual were to undertake it; but if many Jews simultaneously agree on it, it is entirely reasonable, and its achievement presents no difficulties worth mentioning. The idea depends only on the number of its adherents. Perhaps our ambitious young men, to whom every road of advancement is now closed, and for whom the Jewish State throws open a bright prospect of freedom, happiness, and honor - perhaps they will see to it that this idea is spread.

I feel that with the publication of this pamphlet my own task is done. I shall not again take up my pen unless the attacks of serious opponents force me to do so, or it becomes necessary to meet objections and errors not already dealt with.

Is what I am saying not yet true? Am I ahead of time? Are the sufferings of the Jews not yet acute enough? We shall see. It depends on the Jews themselves whether this political document remains for the present a political romance. If this generation is too dull to understand it rightly, a future, finer, more advanced generation will arise to comprehend it. The Jews who will try it shall achieve their State; and they will deserve it. [...]

THE PLAN

The whole plan is essentially quite simple, as it must necessarily be if it is to be comprehensible to all. Let sovereignty be granted us over a portion of the globe adequate to meet our rightful national requirements; we will attend to the rest.

To create a new State is neither ridiculous nor impossible. Haven't we witnessed the process in our own day, among nations which were not largely middle class as we are, but poorer, less educated, and consequently weaker than ourselves? The governments of all countries scourged by anti-Semitism will be keenly interested in obtaining sovereignty for us.

The plan, simple in design but complicated in execution, will be executed by two agencies: the Society of Jews and the Jewish Company. The scientific plan and political policies which the Society of Jews will establish will be carried out by the Jewish Company. The Jewish Company will be the liquidating agent for the business interests of departing Jews, and will organize trade and commerce in the new country.

We must not visualize the exodus of the Jews as a sudden one. It will be gradual, proceeding over a period of decades. The poorest will go first and cultivate the soil. They will construct roads, bridges, railways, and telegraph installations, regulate rivers, and provide themselves with homesteads, all according to predetermined plans. Their labor will create trade, trade will create markets, and markets will attract new settlers-for every man will go voluntarily, at his own expense and his own risk. The labor invested in the soil will enhance its value. The Jews will soon perceive that a new and permanent frontier has been opened up for that spirit of enterprise which has heretofore brought them only hatred and obloquy.

The founding of a State today is not to be accomplished in the manner that a thousand years ago would have been the only possible one. It is silly to revert to older levels of civilization, as many

Zionists propose. Supposing, for example, we were obliged to clear a country of wild beasts, we should not set about it in the fashion of the fifth-century Europeans. We should not take spear and lance and go out individually in pursuit of bears; we would organize a grand and glorious hunting party, drive the animals together, and throw a melinite bomb into their midst.

If we planned to erect buildings, we should not drive a few shaky piles in a marsh like the lake dwellers, but should build as men build now. Indeed, we shall build in bolder and more stately style than has ever been done before; for we now possess means which heretofore did not exist.

The emigrants standing lowest in the economic scale will be gradually followed by those of the next grade. Those now in desperate straits will go first. They will be led by the intellectual mediocrities whom we produce so abundantly and who are oppressed everywhere.

Let this pamphlet serve as the beginning of a general discussion on the question of Jewish emigration. That does not mean to suggest, however, that the question should be called to a vote. Such an approach would ruin the cause from the outset. Whoever wishes may stay behind. The opposition of a few individuals is quite immaterial.

Who would go with us, Let him fall in behind our banner and fight for the cause with word and pen and deed. Those Jews who agree with our State idea will rally around the Society. Thereby they will give it the authority in the eyes of governments to confer and treat on behalf of our people. The Society will be recognized as, to put it in terminology of international law, a State-creating power. And this recognition will, in effect, mean the creation of the State.

Should the powers show themselves willing to grant us sovereignty over a neutral land, then the Society will enter into negotiations for the possession of this land. Here two regions come to mind: Palestine and Argentina. Significant experiments in colonization have been made in both countries, though on the mistaken principle of gradual infiltration of Jews. Infiltration is bound to end badly. For there comes the inevitable moment when the government in question, under pressure of the native populace-which feels itself threatened-puts a stop to further influx of Jews. Immigration, therefore, is futile unless it is based on our guaranteed autonomy.

The Society of Jews will treat with the present authorities in the land, under the sponsorship of the European powers, if they prove friendly to the plan. We could offer the present authorities enormous advantages, assume part of the public debt, build new thoroughfares, which we ourselves would also require, and do many other things. The very creation of the Jewish State would be beneficial to neighboring lands, since the cultivation of a strip of land increases the value of its surrounding districts.

Palestine or Argentina?

Is Palestine or Argentina preferable? The Society will take whatever it is given and whatever Jewish public opinion favors. The Society will determine both these points.

Argentina is one of the most fertile countries in the world, extends over a vast area, is sparsely populated, and has a temperate climate. It would be in its own highest interest for the Republic of Argentina to cede us a portion of its territory. The present *infiltration* of Jews has certainly produced some discontent, and it would be necessary to enlighten the Republic on the intrinsic difference of the new *immigration* of Jews.

Palestine is our unforgettable historic homeland. The very name would be a marvelously effective rallying cry. If His Majesty the Sultan were to give us Palestine, we could in return undertake the complete management of the finances of Turkey. We should there form a part of a wall of defense for Europe in Asia, an outpost of civilization against barbarism. We should as a neutral state remain in

contact with all Europe, which would have to guarantee our existence. The holy places of Christendom could be placed under some form of international ex-territoriality. We should form a guard of honor about these holy places, answering for the fulfillment of this duty with our existence. The guard of honor would be the great symbol of the solution of the Jewish question after what were for us eighteen centuries of affliction.



THE BASLE PROGRAM, FIRST ZIONIST CONGRESS, BASLE, 31 AUGUST 1897

[Theodore Herzl organized the first Zionist Congress in Basle, Switzerland, in 1897. Prior to the Congress, Zionist activities had been initiated by several different groups with no central direction or political program. The Basle Congress was the foundation of a mass Zionist movement and adopted the following resolutions. In his diary, Herzl remarked: "At Basle, I founded the Jewish state.. If not in five years, then certainly in fifty, everyone will realize it."]

The aim of Zionism is to create for the Jewish people a home in Palestine secured by public law. The congress contemplates the following means to the attainment of this end:

1. The promotion, on suitable lines, of the colonization of Palestine by Jewish agricultural and industrial workers.
2. The organization and binding together of the whole Jewry by means of appropriate institutions, local and international, in accordance with the laws of each country.
3. The strengthening and fostering of Jewish national sentiment and consciousness.
4. Preparatory steps towards obtaining government consent, where necessary, to the attainment of the aim of Zionism.



AHAD HA'AM, JEWISH STATE AND JEWISH PROBLEM, 1897

[Ahad Ha'am - the pen name of Russian Zionist Asher Ginzberg, who wrote this essay just after the Zionist Congress in Basle in 1897, repeatedly ridiculing Herzl's obsession with a political solution, a national home secured in accordance with international law; he believed that Herzl's program was not practical and that settlement of Palestine should not wait until conditions were ripe]

Some months have passed since the Zionist Congress, but its echoes are still heard in daily life and in the press. In daily life the echoes take the form of meetings small and big, local and central. Since the delegates returned home, they have been gathering the public together and recounting over and over again the wonders that they saw enacted before their eyes. The wretched, hungry public listens and waxes enthusiastic and hopes for salvation: for can "they" - the Jews of the West - fail to carry out anything that they plan? Heads grow hot and hearts beat fast; and many "communal workers" whose one care in life had been for years - until last August - the Palestinian settlement, and who would have given the whole world for a penny donation in aid of Palestine workmen or the Jaffa School, have now quite lost their bearings, and ask one another: "What's the good of this sort of work? The Messiah is near at hand, and we busy ourselves with trifles! The time has come for great deeds: great men, men of the West, march before us in the van." - There has been a revolution in their world, and to emphasize it they give a new name to the cause: it is no longer "Love of Zion" (*Hibbath Tsiyon*), but "Zionism" (*Tsioniyut*) [Tsyonut in modern Hebrew]. Nay, the more careful among them, determined to leave no loop-hole for error, even keep the European form of the name ("*Zionismus*") - thus announcing to all and sundry that they are not talking about anything so antiquated as *Hibbath Tsiyon*, but about a new, up-to-date movement, which comes, like its name, from the West, where people do not use Hebrew.

In the press all these meetings, with their addresses, motions and resolutions, appear over again in the guise of articles - articles written in a vein of enthusiasm and triumph. The meeting was magnificent, every speaker was a Demosthenes, the resolutions were carried by acclamation, all those present were swept off their feet and shouted with one voice: "We will do and obey!" [*Na'aseh Venishmah*] - in a word, everything was delightful, entrancing, perfect. And the Congress itself still produces a literature of its own. Pamphlets specially devoted to its praises appear in several languages; Jewish and non-Jewish papers still occasionally publish articles and notes about it; and, needless to say, the "Zionist" organ [*Die Welt*, the German newspaper founded by Herzl] itself endeavors to maintain the impression which the Congress made, and not to allow it to fade too rapidly from the public memory. It searches the press of every nation and every land, and wherever it finds a favorable mention of the Congress, even in some insignificant journal published in the language of one of the smaller European nationalities, it immediately gives a summary of the article, with much jubilation. Only one small nation's language has thus far not been honored with such attention, though its journals too have lavished praise on the Congress: I mean Hebrew.

In short, the universal note is one of rejoicing; and it is therefore small wonder that in the midst of this general harmony my little Note on the Congress sounded discordant and aroused the most violent displeasure in many quarters. I knew from the start that I should not be forgiven for saying such things at such a time, and I had steeled myself to hear with equanimity the clatter of high-sounding phrases and obscure innuendoes - of which our writers are so prolific - and hold my peace; But when I was attacked by M. L. Lilienblum, [The first secretary of the *'Hovevei Zion*, and an opponent of the cultural Zionism of Achad Ha'am] a writer whose habit it is not to write *apropos des bottes* [idiom meaning essays about nothing, for the sake of form] for the sake of displaying his style, I became convinced that this time I had really relied too much on the old adage: *Verbum sapienti satis* [*a word to the wise is enough*]. It is not pleasant to swim against the stream; and when one does something without enjoyment, purely as a duty, one does not put more than the necessary minimum of work into the task. Hence in the note referred to I allowed myself to be extremely brief, relying on my readers to fill in the gaps out of their own knowledge, by connecting what I wrote with earlier expressions of my views, which were already familiar to them. I see now that I made a mistake, and left room for the ascription to me of ideas and opinions which are utterly remote from my true intention. Consequently I have now to perform the hard and ungrateful task of writing a commentary on myself, and expressing my views on the matter in hand with greater explicitness.

Nordau's address on the general condition of the Jews was a sort of introduction to the business of the Congress. It exposed in incisive language the sore troubles, material or moral, which beset the Jews the world over. In Eastern countries their trouble is material: they have a constant struggle to satisfy the most elementary physical needs, to win a crust of bread and a breath of air - things which are denied them because they are Jews. In the West, in lands of emancipation, their material condition is not particularly bad, but the moral trouble is serious: They want to take full advantage of their rights, and cannot; they long to become attached to the people of the country, and to take part in its social life, and they are kept at arm's length; they strive after love and brotherhood, and are met by looks of hatred and contempt on all sides; conscious that they are not inferior to their neighbors in any kind of ability or virtue, they have it continually thrown in their teeth that they are an inferior type, and are not fit to rise to the same level as the Aryans. And more to the same effect.

Well - what then? Nordau himself did not touch on this question: it was outside the scope of his address. But the whole Congress was the answer. Beginning as it did with Nordau's address, the Congress meant this: that in order to escape from all these troubles it is necessary to establish a Jewish State.

Let us imagine, then, that the consent of Turkey and the other Powers has already been obtained, and the State is established - and, if you will, established *völkerrechtlich* [in accord with international law], with the full sanction of international law, as the more extreme members of the Congress desire. Does this bring, or bring near, the end of the material trouble? No doubt, every poor Jew will be at

perfect liberty to go to his State and to seek his living there, without any artificial hindrances in the shape of restrictive laws or anything of that kind. But liberty to *seek* a livelihood is not enough: he must be able to *find* what he seeks. There are natural laws which fetter man's freedom of action much more than artificial laws. Modern economic life is so complex, and the development of any single one of its departments depends on so many conditions, that no nation, not even the strongest and richest, could in a short time create in any country new sources of livelihood sufficient for many millions of human beings. The single country is no longer an economic unit: the whole world is one great market, in which every State has to struggle hard for its place. Hence only a fantasy bordering on madness can believe that so soon as the Jewish State is established millions of Jews will flock to it, and the land will afford them adequate sustenance. Think of the labor and the money that had to be sunk in Palestine over a long period of years before one new branch of production - vine-growing - could be established there! And even to-day, after all the work that has been done, we cannot yet say that Palestinian wine has found the openings that it needs in the world market, although its quantity is still small. But if in 1891 Palestine had been a Jewish State, and all the dozens of settlements that were then going to be established for the cultivation of the vine had in fact been established, Palestinian wine would be to-day as common as water, and would fetch no price at all. Using the analogy of this small example, we can see how difficult it will be to start new branches of production in Palestine, and to find openings for its products in the world market. But if the Jews are to flock to their State in large numbers, all at once, we may prophesy with perfect certainty that home competition in every branch of production (and home competition will be inevitable because the amount of labor available will increase more quickly than the demand for it) will prevent any one branch from developing as it should. And then the Jews will turn and leave their State, flying from the most deadly of all enemies - an enemy not to be kept off even by the magic word *völkerrechtlich*: from hunger.

True, agriculture in its elementary form does not depend to any great extent on the world market, and at any rate it will provide those engaged in it with food, if not with plenty. But if the Jewish State sets out to save all those Jews who are in the grip of the material problems, or most of them, by turning them into agriculturists in Palestine, then it must first find the necessary capital. At Basle, no doubt, one heard naive and confident references to a "National Fund" of ten million pounds sterling. But even if we silence reason, and give rein to fancy so far as to believe that we can obtain a Fund of those dimensions in a short time, we are still no further. Those very speeches that we heard at Basle about the economic condition of the Jews in various countries showed beyond a doubt that our national wealth is very small, and most of our people are below the poverty-line. From this any man of sense, though he be no great mathematician, can readily calculate that ten million pounds are a mere nothing compared with the sum necessary for the emigration of the Jews and their settlement in Palestine on an agricultural basis. Even if all the rich Jews suddenly became ardent "Zionists," and every one of them gave half his wealth to the cause, the whole would still not make up the thousands of millions that would be needed for the purpose.

There is no doubt, then, that even when the Jewish State is established the Jews will be able to settle in it only little by little, the determining factors being the resources of the people themselves and the degree of economic development reached by the country. Meanwhile the natural increase of population will continue, both among those who settle in the country and among those who remain outside it, with the inevitable result that on the one hand Palestine will have less and less room for new immigrants, and on the other hand the number of those remaining outside Palestine will not diminish very much, in spite of the continual emigration. In his opening speech at the Congress, Dr. Herzl, wishing to demonstrate the superiority of his State idea over the method of Palestinian settlement adopted hitherto, calculated that by the latter method it would take nine hundred years before all the Jews could be settled in their land. The members of the Congress applauded this as a conclusive argument. But it was a cheap victory. The Jewish State itself, do what it will, cannot make a more favorable calculation.

Truth is bitter, but with all its bitterness it is better than illusion. We must confess to ourselves that the "ingathering of the exiles" is unattainable by natural means. We may, by natural means, establish a Jewish State one day, and the Jews may increase and multiply in it until the country will hold no more: but even then the greater part of the people will remain scattered in strange lands. "To gather our scattered ones from the four corners of the earth" (in the words of the Prayer Book) is impossible. Only religion, with its belief in a miraculous redemption, can promise that consummation.

But if this is so, if the Jewish State too means not an "ingathering of the exiles," but the settlement of a small part of our people in Palestine, then how will it solve the material problem of the Jewish masses in the lands of the Diaspora?

Or do the champions of the State idea think, perhaps, that, being masters in our own country, we shall be able by diplomatic means to get the various governments to relieve the material sufferings of our scattered fellow-Jews! That is, it seems to me, Dr. Herzl's latest theory. In his new pamphlet (*Der Baseler Kongress*) we no longer find any calculation of the number of years that it will take for the Jews to enter their country. Instead, he tells us in so many words (p. 9) that if the land becomes the national property of the Jewish people, even though no individual Jew owns privately a single square yard of it, then the Jewish problem will be solved for ever. These words (unless we exclude the material aspect of the Jewish problem) can be understood only in the way suggested above. But this hope seems to me so fantastic that I see no need to waste words in demolishing it. We have seen often enough, even in the case of nations more in favor than Jews are with powerful governments, how little diplomacy can do in matters of this kind, if it is not backed by a large armed force. Nay, it is conceivable that in the days of the Jewish State, when economic conditions in this or that country are such as to induce a government to protect its people against Jewish competition by restrictive legislation, that government will find it easier than it is now to find an excuse for such action, for it will be able to plead that if the Jews are not happy where they are, they can go to their own State.

The material problem, then, will not be ended by the foundation of a Jewish State, nor, generally speaking, does it lie in our power to end it (though it could be eased more or less even now by various means, such as the encouragement of agriculture and handicrafts among Jews in all countries); and whether we found a State or not, this particular problem will always turn at bottom on the economic condition of each country and the degree of civilization attained by each people.

Thus we are driven to the conclusion that the only true basis of Zionism is to be found in the other problem, the moral one.

But the moral problem appears in two forms, one in the West and one in the East; and this fact explains the fundamental difference between Western "Zionism" and Eastern *'Hibbath Tziyon*. Nordau dealt only with the Western problem, apparently knowing nothing about the Eastern; and the Congress as a whole concentrated on the first, and paid little attention to the second.

The Western Jew, after leaving the Ghetto and seeking to attach himself to the people of the country in which he lives, is unhappy because his hope of an open-armed welcome is disappointed. He returns reluctantly to his own people, and tries to find within the Jewish community that life for which he yearns - but in vain. Communal life and communal problems no longer satisfy him. He has already grown accustomed to a broader social and political life; and on the intellectual side Jewish cultural work has no attraction, because Jewish culture has played no part in his education from childhood, and is a closed book to him. So in his trouble he turns to the land of his ancestors, and pictures to himself how good it would be if a Jewish State were re-established there - a State arranged and organized exactly after the pattern of other States. Then he could live a full, complete life among his own people, and find at home all that he now sees outside, dangled before his eyes, but out of reach. Of course, not all the Jews will be able to take wing and go to their State; but the very existence of the Jewish State will raise the prestige of those who remain in exile, and their fellow citizens will no

more despise them and keep them at arm's length, as though they were ignoble slaves, dependent entirely on the hospitality of others. As he contemplates this fascinating vision, it suddenly dawns on his inner consciousness that even now, before the Jewish State is established, the mere idea of it gives him almost complete relief. He has an opportunity for organized work, for political excitement; he finds a suitable field of activity without having to become subservient to non-Jews; and he feels that thanks to this ideal he stands once more spiritually erect, and has regained human dignity, without overmuch trouble and without external aid. So he devotes himself to the ideal with all the ardor of which he is capable; he gives rein to his fancy, and lets it soar as it will, up above reality and the limitations of human power. For it is not the attainment of the ideal that he needs: its pursuit alone is sufficient to cure him of his moral sickness, which is the consciousness of inferiority; and the higher and more distant the ideal, the greater its power of exaltation.

This is the basis of Western Zionism and the secret of its attraction. But Eastern *'Hibbath Tziyon* has a different origin and development. Originally, like "Zionism," it was political; but being a result of material evils, it could not remain satisfied with an "activity" consisting only of outbursts of feeling and fine phrases. These things may satisfy the heart, but not the stomach. So *'Hibbath Tziyon* began at once to express itself in concrete activities - in the establishment of settlements in Palestine. This practical work soon clipped the wings of fancy, and made it clear that *'Hibbath Tziyon* could not lessen the material evil by one iota. One might have thought, then, that when this fact became evident the *'Hovevei Tsiyon* would give up their activity, and cease wasting time and energy on work which brought them no nearer their goal. But, no: they remained true to their flag, and went on working with the old enthusiasm, though most of them did not understand even in their own minds why they did so. They felt instinctively that so they must do; but as they did not clearly appreciate the nature of this feeling, the things that they did were not always rightly directed towards that object which in reality was drawing them on without their knowledge.

For at the very time when the material tragedy in the East was at its height, the heart of the Eastern Jew was still oppressed by another tragedy - the moral one; and when the *Hovevei Tsiyon* began to work for the solution of the material problem, the national instinct of the people felt that just in such work could it find the remedy for its moral trouble. Hence the people took up this work and would not abandon it even after it had become obvious that the material trouble could not be cured in this way. The Eastern form of the moral trouble is absolutely different from the Western. In the West it is the problem of the Jews, in the East the problem of Judaism. The one weighs on the individual, the other on the nation. The one is felt by Jews who have had a European education, the other by Jews whose education has been Jewish. The one is a product of anti-Semitism, and is dependent on anti-Semitism for its existence; the other is a natural product of a real link with a culture of thousands of years, which will retain its hold even if the troubles of the Jews all over the world come to an end, together with anti-Semitism, and all the Jews in every land have comfortable positions, are on the best possible terms with their neighbors, and are allowed by them to take part in every sphere of social and political life on terms of absolute equality.

It is not only Jews who have come out of the Ghetto: Judaism has come out, too. For Jews the exodus is confined to certain countries, and is due to toleration; but Judaism has come out (or is coming out) of its own accord wherever it has come into contact with modern culture. This contact with modern culture overturns the defenses of Judaism from within, so that Judaism can no longer remain isolated and live a life apart. The spirit of our people strives for development: it wants to absorb those elements of general culture which reach it from outside, to digest them and to make them a part of itself, as it has done before at different periods of its history. But the conditions of its life in exile are not suitable. In our time culture wears in each country the garb of the national spirit, and the stranger who would woo her must sink his individuality and become absorbed in the dominant spirit. For this reason Judaism in exile cannot develop its individuality in its own way. When it leaves the Ghetto walls it is in danger of losing its essential being or - at best - its national unity: it is in danger of being

split up into as many kinds of Judaism, each with a different character and life, as there are countries of the Jewish dispersion. [see my essay *Imitation and Assimilation*]

And now Judaism finds that it can no longer tolerate the Diaspora form which it had to take on, in obedience to its will-to-live, when it was exiled from its own country, and that if it loses that form its life is in danger. So it seeks to return to its historic centre, in order to live there a life of natural development, to bring its powers into play in every department of human culture, to develop and perfect those national possessions which it has acquired up to now, and thus to contribute to the common stock of humanity, in the future as in the past, a great national culture, the fruit of the unhampered activity of a people living according to its own spirit. For this purpose Judaism needs at present but little. It needs not an independent State, but only the creation in its native land of conditions favorable to its development: a good-sized settlement of Jews working *without hindrance*[1]¹ in every branch of culture, from agriculture and handicrafts to science and literature. This Jewish settlement, which will be a gradual growth, will become in course of time the centre of the nation, wherein its spirit will find pure expression and develop in all its aspects up to the highest degree of perfection of which it is capable. Then from this centre the spirit of Judaism will go forth to the great circumference, to all the communities of the Diaspora, and will breathe new life into them and preserve their unity; and when our national culture in Palestine has attained that level, we may be confident that it will produce men in the country who will be able, on a favorable opportunity, to establish a State which will be a Jewish State, and not merely a State of Jews.

This *Hibbath Tsiyon*, which takes thought for the preservation of Judaism at a time when Jewry suffers so much, is something odd and unintelligible to the "political" Zionists of the West, just as the demand of R. Jochanan ben Zakkai for Yavneh was strange and unintelligible to the corresponding people of that time.[2]² And so political Zionism cannot satisfy those Jews who care for Judaism: its growth seems to them to be fraught with danger to the object of their own aspiration.

The "secret of our people's persistence" is - as I have tried to show elsewhere[3]³ - that at a very early period the Prophets taught it to respect only spiritual power, and not to worship material power. For this reason the clash with enemies stronger than itself never brought the Jewish nation, as it did the other nations of antiquity, to the point of self-effacement. So long as we are faithful to this principle, our existence has a secure basis: for in spiritual power we are not inferior to other nations, and we have no reason to efface ourselves. But a political ideal *which does not rest on the national culture* is apt to seduce us from our loyalty to spiritual greatness, and to beget in us a tendency to find the path of glory in the attainment of material power and political dominion, thus breaking the thread that unites us with the past, and undermining our historical basis. Needless to say, if the political ideal is not attained, it will have disastrous consequences, because we shall have lost the old basis without finding a new one. But even if it is attained under present conditions, when we are a scattered people not only in the physical but also in the spiritual sense - even then Judaism will be in great danger. Almost all our great men, those, that is, whose education and social position fit them to be at the head of a Jewish State, are spiritually far removed from Judaism, and have no true conception of its nature and its value. Such men, however loyal to their State and devoted to its interests, will necessarily regard those interests as bound up with the foreign culture which they themselves have imbibed and they will endeavor, by moral persuasion or even by force, to implant that culture in the Jewish State, so that in the end the Jewish State will be a State of Germans or Frenchmen of the Jewish race. We have even now a small example of this process in Palestine. And history teaches us that in the days of

¹ [1] The "political" Zionists generally think and say that they were the first to lay down as a principle that the settlement of Palestine by secret and surreptitious means, without organization and in defiance of the ruling power, is of no value and ought to be abandoned. They do not know that this truth was discovered by others first, and that years ago the *Hibbath Tsiyon* of Judaism demanded that everything should be done openly, with proper organization and with the consent of the Turkish government.

² [2] *Imitation and Assimilation*.

³ [3] The phrases in quotes are taken from my note on the Congress, as my critics have misinterpreted them. I have taken this opportunity of explaining their true meaning.

the Herodian house Palestine was indeed a Jewish State, but the national culture was despised and persecuted, and the ruling house did everything in its power to implant Roman culture in the country, and frittered away the national resources in the building of heathen temples and amphitheatres and so forth. Such a Jewish State would spell death and utter degradation for our people. We should never achieve sufficient political power to deserve respect, while we should miss the living moral force within. The puny State, being "tossed about like a ball between its powerful neighbors, and maintaining its existence only by diplomatic shifts and continual truckling to the favored of fortune," would not be able to give us a feeling of national glory; and the national culture, in which we might have sought and found our glory, would not have been implanted in our State and would not be the principle of its life. So we should really be then - much more than we are now - "a small and insignificant nation," enslaved in spirit to "the favored of fortune," turning an envious and covetous eye on the armed force of our "powerful neighbors" and our existence as a sovereign State would not add a glorious chapter to our national history. Were it not better for "an ancient people which was once a beacon to the world" to disappear than to end by reaching such a goal as this?[4]⁴ Mr. Lilienblum reminds me that there are in our time small states, like Switzerland, which are safeguarded against interference by the other nations, and have no need of "continual truckling." But a comparison between Palestine and small countries like Switzerland overlooks the geographical position of Palestine and its religious importance for all nations. These two facts will make it quite impossible for its "powerful neighbors" (by which expression, of course, I did not mean, as Mr. Lilienblum interprets, "the Druze and the Persians") to leave it alone altogether; and when it has become a Jewish State they will all still keep an eye on it, and each Power will try to influence its policy in a direction favorable to itself, just as we see happening in the case of other weak states (such as Turkey) in which the great European nations have "interests."

In a word: *Hibbath Tsiyon*, no less than "Zionism," wants a Jewish State and believes in the possibility of the establishment of a Jewish State in the future. But while "Zionism" looks to the Jewish State to provide a remedy for poverty, complete tranquility and national glory, *Hibbath Tsiyon* knows that our State will not give us all these things until "universal Righteousness is enthroned and holds sway over nations and States": and it looks to a Jewish State to provide only a "secure refuge" for Judaism and a cultural bond of unity for our nation. "Zionism, therefore, begins its work with political propaganda; *Hibbath Tsiyon* begins with national culture, because only through the national culture and for its sake can a Jewish State be established in such a way as to correspond with the will and the needs of the Jewish people.

Dr. Herzl, it is true, said in the speech mentioned above that "Zionism" demands the return to Judaism before the return to the Jewish State. But these nice-sounding words are so much at variance with his deeds that we are forced to the unpleasant conclusion that they are nothing but a well-turned phrase.

It is very difficult for me to deal with individual actions, on which one cannot touch without reflecting on individual men. For this reason I contented myself, in my note on the Congress, with general allusions, which, I believed, would be readily intelligible to those who were versed in the subject, and especially to Congress delegates. But some of my opponents have turned this scrupulousness to use against me by pretending not to understand at all. They ask, with affected simplicity, what fault I have to find with the Congress, and they have even the assurance to deny publicly facts which are common knowledge. These tactics constrain me here, against my will, to raise the artistic veil which they have cast over the whole proceedings, and to mention some details which throw light on the character of this movement and the mental attitude of its adherents.

If it were really the aim of "Zionism" to bring the people back to Judaism - to make it not merely a nation in the political sense, but a nation living according to its own spirit - then the Congress would

⁴ [4] The fact mentioned is familiar to many *Hovevei Tsiyon* in all the towns which the emissary visited with a letter from the headquarters of the movement. In my note [on the Zionist Congress] I only alluded to it briefly, and I am sorry that the denials of my opponents have compelled me here to refer to it again more fully.

not have postponed questions of national culture - of language and literature, of education and the diffusion of Jewish knowledge - to the very last moment, after the end of all the debates on *rechtlich* ([lawful] and *völkerrechtlich* [in accord with international law], on the election of X. as a member of the Committee, on the imaginary millions, and so forth. When all those present were tired out, and welcomed the setting sun on the last day as a sign of the approaching end, a short time was allowed for a discourse by one of the members on all those important questions, which are in reality the most vital and essential questions. Naturally, the discourse, however good, had to be hurried and shortened; there was no time for discussion of details; a suggestion was made from the platform that all these problems should be handed over to a Commission consisting of certain writers, who were named; and the whole assembly agreed simply for the sake of finishing the business and getting away.

But there is no need to ascertain the attitude of the Congress by inference, because it was stated quite explicitly in one of the official speeches - a speech which appeared on the agenda as "An Exposition of the basis of Zionism," and was submitted to Dr. Herzl before it was read to the Congress. In this speech we were told plainly that the Western Jews were nearer than those of the East to the goal of Zionism, because they had already done half the work: they had annihilated the Jewish culture of the Ghetto, and were thus emancipated from the yoke of the past. This speech, too, was received with prolonged applause, and the Congress passed a motion ordering it to be published as a pamphlet for distribution among Jews.

In one of the numbers of the Zionist organ *Die Welt* there appeared a good allegorical description of those Jews who remained in the National German party in Austria even after it had united with the anti-Semites. The allegory is of an old lady whose lover deserts her for another, and who, after trying without success to bring him back by all the arts which used to win him, begins to display affection for his new love, hoping that he may take pity on her for her magnanimity.

I have a shrewd suspicion that this allegory can equally well be applied, with a slight change, to its inventors themselves. There is an old lady who, despairing utterly of regaining her lover by entreaties, submission and humility, suddenly decks herself out in splendor and begins to treat him with hatred and contempt. Her object is still to influence him. She wants him at least to respect her in his heart of hearts, if he can no longer love her. Whoever reads *Die Welt* attentively and critically will not be able to avoid the impression that the Western "Zionists" always have their eyes fixed on the non-Jewish world, and that they, like the assimilated Jews, are aiming simply at finding favor in the eyes of the nations: only that whereas the others want love, the "Zionists" want respect. They are enormously pleased when a Gentile says openly that the "Zionists" deserve respect, when a journal prints some reference to the "Zionists" without making a joke of them, and so forth. Nay, at the last sitting of the Congress the President found it necessary publicly to tender special thanks to the three Gentiles who had honored the meeting by taking part in it, although they were all three silent members, and there is no sign of their having done anything. If I wished to go into small details, I could show from various incidents that in their general conduct and procedure these "Zionists" do not try to get close to Jewish culture and imbibe its spirit, but that, on the contrary, they endeavor to imitate, as Jews, the conduct and procedure of the Germans, even where they are most foreign to the Jewish spirit, as a means of showing that Jews, too, can live and act like all other nations. It may suffice to mention the unpleasant incident at Vienna recently, when the young "Zionists" went out to spread the gospel of "Zionism" with sticks and fisticuffs, in German fashion. And the Zionist organ regarded this incident sympathetically, and, for all its carefulness, could not conceal its satisfaction at the success of the Zionist fist.

The whole Congress, too, was designed rather as a demonstration to the world than as a means of making it clear to ourselves what we want and what we can do. The founders of the movement wanted to show the outside world that they had behind them a united and unanimous Jewish people. It must be admitted that from beginning to end they pursued this object with clear consciousness and determination. In those countries where Jews are preoccupied with material troubles, and are not likely on the whole to get enthusiastic about a political ideal for the distant future, a special emissary

went about, before the Congress, spreading favorable reports, from which it might be concluded that both the consent of Turkey and the necessary millions were nearly within our reach, and that nothing was lacking except a national representative body to negotiate with all parties on behalf of the Jewish people: for which reason it was necessary to send many delegates to the Congress, and also to send in petitions with thousands of signatures, and then the Committee to be chosen by the Congress would be the body which was required. On the other hand, they were careful not to announce clearly in advance that Herzl's Zionism, and that only, would be the basis of the Congress, that that basis would be above criticism, and no delegate to the Congress would have the right to question it. The Order of Proceedings, which was sent out with the invitation to the Congress, said merely in general terms that anybody could be a delegate "who expresses his agreement with the general program of Zionism," without explaining what the general program was or where it could be found. Thus there met at Basle men utterly at variance with one another in their views and aspirations. They thought in their simplicity that everybody whose gaze was turned Zion-wards, though he did not see eye to eye, with Herzl, had done his duty to the general program and had a right to be a member of the Congress and to express his views before it. But the heads of the Congress tried with all their might to prevent any difference of opinion on fundamental questions from coming to the surface, and used every "parliamentary" device to avoid giving opportunity for discussion and elucidation of such questions. The question of the program actually came up at one of the preliminary meetings held before the Congress itself (a *Vorkonferenz*) [pre-conference]; and some of the delegates from Vienna pointed to the statement on the Order of Proceedings, and tried to prove from it that that question could not properly be raised, since all the delegates had accepted the general program of Zionism, and there was no Zionism but that of Vienna, and *Die Welt* was its prophet. But many of those present would not agree, and a Commission had to be appointed to draw up a program. This Commission skillfully contrived a program capable of a dozen interpretations, to suit all tastes; and this program was put before Congress with a request that it should be accepted as it stood, without any discussion. But one delegate refused to submit, and his action led to a long debate on a single word. This debate showed, to the consternation of many people, that there were several kind of "Zionists," and the cloak of unanimity was in danger of being publicly rent asunder; but the leaders quickly and skillfully patched up the rent, before it had got very far. Dr. Herzl, in his new pamphlet, uses this to prove what great importance Zionists attached to this single word (*völkerrechtlich*). [According to international law] But in truth similar "dangerous" debates might have been raised on many other words. For many delegates quite failed to notice the wide gulf between the various views on points of principle, and a discussion on any such point was calculated to open people's eyes and to shatter the whole structure to atoms. But such discussions were not raised, because even the few who saw clearly and understood the position shrank from the risk of "wrecking." And so the object was attained; the illusion of unanimity was preserved till the last; the outside world saw a united people demanding a State; and those who were inside returned home full of enthusiasm, but no whit the clearer as to their ideas or the relation of one idea to another.

Yet, after all, I confess that Western "Zionism" is very good and useful for those Western Jews who have long since almost forgotten Judaism, and have no link with their people except a vague sentiment which they themselves do not understand. The establishment of a Jewish State by their agency is at present but a distant vision; but the idea of a State induces them meanwhile to devote their energies to the service of their people, lifts them out of the mire of assimilation, and strengthens their Jewish national consciousness. Possibly, when they find out that it will be a long time before we have policemen and watchmen of our own, many of them may leave us altogether; but even then our loss through this movement will not be greater than our gain, because undoubtedly there will be among them men of larger heart, who, in course of time, will be moved to get to the bottom of the matter and to understand their people and its spirit: and these men will arrive of themselves at that genuine *Hibbath Tsiyon* which is in harmony with our national spirit. In the East, however, the home refuge of Judaism and the birthplace of Jewish *Hibbath Tsiyon*, this "political" tendency can bring us only harm. Its attractive force is at the same time a force repellent to the moral ideal which has till now been the inspiration of Eastern Jewry. Those who now abandon that ideal in exchange for the political idea will never return again, not even when the excitement dies down and the State is not estab-

lished: for rarely in history do we find a movement retracing its steps before it has tried to go on and on, and finally lost its way. When, therefore, I see what chaos this movement has brought into the camp of the Eastern *'Hovevei Tsiyon* - when I see men who till recently seemed to know what they wanted and how to get it, now suddenly deserting the flag which but yesterday they held sacred, and bowing the knee to an idea which has no roots in their being, simply because it comes from the West: when I see all this, and remember how many paroxysms of sudden and evanescent enthusiasm we have already experienced, then I really feel the heavy hand of despair beginning to lay hold on me.

It was under the stress of that feeling that I wrote my Note on the Congress, a few days after its conclusion. The impression was all very fresh in my mind, and my grief was acute; and I let slip some hard expressions, which I now regret, because it is not my habit to use such expressions. But as regards the actual question at issue I have nothing to withdraw. What has happened since then has not convinced me that I was wrong: on the contrary, it has strengthened my conviction that though I wrote in anger, I did not write in error.



**LETTER OF YOUSEF DUJA-UDDIN (PASHA) AL-KHALIDI, MAYOR OF JERUSALEM,
TO THE CHIEF RABBI OF FRANCE, ZADOK KAHN, 1899 [EXCERPTS]
AND THEODORE HERZL'S RESPONSE, 19 MARCH 1899**

**I. AL-KHALIDI'S LETTER TO THE CHIEF RABBI OF FRANCE ZADOK KAHN,
1899 [EXCERPT]**

It is necessary, therefore, for the peace of the Jews in Turkey that the Zionist Movement, in the geographic sense of the word, stops. ...Good Lord, the world is vast enough, there are still uninhabited countries where one could settle millions of poor Jews who may perhaps become happy there and one day constitute a nation. That would perhaps be the best, the most rational solution to the Jewish question. But in the name of God, let Palestine be left in peace.

Kahn showed the letter to Theodore Herzl who replied to Al-Khalidi as follows (original in French):

**II. THEODORE HERZL'S RESPONSE TO AL-KHALIDI'S LETTER,
VIENNA, 19 MARCH 1899**

Excellency,

I owe to Mr. Zadok Kahn's kindness the pleasure of having read the letter which you addressed to him. Let me tell you first of all that the feelings of friendship which you express for the Jewish people inspire in me the deepest appreciation. The Jews have been, are, and will be the best friends of Turkey since the day when Sultan Selim opened his Empire to the persecuted Jews of Spain.

And this friendship consists not only of words - it is ready to be transferred into acts and to aid the Moslems.

The Zionist idea, of which I am the humble servant, has no hostile tendency toward the Ottoman Government, but quite to the contrary this movement is concerned with opening up new resources for the Ottoman Empire. In allowing immigration to a number of Jews bringing their intelligence, their financial acumen and their means of enterprise to the country, no one can doubt that the well-being of the entire country would be the happy result. It is necessary to understand this, and make it known to everybody.

As Your Excellency said very well in your letter to the Grand Rabbi, the Jews have no belligerent Power behind them, neither are they themselves of a warlike nature. They are a completely peaceful element, and very content if they are left in peace. Therefore, there is absolutely nothing to fear from their immigration.

The question of the Holy Places?

But no one thinks of ever touching those. As I have said and written many times: These places have lost forever the faculty of belonging exclusively to one faith, to one race or to one people. The Holy Places are and will remain holy for all the world, for the Moslems as for the Christians as for the Jews. The universal peace which all men of good will ardently hope for will have its symbol in a brotherly union in the Holy Places.

You see another difficulty, Excellency, in the existence of the non-Jewish population in Palestine. But who would think of sending them away? It is their well-being, their individual wealth which we will increase by bringing in our own. Do you think that an Arab who owns land or a house in Palestine worth three or four thousand francs will be very angry to see the price of his land rise in a short time, to see it rise five and ten times in value perhaps in a few months? Moreover, that will necessarily happen with the arrival of the Jews. That is what the indigenous population must realize, that they will gain excellent brothers as the Sultan will gain faithful and good subjects who will make this province flourish - this province which is their historic homeland.

When one looks at the situation in this light, which is the true one, one must be the friend of Zionism when one is the friend of Turkey.

I hope, Excellency, that these few explanations will suffice to give you a little more sympathy for our movement.

You tell Mr. Zadok Kahn that the Jews would do better to go somewhere else. That may well happen the day we realize that Turkey does not understand the enormous advantages which our movement offers it. I have explained our aim publicly, sincerely and loyally. I have had submitted to His Majesty the Sultan some general propositions, and I am pleased to believe that the extreme clearness of his mind will make him accept in principle the idea of which one can afterwards discuss the details of execution. If he will not accept it, we will search and, believe me, we will find elsewhere what we need.

But then Turkey will have lost its last chance to regulate its finances and to recover its economic vigor. It is a sincere friend of the Turks who tells you these things today. Remember that!

And accept, Excellency, the assurance of my very high consideration.

(Signed) Dr. Theodore Herzl



ZIONIST SETTLEMENT LEADER ARTHUR RUPPIN, ADDRESS TO THE JEWISH COLONIZATION SOCIETY OF VIENNA: 'THE PICTURE IN 1907', 27 FEBRUARY 1908

[In 1907, Ruppin was sent by the Pres. of the Zionist Organization David Wolfsohn to examine the condition of the Jews in Palestine and the possibilities for agricultural and industrial development. He reported on what he saw, which was not good, and gave recommendations for improving the situation (see text below). After settling in Palestine in 1908, he became the Zionist land agent and was instrumental in shaping the nature of Jewish settlement in Palestine.]

I wish to thank the members of the Colonization Society of Vienna for the opportunity they have given me to tell them something about what I was able to observe in Palestine during my six months' stay there in the spring and summer of 1907.

My address will fall into two parts. The first will deal with that which I actually saw, in other words, with that which is. In the second part I shall attempt to suggest that which ought to be, in other words,

what programmatic work should be undertaken on behalf of the Jews of Palestine in order to raise them to a higher economic level.

Every study of present-day conditions in Palestine must use as its starting point the manner in which the 80,000 Jews of that country immigrated - beginning with the few thousand Sephardic Jews who were already to be found there a century ago.

Jewish immigration into Palestine cannot be subsumed under the same general heading as Jewish immigration into other countries. Whereas immigration into other countries has been motivated entirely by economic considerations, that is, by the impulse to find better economic conditions, the motives which impelled the Jews to migrate toward Palestine were not economic but predominantly religious.

This difference of motives finds clear expression in the composition of the Jewish immigrant groups. The Jews who have migrated from East European countries to the United States are, for by far the greatest part, between the ages of 15 and 45, that is, the age of maximum earning capacity. But until twenty years ago the Jews migrating to Palestine went there almost exclusively to die in the Holy Land; persons of advanced age, who could not support themselves by work, but who had to be supported by charity while they devoted themselves exclusively to religious duties.

They could rely on this charity with a certain degree of confidence, for since the middle of the 19th century there has existed in Europe a widely ramified organization for the collection of funds for the support of the Jews of Palestine; every year large sums are collected and transmitted for that purpose. This is the famous 'Halukkah. The distribution of the 'Halukkah in Palestine is not guided by the relative needs of the recipients, it follows the simpler rule of the counting of heads. Every Jew who enters Palestine is added to the register, and is entitled to his proportionate share of the money sent into Palestine by the country of his birth. The per capita income from this source is fairly large in the case of the Hungarian Jews, since there are few of them in the country; for opposite reasons that of the Polish and Russian Jews is fairly small. The method of distribution of the 'Halukkah has many defects, for there are Jews receiving 'Halukkah who could very well support themselves by the work of their hands. Apart from this, the administration and distribution of such a fund is almost inevitably bound up with the evils of nepotism.

The Jewish population of Palestine consists of three distinct strata. The first is made up of those Sephardic Jews who have lived in the country for centuries, have become closely assimilated, in mores and in the general mode of life, to the local Arabs and who, side by side with Spaniolo, speak Arabic too. A good picture of the life of these Jews is furnished by the town of Saida (the ancient Sidon) where 2000 Jews - all of them Sephardic - may be found. They receive no 'Halukkah, earn a difficult and pitiful living as small merchants and artisans, are poorly educated and of a not particularly high moral standing. The Jews of Morocco, Persia and the Yemen, who have come into Palestine of recent years, may be lumped together with this group.

The second stratum is composed of the Ashkenazic Jews who have come into Palestine during the last hundred years for religious reasons, and for whom the 'Halukkah system exists. They have tended to concentrate in Jerusalem, but numbers of them are also to be found in Safed, Tiberias and Hebron, where they have settled side by side with the older Sephardic population, from whom they keep aloof, however, on the ground of their superior Jewish learning. Safed with its 8000, Tiberias with its 5000 and Hebron with its 1000 Jews are very much alike. They are typical 'Halukkah towns.

In this second stratum there is no economic life to speak of. The few occupations which have been taken up - of which the principal is trading with the Bedouins - bring in very little. Hence these cities present, to European eyes, a wretched picture of cultural and economic stagnation. There is no connection with the outside world. Newspapers and modern books are unknown in these places, and life goes on as it did a hundred years ago. The kindergartens of the Hilfsverein der Deutschen Juden and

the schools of the Alliance Israelite find it extremely difficult to introduce a new education content into this population. The condition of these communities may be illustrated by the following incident. In Safed I visited a Jew who told me that his income amounted to eighty francs a month, and that he was therefore considered very well to do, and was much envied. The average monthly income of a Sephardic Jew is somewhere between thirty and forty francs.

In Jerusalem conditions differ from those which obtain in the three above-mentioned cities: the reasons being that, in addition to the original Sephardic and the later 'Halukkah Ashkenazic populations, we find a considerable element, of recent growth, which earns its living by work; it is composed partly of Jews from Persia, Yemen, Bokhara and Morocco, and partly of young Jews of the modern type from Eastern Europe, who have come to Palestine under the influence of the Zionist idea. It is an exceedingly motley mixture of Jews from all the countries under the sun which makes up the Jewish population of Jerusalem. There are many interesting observations to be made on the diverse modes of life adopted by these Jewish settlers. The Bokharian Jew is generally well to do or even rich, and it is a matter of pride with him to have a handsome and roomy house in Jerusalem. The East-European Jew builds himself a small, wretched dwelling. Even more primitive is the mode of life of the Yemenite Jew, who is happy to have any sort of home. Nevertheless these immigrants from Yemen are a valuable element for Palestine, for they are able, by virtue of the fewness of their needs, to compete successfully with the cheap labor of the Arabs. Apart from this, they are so accustomed to heavy physical labor that they can easily be transformed into agricultural workers, and from all appearances they will play a considerable role in this field.

In Jerusalem, again, have been concentrated the most important educational and hygienic institutes. There are the big hospitals, schools, orphan homes, the Bezalel Arts and Crafts School, the National Library, etc. Jewish influence in Jerusalem is, however, considerably smaller than might be expected for the fact that the Jews make up sixty to seventy per cent of the population. The reason for this apparent anomaly is that political influence is a consequence of economic power, and the Jews of Jerusalem lack economic power. It is still the 'Halukkah which is the main support of the community. An increasing number of Jews may, indeed, be found turning to labor and trade; but this phenomenon is more or less of an experiment, which we hope will be successful and will grow in the future. The fact that the Jews of Jerusalem are a majority finds expression in the Hebrew and Yiddish signs which cover the shops nearly everywhere. The post offices of the foreign governments have Hebrew notices, while the Turkish post office in the Jewish quarter even has a Hebrew rubber-stamp. A large mill has recently been acquired by Jews.

The third stratum of the Jewish population consists of those who have come into the country during the last twenty or thirty years as a result of the 'Hibbath Tsiyon, or the Zionist movement, some to take up agriculture, others to settle in Jerusalem, Haifa, or Jaffa - where older Jewish communities already existed - and to take up trade or some handicraft. Jerusalem has already been referred to above. There is little to say about Haifa; among the 2000 Jews to be found there, 1800 are Sephardic, 200 Ashkenazic. Some wealthy Russian Jews have founded here an oil and soap factory which gives employment to a large number of Jews. The opening of the Haifa-Damascus railroad has had a healthy influence on the harbor activities of Haifa, with a consequent improvement in the economic life of the city; this improvement has in turn been of benefit to the Jews, whose condition is relatively satisfactory.

This third stratum of Jews now under consideration received its largest addition in Jaffa, whose Jewish population of 8000 is divided equally among Ashkenazic and Sephardic Jews, none of whom receive 'Halukkah support. Jaffa differs from, let us say, Jerusalem, in not being under the pressure of an ancient and unproductive settlement, hostile to all innovation; this city has therefore become the centre of modern Jewish life in Palestine. Fifty years ago there were hardly any Jews in Jaffa; thirty years ago they counted 1000; within the last few decades the number has grown to 8000. It is in Jaffa that we find the beginnings of a modern industrial development. There is a large machine shop which employs about 100 Jewish workers.

The Jews also share in the export and import trade, but their role in this activity leaves much to be desired. The proximity of the Jewish colonies of Petach Tikvah, Rishon le Zion and Rehovoth has had an invigorating effect on the city, as the colonists sell their produce to Jaffa, and in turn make their purchases in the city. But very few Jews of Jaffa can be considered comfortably off; for the most part they still lead a hand to mouth existence.

Of considerable importance to Jaffa is the recently founded Hebrew Gymnasium, which is dominated by a modern and progressive spirit. Apart from this, the Gymnasium has adopted Hebrew as the language of tuition; it therefore serves as a means of spreading Hebrew through wider and wider circles of the Jewish population.

To all the foregoing must now be added a brief description of the Jewish colonies and Jewish agricultural life. The colonies have been founded within the last thirty years, and along two lines: some by young people who came out of Eastern Europe, bringing with them much enthusiasm and industriousness, but little by way of experience or economic resources; others by the programmatic colonization work of Baron Rothschild. With few exceptions (e.g., Rehovoth) the first type of colony went to pieces in the first few years, or found itself compelled to place itself under the protection of Baron Rothschild. The colonization work of the Baron has achieved much for Palestine and has created enduring values. enormous sums have, indeed, been swallowed up by it; nor can it be said that the colonies have come up to the expectations with which the founder may have started out. But the fault lies not with the work of the Baron, but with the fact that, when he resolved to undertake Jewish colonization in Palestine, he already found a number of Jewish colonies in a desperate condition, and was compelled, willy-nilly, to begin with these. Most of the mistakes which have been made in the colonization work may be traced back to this situation.

The first mistake which I must point out was the fact that the persons who were to be transformed into farmers did not know enough about agriculture. They had not been brought into the country according to plan; they had simply come, had installed themselves one way or another as agriculturalists, soon found themselves at the end of their means, and called for help. It is difficult to find among the Jews the right sort of human material for agriculture; there are, indeed, statistics of Russian, Galician and East European Jews who live by agriculture; but there seems to be a wide gap between these statistics and what I have observed personally in East Europe. The Jews who, according to the statistical tables, belong in the class of agriculturalists, are for the most part not farmers, but landowners, who lease out their lands, or agricultural day laborers, or else small cattle-breeders; in any case, they are not the type of farmer which is needed for Palestine. In consequence it appears altogether doubtful whether we shall find, anywhere in the world, Jews whose abilities and training would fit them to become successful farmers in Palestine. It will be necessary to put the land settlers through a period of preliminary training in the country itself so that they may win the necessary experience acclimatize themselves, become accustomed to the work, and in general become acquainted with the general conditions obtaining in Palestine.

The second mistake consisted in the fact that persons who were in desperate need suddenly found themselves, through the munificence of Baron Rothschild, in possession of considerable sums, and could without any effort on their own part obtain all sorts of equipment which other farmers must as a rule acquire slowly, through the years, and by the sweat of the brow. And the old rule still holds, that the man who acquires the means to a livelihood only after much effort, prizes and guards these means, while the man who has these means thrown into his lap will not know how to appreciate them. We therefore find in Palestine a vast difference between German and Jewish colonists in regard to the care which they bestow on their live and other stock. This has nothing to do with inferior ability on the part of the Jews but with the circumstance that the German colonist has created what he possesses by his own labor, and he treats it with more care, foresight and affection. The superior stability of the German on the land, again, is connected with the organic way in which he acquired, and grew with, his possessions; the Jew obtained his as it were overnight.

The third mistake was the system of administration, which blocked the development of a spirit of independence among the colonists. An agricultural expert was appointed for every group of colonies; his instructions to the colonists were binding, but the risk was carried, formally and legally, by the colonists themselves. A situation like this is impossible in the long run. I can imagine two methods of agricultural colonization. A man may work under the direction of an administrator, but without accepting responsibility. It is also possible for a settler to make his own decisions on his own responsibility. But it is hard for me to imagine a system under which the farmer must bear the responsibility while following the instructions of the administrator. It is for this reason that the Jewish colonist does not feel the same responsibility as the farmer who takes the risk for his own decisions. I will cite only one example of the disadvantages which result from this system of guardianship over the colonists. At one time a number of Jewish colonies, under instruction from Baron Rothschild, planted a certain variety of grape. Later it was found that this variety did not pay. The consequence was that colonists were compelled to uproot the vines, and to ask the Baron to make good their losses, which he did.

The fourth mistake, it seems to me, lies in the fact that many colonies are built on the culture of a single product; they go in exclusively for grapes, or oranges, or grain; as a result the risk is much greater; to this must also be added the consequence that such colonists are employed only during part of the year. During the remaining time they are condemned to idleness.

Now these mistakes did not escape the notice of the administrators, and for many years attempts were made to find a way out. Efforts were made to increase the self-reliance and independence of the colonists by limiting the competence of the administrators. For instance, the wine-cellars of Rishon le Zion, which were at first directed by the administration, were placed under the care of a committee of colonists. In choosing settlers for the colony of Ekron and for the recently founded colonies in Galilee, much care was exercised, and only those received land who were acquainted with Palestinian agriculture, in particular the sons of older colonists and agricultural workers. But was found impossible to undo all the harm which had resulted from the earlier mistakes. The old generation of colonists has been brought up in a spirit of complete dependence; whenever something goes wrong, they come running for assistance; it is only here and there, among the new generation, that we find more spirit.

In conclusion, we may say that the colonization work of the Baron was the enterprise of a rich man who wanted to indulge in the luxury of seeing a piece of work completed in less time than it should have taken by a process of organic growth. In any event, the money invested has not been lost. Baron Rothschild found himself reimbursed by the increase in land values, so that even the over-expenditure was made good. But from the point of view of the Jew who today wishes to settle on the land in Palestine, the value of the Baron's work cannot be over-estimated. Our position today is very different from what it would have been if we had had to start our colonization work from the beginning. How important the colonies are is proved by the role which the four or five German colonies in the country play as centers of support for Germany. How much more important for the Jews are the twenty five colonies which they can call their own. Mention should, indeed, be made of the inclination among the young manhood of certain colonies to migrate from the country; in particular is this true of second and third sons; the reason is that they can see no future for themselves in the country. Unfortunately they leave Palestine not as Syrians leave Syria, namely with the intention of making some money abroad and for returning with their savings; if they leave Palestine it is for good.

In contrast with the pitiful Arab villages, with their huts of baked clay, the Jewish colonies, with their wide streets, their strong stone houses and their red-tiled roofs, look like veritable oases of culture. The Jewish colonists have also contributed a great deal to the technical improvement of Palestinian agriculture. They have been particularly active in plantation work - oranges, almonds and olives. The best proof of this success is to be found in the fact that the German colonists of Saron employ Jewish workers in order to start plantations, and pay them at the high rate of five or six francs a day.

In grain farming the Germans are in advance of the Jews, but the Jews have been pioneers in the starting of plantations; they were the first to resort to deep well boring, and it is they who have brought the orange culture of the country to its present high level.

There is a lively spiritual activity in the colonies, and Jewish self-consciousness finds much stronger expression here than in the cities. Hebrew is rapidly gaining ground as the language of daily use. In the streets one hears the children speaking only Hebrew; it is from the colonies that the language thrusts its way into the cities, where it is already playing an important role.

Permit me now to devote a little attention to my second thesis: what can be done in Palestine? With regard to the cities, the answer is not difficult. We must liquidate the 'Halukkah system, which still provides most of the Jews with the largest part of their income, by the substitution of work. In the last decade Palestine has been lifted to a new economic level, and the standard of life has risen not only among the Jews, but among the Arabs too. The latter are beginning to dress European fashion, and in this way they have increased the home market. Nevertheless, the purchasing power of Palestine is still low. We still see no prospect of so raising it as to absorb our 80,000 Jews in internal commerce and industry. The market is too small. Jews are, indeed, to be found in the import and export trade, which is almost exclusively devoted to agricultural products (grain and sesame), but here too only a relatively small number of Jews can make a living. There is, in my opinion, only one way of providing work for the Jews, and that is by the creation of industrial enterprises with large export possibilities. Certain articles can be produced in factories; some, indeed, are already being produced. But the erection and equipment of factories calls for heavy investment, and the absence of coal and iron in Palestine will always be a certain obstacle in the way of the development of heavy industry. A much better prospect is offered by the introduction of small industry, such as can be carried on in the home or in small workshops, with human instead of mechanical power. There is already one town in Palestine which supports itself almost entirely through small industry of this kind, namely Bethlehem, where practically the entire Christian population is engaged in the production of sacred images and travellers' mementoes made of mother-of-pearl, which find a market chiefly in America. The same is true of the Christians of Nazareth. The centre of small industry is, however, Syria - chiefly Damascus. Here it is mostly the Sephardic Jews who are employed in small industry. From Damascus comes the well-known type of furniture pieces inlaid with mother-of-pearl or with mosaics of other woods; likewise utensils of beaten copper. Some 10,000 workers are said to be thus employed, one half of them Jews, so that the greater part of the Jewish population of Damascus supports itself through small industry. The earning in this line of work are small; nevertheless the unprejudiced observer detects a great difference between the life in Damascus and the life in Jerusalem. Wherever one passes through the streets of Damascus there is a busy life; here are people who have something to do and know something about the value of time. Jerusalem is, by contrast, like a city of the dead; its inhabitants have no constant occupation, and they are hard put to it to pass the time. I would therefore recommend, as the first step in the improvement of the economic condition of the Jews of Palestine, the introduction of small industry, and that preferably in Jerusalem, which contains two thirds of the Jewish population of Palestine. A beginning has already been made with the Bezalel Arts and Crafts School, founded in 1906. A well developed small industry could be of advantage to, and derive benefits from, the Bezalel school. As things are today, Palestine lacks a small industry which could absorb the pupils of the Arts and Crafts School, and put their training to use. On the other hand, a small industry would itself also benefit by the existence of the school.

It is only by an improvement in their economic condition that the Jews of Palestine will be able to get the full advantage of the high standard of education which they enjoy. Today the boy who has received a training in European languages simply does not know what to do with it; he is too educated to be satisfied with those occupations which are accessible to him in Palestine; he is unhappy in Palestine, and at the first opportunity migrates, so that it may be said that all the education which the Jews of Palestine receive only serves to drive them out of the country. Improvement of hygienic conditions is also important for the cities. City hygiene is the weakest point in the Turkish administration; in fact, it can hardly be said to exist at all.

I turn now to the colonies. Two questions arise at once: What is to happen with those colonies which already exist, and how shall colonization be extended, i.e. how shall we found new colonies? It will be necessary for the colonists to turn to mixed farming. They must not be content with plantations alone; they must also take up grain-growing. It is an immense disadvantage for the plantation colonists that during the many months when nothing can be done in the orchards, they practically forget their work, and in general find it difficult to overcome the habit of laziness into which they have fallen. This can be avoided if, side by side with the plantations, there is also the cultivation of grain. In this fashion a problem of prime importance, namely, the labour problem, will also be solved. Hitherto the plantation colonists have been able to employ Jewish workers for only part of the year. As the demand for workers increased in season, it was of course impossible to find Jewish workers in sufficient numbers; Arab workers were therefore engaged from the nearest village. The consequence has been that in many colonies more Arab than Jewish workers are employed at certain seasons of the year: which is a most undesirable state of affairs. If every colony had wheat cultivation as well as plantations, the Jewish worker could find employment all the year round.

Of very great importance is the problem of drawing the women into agricultural work. While in the German colonies nearly every woman has the dairy work to look after, nothing of the sort is to be found in the Jewish colonies, simply because the production of milk has not been undertaken. The production of fodder has been neglected, so that it is difficult to keep cattle; and thus neither milk nor butter can be bought in the Jewish colonies. But there is a great deal more to be done in this direction; more attention must be paid to chicken and vegetable farming than has been paid till now. While the Arabs make immense sums of money out of vegetable farming, the Jewish colonies have hardly begun to do anything in this field.

Important, too, is the extension of credit to cover agricultural enterprises. Mortgage credit, of the kind which has rendered invaluable service in Germany is, indeed, impossible in Palestine because of the peculiar legal complications bound up with the holding of land in the Jewish colonies; but as far as personal credit is concerned, a great deal can be done through the extension of the cooperative system, which at present has merely made a beginning.

Nor must we neglect the question of a network of roads between the colonies. It would be an excellent thing if the largest colonies of Judea could be connected with Jaffa by spur railroad lines; I understand that steps have already been taken to obtain these small concessions from the Turkish government.

And now, in closing, I turn to the question of how to proceed to the extension of our colonies. We must make sure, before we provide prospective settlers with land, whether as lessees or as owners, that they have a practical knowledge of Palestinian agriculture; they must also be accustomed to the country and its climate. Secondly, through the introduction of a system of mixed farming, we must make it possible for the colonists to put their labour to use throughout the entire year. Thirdly, before we help a colonist to become a farmer for himself, we must see to it that he is at least able to provide himself with live stock out of his own means.

But the problem before us is not easily solved; for most of the Jews who come to Palestine have no means of their own, and it is precisely the best and most industrious elements which are thus prevented from working their way up from the status of worker to that of independent farm lessee or owner.

The ICA has tried to introduce a change into its colonization system. In Sedjera (Palestine) [Sejera became Kibbutz Degania in 1909] and Leloir (the Argentine) it has a new method. The Jews are first given employment as workers on a large farm; then, when they have become accustomed to the agricultural life, they are helped toward becoming independent farmers by being given, as leaseholders, a reasonable stretch of land and, by way of credit, the first stock and whatever is necessary for the building of a house. It no longer issues to the settlers instructions as to how they are to work the land,

and the responsibility rests entirely with the settlers. This method promises much better results than were obtainable with the older one.

This closes my brief report. I should be happy to feel that the little I have said concerning the work in Palestine has convinced you that the country is one which affords great possibilities which need only be approached methodically and systematically in order to come to fruition.



**REPORT BY ZIONIST ACTIVIST SAMI HOCHBERG TO VICTOR JACOBSON OF THE
WORLD ZIONIST ORGANIZATION ON THE CAIRO AND BEIRUT COMMITTEES
REGARDING ZIONISM, 17 MAY 1913 [EXCERPTS]**

[...] It is certain that the majority of the members of the Cairo and Beirut committees are favourable to Zionism and would even like to conclude an *entente* with Zionists with a view to joint action. I gave them my opinion, according to which the Zionists would probably not enter into such an *entente* before the Arab organization adopts as its own the demands of the Zionists. In other words, not until it accepts the Zionist programme as part of its own programme. Otherwise, the Zionists would probably not wish to contribute, naturally and logically, towards the formation of a force which might turn against them.

It goes without saying that neither the Cairo nor the Beirut committee, nor the two together, has the authority to make it (i.e., an agreement with the Zionists). It would require a congress at which delegates from all the committees of Syria and Palestine would take part. But the convening of such a congress will not be possible until after the completion of the organization of the movement, which will take place after the Paris Congress.

After a lively exchange of views on the subject with the Cairo committee, I concluded with them the following *entente verbale*:

1. The Cairo Committee, being in principle in favour of Jewish immigration into Syria and Palestine and of an *entente* with the Zionists, will make it its duty to work for a *rapprochement* of the Arab world of the Jewish world, and to dissipate, through oral propaganda and the Arabic press, all the prejudices which have been current until now in the Arab world on the subject of Jewish immigration and which have impeded an Arab-Jewish *rapprochement*.
2. In exchange, *Le Jeune Turc* [the Istanbul paper of which Hochberg was the editor] will make it its duty to support the cause of the Arab movement so long as it remains compatible with the unity and integrity of the [Ottoman] Empire. *Le Jeune Turc* will do everything possible so that the European papers (especially in Germany) with which it has dealings should do the same.

This *entente verbale* is, in our view (both mine and the members of the Cairo Committee), nothing more than an exchange of services destined to prepare the ground and, above all, to enlighten Arab public opinion, which has until now been poorly informed on the aims and goals of Zionism, with a view to a full accord in the future. This *entente* was completed by a decision of the Committee (inscribed in the minutes) concerning its attitude towards Ottoman Jews and by some statements by Rafiq Bey al-Azm, Chairman of the Committee, destined for publication in *Le Jeune Turc* and in the Arabic newspapers, concerning Jewish immigration and the restrictive measures of the Government. These statements were read and approved by other influential members of the Cairo Committee.

Here is the text of the statements by Rafiq Bey al-Azm:

“Our Party is determined to safeguard the rights of the Jewish nationality and to accept no law, no restrictive or exceptional measures, against them. As Ottomans, the Jews ought to enjoy the

same rights as all Ottomans; as foreigners. Any exceptional measure taken against them on account of their nationality is anti-constitutional and contrary to the liberal principle of our Party.

“You are aware that there is a wave of Jewish immigration into Syria and Palestine. Unfortunately, our Party has not yet had the time, given the short length of its existence, to study this question in depth, but I am sure that the day when this question will be brought up for discussion, it will be resolved by a common accord for the good of both interested parties: the Jews and the Arab population. *We understand too well the valuable assistance that Jewish capital, manpower and intelligence can bring us for the rapid revival of our provinces for us to commit the error of rejecting them.* Certainly, regulations as exist in all civilized countries regarding immigration, whether Jewish or other, will perhaps be necessary. *But there is an enormous difference between a reasonable and just regulation and exceptional measures such as those enacted under the old regime and maintained under the new regime.*”

In order to be able to make the most of the press campaign which will be undertaken, I have asked Mr. Najjar to write a series of articles in the Egyptian, Syrian and Palestinian papers. These articles will carry the signature of one or another of the members of the Cairo Committee.

Ahmad Mukhtar Bayhum Bey, an influential member of the Beirut Committee who came to Cairo at the same time as I did, took part in all the discussions and the *entente verbale* which followed. He communicated it to several influential members of the Beirut Committee, and has promised to go there to get me into contact with that Committee [...]

The *entente verbale* was also accepted by the Beirut Committee, and was completed by a statement from Rizqallah Arqash, an important member of the Committee.

Here is the text:

“Our entente with the Muslims also includes the Jewish element, which we like because it is hard-working and educated. It follows from our very program that its interests as a nationality must be safeguarded to the same extent as those of all other elements living in the Arab provinces.

“As for Jewish immigration into Syria and Palestine, we can only be favorable to it. This Jewish immigration, by virtue of the level of culture of the immigrants, the capital which they introduce into the country, the new methods of work which they practice, constitutes one of the most powerful factors for the upbuilding of these provinces. It would be a crime against the fatherland [*patrie*] to impede such immigration.

“Those among us who are opposed are only interested parties who think they can thereby extort money from the Jewish companies involved, or are usurers whom Jewish immigration, by enriching the fellah and improving his condition, will prevent from practicing, as before, large-scale usury with a view to despoiling the fellahin of their goods and reducing them to slavery. Honest and intelligent people can only wish to encourage this immigration. The Government should realize this and abolish the restrictive measures taken under Abdul Hamid against an immigration which is useful and harmless.”

The practical results of my mission can thus be summarized as follows:

- 1) a complete study of the state of the Arab movement, as well as its attitude towards Zionism,
- 2) first contacts made with the members of the movement with a view to an *entente*,
- 3) clarification of certain points which facilitate an accord,

- 4) a first accord aiming at enlightening public opinion, and
- 5) statements of several leaders in a favor of Zionism [...].



**REPRESENTATIVE OF THE WORLD ZIONIST ORGANIZATION VICTOR JACOBSON,
PROPOSAL REGARDING THE ARAB-JEWISH PROBLEMS IN PALESTINE, AS
TRANSMITTED TO CAIRO BY ASSAD DAGHIR, 1914**

1. The Arabs and Jews are from one stock, and each [people] possesses attributes complementary to the other. The Jews have knowledge, funds and influence; while the Arabs have a vast land, awesome power, cultural treasures and inexhaustible material wealth. Therefore a reconciliation between both [peoples] will be to the good of both and to the good of all the Orient.
2. The Arabs will receive the Jews in Arab lands as their brethren, on condition that the Jews become Ottoman subjects and that Palestine will not be exclusively theirs.
3. In exchange, the Jews pledge to put their cultural and material power at the service of the Arab cause; they will support the Arab groups and place at their disposal three million guineas.
4. An Arab-Jewish conference will be held in Egypt when the Syrian and Iraqi deputies return from Constantinople [during parliamentary recess] to their lands.



MACMAHON-HUSSEIN CORRESPONDENCE, 1915-16

[In the letters passed between Sir Henry McMahon, British High Commissioner in Cairo, and Sharif Hussein of Mecca, Hussein offered Arab help in the war against the Turks if Britain would supported the principle of Arab independence].

FROM SHARIF HUSSEIN TO SIR HENRY MACMAHON, 14 JULY 1915

Whereas the whole of the Arab nation without any exception have decided in these last years to accomplish their freedom, and grasp the reins of their administration both in theory and practice; and whereas they have found and felt that it is in the interest of the Government of Great Britain to support them and aid them in the attainment of their firm and lawful intentions (which are based upon the maintenance of the honor and dignity of their life) without any ulterior motives whatsoever unconnected with this object;

and whereas it is to their (the Arabs') interest also to prefer the assistance of the Government of Great Britain in consideration of their geographic position and economic interests, and also of the attitude of the above-mentioned Government, which is known to both nations and therefore need not be emphasized;

For these reasons the Arab nation sees fit to limit themselves, as time is short, to asking the Government of Great Britain, if it should think fit, for the approval, through her deputy or representative, of the following fundamental propositions, leaving out all things considered secondary in comparison with these, so that it may prepare all means necessary for attaining this noble purpose, until such time as it finds occasion for making the actual negotiations:

Firstly: England will acknowledge the independence of the Arab countries, bounded on the north by Mersina and Adana up to the 37th degree of latitude, on which degree fall Birjick, Urfa, Mardin, Midiat, Jezirat (Ibn 'Umar), Amadia, up to the border of Persia; on the east by the borders of Persia up to the Gulf of Basra; on the south by the Indian Ocean, with the excep-

tion of the position of Aden to remain as it is; on the west by the Red Sea, the Mediterranean Sea up to Mersina. England to approve the proclamation of an Arab Khalifate of Islam.

Secondly: The Arab Government of the Sherif will acknowledge that England shall have the preference in all economic enterprises in the Arab countries whenever conditions of enterprises are otherwise equal.

Thirdly: For the security of this Arab independence and the certainty of such preference of economic enterprises, both high contracting parties will offer mutual assistance, to the best ability of their military and naval forces, to face any foreign Power which may attack either party. Peace not to be decided without agreement of both parties.

Fourthly: If one of the parties enters into an aggressive conflict, the other party will assume a neutral attitude, and in case of such party wishing the other to join forces, both to meet and discuss the conditions.

Fifthly: England will acknowledge the abolition of foreign privileges in the Arab countries, and will assist the Government of the Sherif in an International Convention for confirming such abolition.

Sixthly: Articles 3 and 4 of this treaty will remain in vigor for fifteen years, and, if either wishes it to be renewed, one year's notice before lapse of treaty is to be given.

Consequently, and as the whole of the Arab nation have (praise be to God) agreed and united for the attainment, at all costs and finally, of this noble object, they beg the Government of Great Britain to answer them positively or negatively in a period of thirty days after receiving this intimation; and if this period should lapse before they receive an answer, they reserve to themselves complete freedom of action. Moreover, we (the Sherif's family) will consider ourselves free in work and deed from the bonds of our previous declaration which we made through Ali Effendi.

FROM SIR HENRY MCMAHON TO SHARIF HUSSEIN, 24 OCTOBER 1915

I have received your letter of the 29th Shawal, 1333, with much pleasure and your expressions of friendliness and sincerity have given me the greatest satisfaction.

I regret that you should have received from my last letter the impression that I regarded the question of the limits and boundaries with coldness and hesitation; such was not the case, but it appeared to me that the time had not yet come when that question could be discussed in a conclusive manner.

I have realized, however, from your last letter that you regard this question as one of vital and urgent importance. I have, therefore, lost no time in informing the Government of Great Britain of the contents of your letter, and it is with great pleasure that I communicate to you on their behalf the following statement, which I am confident you will receive with satisfaction:

The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo cannot be said to be purely Arab, and should be excluded from the limits demanded. With the above modification, and without prejudice of our existing treaties with Arab chiefs, we accept those limits.

As for those regions lying within those frontiers wherein Great Britain is free to act without detriment to the interest of her ally, France, I am empowered in the name of the Government of Great Britain to give the following assurances and make the following reply to your letter:

1. Subject to the above modifications, Great Britain is prepared to recognize and support the independence of the Arabs in all the regions within the limits demanded by the Sherif of Mecca.
2. Great Britain will guarantee the Holy Places against all external aggression and will recognize their inviolability.

3. When the situation admits, Great Britain will give to the Arabs her advice and will assist them to establish what may appear to be the most suitable forms of government in those various territories.
4. On the other hand, it is understood that the Arabs have decided to seek the advice and guidance of Great Britain only, and that such European advisers and officials as may be required for the formation of a sound form of administration will be British.
5. With regard to the vilayets of Bagdad and Basra, the Arabs will recognize that the established position and interests of Great Britain necessitate special administrative arrangements in order to secure these territories from foreign aggression, to promote the welfare of the local populations and to safeguard our mutual economic interests.

I am convinced that this declaration will assure you beyond all possible doubt of the sympathy of Great Britain towards the aspirations of her friends the Arabs and will result in a firm and lasting alliance, the immediate results of which will be the expulsion of the Turks from the Arab countries and the freeing of the Arab peoples from the Turkish yoke, which for so many years has pressed heavily upon them.

I have confined myself in this letter to the more vital and important questions, and if there are any other matters dealt with in your letter, which I have omitted to mention, we may discuss them at some convenient date in the future.

It was with very great relief and satisfaction that I heard of the safe arrival of the Holy Carpet and the accompanying offerings which, thanks to the clearness of your directions and the excellence of your arrangements, were landed without trouble or mishap in spite of the dangers and difficulties occasioned by the present sad war. May God soon bring a lasting peace and freedom to all peoples!

I am sending this letter by the hand of your trusted and excellent messenger, Sheikh Mohammed Ibn Arif Ibn Uraifan, and he will inform you of the various matters of interest, but of less vital importance, which I have not mentioned in this letter.

FROM SHARIF HUSSEIN TO SIR HENRY MCMAHON, MECCA, 5 NOVEMBER 1915

[Complimentary titles.]

With great gratification have we received your note of the 15th Zul-Hejja [October 24] to which we would reply as follows.

First, in order to facilitate agreement and serve the cause of Islam by the removal of possible sources of hardship and tribulation, and in earnest of the particular esteem in which we hold Great Britain, we no longer insist on the inclusion of the districts of Mersin and Adana in the Arab Kingdom. As for the vilayets of Aleppo and Bairut and their western maritime coasts, these are purely Arab provinces in which the Moslem is indistinguishable from the Christian, for they are both the descendants of one forefather. And we Moslems intend, in those provinces, to follow the precepts laid down by the Commander of the Faithful, 'Umar Ibn Al-Khattab (God have mercy upon him!), and the caliphs who came after him, when he enjoined upon the Moslems to treat the Christians on a footing with themselves, saying: they are to enjoy the same rights and bear the same obligations as ourselves. They will have, moreover, their denomination privileges, as far as the public interest allows...

The Arabs firmly believe that, after the War, the German-ridden Turks will try to give them constant provocation, in religious as well as temporal matters, and to wreak the utmost vengeance upon them. On their side, the Arabs have resolved and vowed to fight the Turks and continue fighting them until

not one of them (save for women and children) remains in any of the Arab countries. Our present deliberation is on account of the considerations stated above [...].

SIR HENRY MCMAHON'S TO SHARIF HUSSEIN, CAIRO, 13 DECEMBER 1915

[Complimentary titles.]

Your note of the 27th Zul-Hejja, 1333, has reached me, and I was glad to find that you consent to the exclusion of the vilayets of Mersin and Adana from the boundaries of the Arab countries...

As for the vilayets of Aleppo and Bairut, the Government of Great Britain have fully understood your statement in that respect and noted it with the greatest care. But as the interests of their ally France are involved in those two provinces, the question calls for careful consideration. We shall communicate again with you on this subject, at the appropriate time...

In token of our good faith, and as a contribution to your endeavors in our joint cause, I am sending the sum of \$20,000 with your trusted messenger.



**BRITISH GOVERNMENT, MESSAGE TO KING HUSSEIN OF THE ARAB KINGDOM
OF HEDJAZ REGARDING PALESTINIAN HOLY PLACES AND ZIONIST
COLONISATION, JANUARY 1916 [EXCERPTS]**

That so far as Palestine is concerned, we are determined that no people shall be subjected to another, but in view of the fact:

- (a) That there are in Palestine, Shrines, Wakfs, and Holy Places, sacred in some cases to Moslems alone, to Jews alone, to Christians alone, and in others to two or all three, and inasmuch as these places are of interest to vast masses of people outside Palestine and Arabia, there must be a special regime to deal with these places approved of by the world.
- (b) That as regards the Mosque of Omar, it should be considered a Moslem concern alone, and shall not be subjected directly or indirectly to any non-Moslem authority.

“That since the Jewish opinion of the world is in favor of a return of Jews to Palestine, and inasmuch as this opinion must remain a constant factor, and further, as His Majesty’s Government view with favor the realization of this aspiration, His Majesty’s Government are determined that in so far as is compatible with the freedom of the existing population, both economic and political, no obstacle should be put in the way of the realization of this ideal.

“The Arab leaders did not offer any objections to the declaration so long as the rights of the Arabs in Palestine were respected. Pledges were given to the non-Jewish population of Palestine who constituted the great majority of its inhabitants, as well as to the Jews. These were the results of conversations which we had with such Arab leaders as we could get in touch with. There was a two-fold undertaking given to them, that the establishment of a Jewish National Home would not in any way, firstly, would affect the civil or religious rights of the general population of Palestine; secondly, would not diminish the general prosperity of that population. Those were the only pledges we gave to the Arabs.



THE SYKES-PICOT AGREEMENT, 16 MAY 1916

[British Orientalist Sir Mark Sykes and former French Consul in Beirut Charles Georges-Picot drafted an agreement on the post-war division of the Middle East, which was approved in principle by Russia. See also Map 2 in the Annex]

1. SIR EDWARD GREY TO PAUL CAMBON, 15 MAY 1916

I shall have the honor to reply fully in a further note to your Excellency's note of the 9th instant, relative to the creation of an Arab State, but I should meanwhile be grateful if your Excellency could assure me that in those regions which, under the conditions recorded in that communication, become entirely French, or in which French interests are recognized as predominant, any existing British concessions, rights of navigation or development, and the rights and privileges of any British religious, scholastic, or medical institutions will be maintained.

His Majesty's Government are, of course, ready to give a reciprocal assurance in regard to the British area.

2. SIR EDWARD GREY TO PAUL CAMBON, 16 MAY 1916

I have the honor to acknowledge the receipt of your Excellency's note of the 9th instant, stating that the French Government accept the limits of a future Arab State, or Confederation of States, and of those parts of Syria where French interests predominate, together with certain conditions attached thereto, such as they result from recent discussions in London and Petrograd on the subject.

I have the honor to inform your Excellency in reply that the acceptance of the whole project, as it now stands, will involve the abdication of considerable British interests, but, since His Majesty's Government recognize the advantage to the general cause of the Allies entailed in producing a more favorable internal political situation in Turkey, they are ready to accept the arrangement now arrived at, provided that the co-operation of the Arabs is secured, and that the Arabs fulfil the conditions and obtain the towns of Homs, Hama, Damascus, and Aleppo.

It is accordingly understood between the French and British Governments that

1. France and Great Britain are prepared to recognize and protect an independent Arab State or a Confederation of Arab States in the areas (A) and (B) marked on the annexed map, under the suzerainty of an Arab chief. That in area (A) France, and in area (B) Great Britain, shall have priority of right of enterprise and local loans. That in area (A) France, and in area (B) Great Britain, shall alone supply advisers or foreign functionaries at the request of the Arab State or Confederation of Arab States.
2. That in the blue area France, and in the red area Great Britain, shall be allowed to establish such direct or indirect administration or control as they desire and as they may think fit to arrange with the Arab State or Confederation of Arab States.
3. That in the brown area there shall be established an international administration, the form of which is to be decided upon after consultation with Russia, and subsequently in consultation with the other Allies, and the representatives of the Sherif of Mecca.
4. That Great Britain be accorded (1) the ports of Haifa and Acre, (2) guarantee of a given supply of water from the Tigris and Euphrates in area (A) for area (B). His Majesty's Government, on their part, undertake that they will at no time enter into negotiations for the cession of Cyprus to any third Power without the previous consent of the French Government.
5. That Alexandretta shall be a free port as regards the trade of the British Empire, and that there shall be no discrimination in port charges or facilities as regards British shipping and British goods; that there shall be freedom of transit for British goods through Alexandretta and by rail-

way through the blue area, whether those goods are intended for or originate in the red area, or (B) area, or area (A); and there shall be no discrimination, direct or indirect against British goods on any railway or against British goods or ships at any port serving the areas mentioned.

That Haifa shall be a free port as regards the trade of France, her dominions and protectorates, and there shall be no discrimination in port charges or facilities as regards French shipping and French goods. There shall be freedom of transit for French goods through Haifa and by the British railway through the brown area, whether those goods are intended for or originate in the blue area, area (A), or area (B), and there shall be no discrimination, direct or indirect, against French goods on any railway, or against French goods or ships at any port serving the areas mentioned.

6. That in area (A) the Bagdad Railway shall not be extended southwards beyond Mosul, and in area (B) northwards beyond Samarra, until a railway connecting Baghdad with Aleppo via the Euphrates Valley has been completed, and then only with the concurrence of the two Governments.
7. That Great Britain has the right to build, administer, and be sole owner of a railway connecting Haifa with area (B), and shall have a perpetual right to transport troops along such a line at all times. It is to be understood by both Governments that this railway is to facilitate the connexion of Baghdad with Haifa by rail, and it is further understood that, if the engineering difficulties and expense entailed by keeping this connecting line in the brown area only make the project unfeasible, that the French Government shall be prepared to consider that the line in question may also traverse the polygon Baniyas-Keis Marib-Shalkhab Tell Otsda-Mesmie before reaching area (B).
8. For a period of 20 years the existing Turkish customs tariff shall remain in force throughout the whole of the blue and red areas, as well as in areas (A) and (B), and no increase in the rates of duty or conversion from *ad valorem* to specific rates shall be made except by agreement between the two Powers.

There shall be no interior customs barriers between any of the above-mentioned areas. The customs duties leviable on goods destined for the interior shall be collected at the port of entry and handed over to administration of the area of destination.

9. It shall be agreed that the French Government will at no time enter into any negotiations for the cession of their rights and will not cede such rights in the blue area to any third Power, except the Arab State or Confederation of Arab States without the previous agreement of His Majesty's Government, who, on their part, will give a similar undertaking to the French Government regarding the red area.
10. The British and French Governments, as the protectors of the Arab State, shall agree that they will not themselves acquire and will not consent to a third Power acquiring territorial possessions in the Arabian peninsula, nor consent to a third Power installing a naval base either on the east coast, or on the islands, of the Red Sea. This, however, shall not prevent such adjustment of the Aden frontier as may be necessary in consequence of recent Turkish aggression.
11. The negotiations with the Arabs as to the boundaries of the Arab State or Confederation of Arab States shall be continued through the same channel as heretofore on behalf of the two Powers.
12. It is understood, moreover, that measures for controlling the importation of arms into the Arab territory will be considered by the two Governments.

I have further the honor to state that, in order to make the agreement complete, His Majesty's Government are proposing to the Russian Government to exchange notes analogous to those exchanged by the latter and your Excellency's Government on the 26th April last. Copies of these notes will be communicated to your Excellency as soon as exchange.

I would also venture to remind your Excellency that the conclusion of the present agreement raises, for practical consideration, the question of the claims of Italy to a share in any partition or rearrangement of Turkey in Asia, as formulated in article 9 of the agreement of the 26th April, 1915, between Italy and the Allies.

His Majesty's Government further consider that the Japanese Government should be informed of the arrangement now concluded.



**SUCCESSIVE DRAFTS AND FINAL TEXT OF THE BALFOUR DECLARATION,
JULY-NOVEMBER 1917**

<u>ZIONIST DRAFT</u> <u>JULY, 1917</u>	<u>BALFOUR DRAFT</u> <u>AUGUST, 1917</u>	<u>MILNER DRAFT*</u> <u>AUGUST, 1917</u>
<p>1. His Majesty's Government accepts the principle that Palestine should be reconstituted as the national home of the Jewish people.</p> <p>2. His Majesty's Government will use its best endeavors to secure the achievement of this object and will discuss the necessary methods and means with the Zionist Organization.</p>	<p>His Majesty's Government accepts the principle that Palestine should be reconstituted as the national home for the Jewish people</p> <p>and will use their best endeavors to secure the achievement of this object and will be ready to consider any suggestions on the subject which the Zionist Organization may desire to lay before them.</p>	<p>His Majesty's Government accepts the principle that every opportunity should be afforded for the establishment of a home for the Jewish people in Palestine</p> <p>and will use its best endeavors to facilitate the achievement of this object and will be ready to consider any suggestions on the subject which the Zionist organizations may desire to lay before them.</p>
<u>MILNER-AMERY** DRAFT</u> <u>OCTOBER 4, 1917</u>	<u>FINAL TEXT</u> <u>OCTOBER 31, 1917</u>	<u>THE BALFOUR DECLARATION</u> <u>2 NOVEMBER, 1917</u>
<p>His Majesty's Government views with favor the establishment in Palestine of a national home for the Jewish race</p> <p>and will use its best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine on the rights and political status enjoyed in any other country by such Jews who are fully contented with their existing nationality (and citizenship).</p> <p>(Note: words in parentheses added subsequently.)</p>	<p>His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people</p> <p>and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.</p>	<p>Dear Lord Rothschild,</p> <p>I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to and approved by the Cabinet.</p> <p>"His Majesty's Government view with favor the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that no-thing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or in any other country".</p> <p>I should be grateful if you would bring the declaration to the knowledge of the Zionist Federation.</p> <p><i>Yours sincerely,</i> <i>Arthur James Balfour</i></p>

* = Lord Alfred Milner

**= Lord Alfred Milner and Leopold Amery



MEMORANDUM OF EDWIN MONTAGU ON THE ANTI-SEMITISM OF THE PRESENT (BRITISH) GOVERNMENT, SUBMITTED TO THE BRITISH CABINET, 23 AUGUST 1917

[Edwin Montagu - the only Jew in the British cabinet in World War I - organized a major part of British resistance to the Balfour Declaration; his opposition was the main responsible for the gradual dilution of the Declaration (see above).]

I have chosen the above title for this memorandum, not in any hostile sense, not by any means as quarrelling with an anti-Semitic view which may be held by my colleagues, not with a desire to deny that anti-Semitism can be held by rational men, not even with a view to suggesting that the Government is deliberately anti-Semitic; but I wish to place on record my view that the policy of His Majesty's Government is anti-Semitic in result will prove a rallying ground for Anti-Semites in every country in the world.

This view is prompted by the receipt yesterday of a correspondence between Lord Rothschild and Mr. Balfour.

Lord Rothschild's letter is dated the 18th July and Mr. Balfour's answer is to be dated August 1917. I fear that my protest comes too late, and it may well be that the Government were practically committed when Lord Rothschild wrote and before I became a member of the Government, for there has obviously been some correspondence or conversation before this letter. But I do feel that as the one Jewish Minister in the Government I may be allowed by my colleagues an opportunity of expressing views which may be peculiar to myself, but which I hold very strongly and which I must ask permission to express when opportunity affords.

I believe most firmly that this war has been a death-blow to Internationalism, and that it has proved an opportunity for a renewal of the slackening sense of Nationality, for it is has not only been tacitly agreed by most statesmen in most countries that the redistribution of territory resulting from the war should be more or less on national grounds, but we have learned to realise that our country stands for principles, for aims, for civilisation which no other country stands for in the same degree, and that in the future, whatever may have been the case in the past, we must live and fight in peace and in war for those aims and aspirations, and so equip and regulate our lives and industries as to be ready whenever and if ever we are challenged. To take one instance, the science of Political Economy, which in its purity knows no Nationalism, will hereafter be tempered and viewed in the light of this national need of defence and security. The war has indeed justified patriotism as the prime motive of political thought.

It is in this atmosphere that the Government proposes to endorse the formation of a new nation with a new home in Palestine. This nation will presumably be formed of Jewish Russians, Jewish Englishmen, Jewish Roumanians, Jewish Bulgarians, and Jewish citizens of all nations - survivors or relations of those who have fought or laid down their lives for the different countries which I have mentioned, at a time when the three years that they have lived through have united their outlook and thought more closely than ever with the countries of which they are citizens.

Zionism has always seemed to me to be a mischievous political creed, untenable by any patriotic citizen of the United Kingdom. If a Jewish Englishman sets his eyes on the Mount of Olives and longs for the day when he will shake British soil from his shoes and go back to agricultural pursuits in Palestine, he has always seemed to me to have acknowledged aims inconsistent with British citizenship and to have admitted that he is unfit for a share in public life in Great Britain, or to be treated as an Englishman. I have always understood that those who indulged in this creed were largely animated by the restrictions upon and refusal of liberty to Jews in Russia. But at the very time when these Jews have been acknowledged as Jewish Russians and given all liberties, it seems to be inconceivable that Zionism should be officially recognised by the British Government, and that Mr. Bal-

four should be authorized to say that Palestine was to be reconstituted as the "national home of the Jewish people". I do not know what this involves, but I assume that it means that Mahommedans and Christians are to make way for the Jews and that the Jews should be put in all positions of preference and should be peculiarly associated with Palestine in the same way that England is with the English or France with the French, that Turks and other Mahommedans in Palestine will be regarded as foreigners, just in the same way as Jews will hereafter be treated as foreigners in every country but Palestine. Perhaps also citizenship must be granted only as a result of a religious test.

I lay down with emphasis four principles:

1. I assert that there is not a Jewish nation. The members of my family, for instance, who have been in this country for generations, have no sort or kind of community of view or of desire with any Jewish family in any other country beyond the fact that they profess to a greater or less degree the same religion. It is no more true to say that a Jewish Englishman and a Jewish Moor are of the same nation than it is to say that a Christian Englishman and a Christian Frenchman are of the same nation: of the same race, perhaps, traced back through the centuries - through centuries of the history of a peculiarly adaptable race. The Prime Minister and M. Briand are, I suppose, related through the ages, one as a Welshman and the other as a Breton, but they certainly do not belong to the same nation.
2. When the Jews are told that Palestine is their national home, every country will immediately desire to get rid of its Jewish citizens, and you will find a population in Palestine driving out its present inhabitants, taking all the best in the country, drawn from all quarters of the globe, speaking every language on the face of the earth, and incapable of communicating with one another except by means of an interpreter. I have always understood that this was the consequence of the building of the Tower of Babel, if ever it was built, and I certainly do not dissent from the view, commonly held, as I have always understood, by the Jews before Zionism was invented, that to bring the Jews back to form a nation in the country from which they were dispersed would require Divine leadership. I have never heard it suggested, even by their most fervent admirers, that either Mr. Balfour or Lord Rothschild would prove to be the Messiah.
I claim that the lives that British Jews have led, that the aims that they have had before them, that the part that they have played in our public life and our public institutions, have entitled them to be regarded, not as British Jews, but as Jewish Britons. I would willingly disfranchise every Zionist. I would be almost tempted to proscribe the Zionist organisation as illegal and against the national interest. But I would ask of a British Government sufficient tolerance to refuse a conclusion which makes aliens and foreigners by implication, if not at once by law, of all their Jewish fellow-citizens.
3. I deny that Palestine is to-day associated with the Jews or properly to be regarded as a fit place for them to live in. The Ten Commandments were delivered to the Jews on Sinai. It is quite true that Palestine plays a large part in Jewish history, but so it does in modern Mahommedan history, and, after the time of the Jews, surely it plays a larger part than any other country in Christian history. The Temple may have been in Palestine, but so was the Sermon on the Mount and the Crucifixion. I would not deny to Jews in Palestine equal rights to colonisation with those who profess other religions, but a religious test of citizenship seems to me to be the only admitted by those who take a bigoted and narrow view of one particular epoch of the history of Palestine, and claim for the Jews a position to which they are not entitled.
If my memory serves me right, there are three times as many Jews in the world as could possibly get into Palestine if you drove out all the population that remains there now. So that only one-third will get back at the most, and what will happen to the remainder?
4. I can easily understand the editors of the Morning Post and of the New Witness being Zionists, and I am not in the least surprised that the non-Jews of England may welcome this policy. I have always recognised the unpopularity, much greater than some people think, of my community. We have obtained a far greater share of this country's goods and opportunities than we are numerically entitled to. We reach on the whole maturity earlier, and therefore with people of our own age we compete unfairly. Many of us have been exclusive in our friendships and intolerant in our

attitude, and I can easily understand that many a non-Jew in England wants to get rid of us. But just as there is no community of thought and mode of life among Christian Englishmen, so there is not among Jewish Englishmen. More and more we are educated in public schools and at the Universities, and take our part in the politics, in the Army, in the Civil Service, of our country. And I am glad to think that the prejudices against inter-marriage are breaking down. But when the Jew has a national home, surely it follows that the impetus to deprive us of the rights of British citizenship must be enormously increased. Palestine will become the world's Ghetto. Why should the Russian give the Jew equal rights? His national home is Palestine. Why does Lord Rothschild attach so much importance to the difference between British and foreign Jews? All Jews will be foreign Jews, inhabitants of the great country of Palestine.

I do not know how the fortunate third will be chosen, but the Jew will have the choice, whatever country he belongs to, whatever country he loves, whatever country he regards himself as an integral part of, between going to live with people who are foreigners to him, but to whom his Christian fellow-countrymen have told him he shall belong, and of remaining as an unwelcome guest in the country that he thought he belonged to.

I am not surprised that the Government should take this step after the formation of a Jewish Regiment, and I am waiting to learn that my brother, who has been wounded in the Naval Division, or my nephew, who is in the Grenadier Guards, will be forced by public opinion or by Army regulations to become an officer in a regiment which will mainly be composed of people who will not understand the only language which he speaks - English. I can well understand that when it was decided, and quite rightly, to force foreign Jews in this country to serve in the Army, it was difficult to put them in British regiments because of the language difficulty, but that was because they were foreigners, and not because they were Jews, and a Foreign Legion would seem to me to have been the right thing to establish. A Jewish Legion makes the position of Jews in other regiments more difficult and forces a nationality upon people who have nothing in common.

I feel that the Government are asked to be the instrument for carrying out the wishes of a Zionist organisation largely run, as my information goes, at any rate in the past, by men of enemy descent or birth, and by this means have dealt a severe blow to the liberties, position and opportunities of service of their Jewish fellow-countrymen.

I would say to Lord Rothschild that the Government will be prepared to do everything in their power to obtain for Jews in Palestine complete liberty of settlement and life on an equality with the inhabitants of that country who profess other religious beliefs. I would ask that the Government should go no further.



NOTES OF A CONFERENCE HELD BETWEEN JEWISH AND ARAB LEADERS, CAIRO, 27 MARCH 1918

[The conference took place at the Shepherd's Hotel, Cairo, attended by the Zionist Commission and Sa'id Shuqair Pasha, Dr. Faris Nimr and Sulaiman Bey Nasif]

Dr. Nimr informed the commission that the conversations which Major Ormsby-Gore had held with him the previous day have assured him that there was nothing inimical to the Arabs in the Zionist aims and aspirations. As far as the personally was concerned, he was very glad to meet Dr. Weizmann and the members of the Commission, and hoped that they will be able to work together in harmony and understanding.

Dr. Weizmann expressed pleasure at meeting the Arab leaders who were present. He then stated that he had been informed of the conversation which Major Ormsby-Gore had held with Dr. Nimr the

previous day, but, for the sake of perfect frankness, he wished to say that one of the main tasks of the Commission was to prevent land speculation in Palestine. It was at his instigation that Mr. Balfour had arrived at this decision and had communicated it to the Authorities in Egypt and Palestine.

It was the earnest wish of the Zionists to live on friendly terms with the Arabs. We were not putting forward a claim to monopolise the whole of the administration of Palestine, which he understood was their main fear. He certainly wished to clear away a misconception which seemed to be very common amongst the Arab leaders, viz. that the Zionists wished to establish a Jewish State in Palestine immediately after the War. The Zionists desired to see as the result of the War a British Palestine which would act fairly and justly to all groups which inhabit the country. He wished the Arabs to appreciate that whatever the Jews had in mind would be to the benefit and prosperity of the country as a whole.

With regard to the Holy Places, the maintenance of which he understood was causing anxiety to the Arabs, he wished to say that the Jews did not put forward any claim to control the Holy Places. Of course, the Jews have their own Holy Places, over which they desired to have control.

Suliman Bey Nassif and Shoucair Pasha expressed their complete satisfaction at this statement. Suliman Bey Nassif added that, as far as Palestine was concerned, there was room for a million more people without affecting the position of the present inhabitants.

Major Ormsby-Gore pointed out that the British Government had not put forward a claim for a British Palestine. It was a matter which would have to be decided by the Peace Conference.

Mr. Aaronsohn discussed the position of the Arabs in the Jewish colonies, the burden of his remarks being that with the growth of the Jewish colonies the Arab population had increased in number and prosperity.

In concluding the interview Dr. Weizmann again expressed his pleasure at meeting the Arab leaders and, in reply to Major Ormsby-Gore's remarks, stated that no matter what the British Government thought on the question of Palestine, the Zionists wished to see such a solution as a result of the War.



**MEMORANDUM DRAFTED BY THE "PALESTINE COMMITTEE", AS BASIS FOR
DISCUSSION WITH THE ZIONIST COMMISSION, CAIRO, APRIL 1918**

1. The inviolability of Holy Places and their retention as in the past in the hands of their respective owners with the free exercise of their rights and privileges.
2. The institution of a system of Government based on even-handed justice and equality of rights between the different elements irrespective of their comparative numbers (majority or minority of votes).
3. The laws of the country to apply equally to all the elements of the population without distinction.
4. The official language to be the language of the country viz. Arabic, the teaching of which to be compulsory in Government schools.
5. All persons coming into the country as colonists, whatever may be their nationality, be subject alike to the laws of the country.
6. In view of the general impoverishment of the population through the war, which affords a wide field for merciless exploitation, it would be necessary to suspend, during the war, any transaction of purchase or sale of property, whether rural or urban.

7. The institution at the earliest possible opportunity of an agricultural bank under government control to afford impartial financial help to the people.
8. The advisability of framing a law similar to the Five Feddan Law in Egypt, in Palestine.
9. The offering of honest opportunity to Zionist colonization by facilitating their purchase of State lands, especially in the first rush of immigration, leaving a reasonable share of these lands to the other elements.
10. The institution of a mixed Commission composed equally of three elements and independent of the Government, whose functions are to examine any cases of aggression or injustice in economic or moral matters that may arise between the different elements, to take the necessary steps under government auspices with a view to their settlement and non-recurrence. The permanent duty of this Commission would be to study and devise all such means as are calculated to strengthen the ties of friendship between the different elements, promote a good feeling of neighbourliness, inculcate the principle of union and solidarity, and inspire in all a public spirit and the unselfish desire for the common weal.



**TELEGRAM FROM GENERAL G.F. CLAYTON, CHIEF POLITICAL OFFICER OF THE
OCCUPIED ENEMY TERRITORY ADMINISTRATION (OETA), ON CHAIM
WEIZMANN'S VISIT TO AMIR FAISAL, 4 JUNE 1918**

Weizmann has returned from his visit to Faisal and is much pleased with the result. He is very favourably impressed with Faisal's personality and they appear to have established excellent personal relations. The general results of the meeting are as follows:

1. After cordial exchange of greetings Weizmann stated he had been sent by British Government to enquire into developments of Jewish interests in Palestine and that the most important of his duties was to gain touch with Arab leaders and endeavour to cooperate with them.
2. After alluding to historical traditions of both races Faisal expressed his opinion of necessity of close cooperation between Jews and Arabs especially at present time.
3. Faisal pointed out inability to express definite opinions on political questions as he was merely his father's agent in such matters, but he considered that interests of Jews and Arabs must be closely allied.
4. Weizmann pointed out that a Jewish Palestine would assist the development of an Arab Kingdom and that an Arab Kingdom would receive Jewish support.
5. Weizmann explained the Zionists did not propose to set up a Jewish Government, but wished to work if possible under British guidance in order to colonize and develop the country without encroaching on other legitimate interests.
6. Faisal stated he was unable to discuss the future of Palestine either as a Jewish state or a country under British guidance as these questions were already the subject of much German and Turkish propaganda and would be misinterpreted by the Bedouins if openly discussed. When Arab affairs were (more) consolidated profitable discussion might take place. He personally accepted the possibility of future Jewish claims to territory in Palestine but could not discuss them publicly as he was not representing an Arab Government and was greatly afraid of enemy propaganda. He again emphasized necessity of close cooperation between Jews and Arabs for mutual benefit of both.
7. Weizmann explained he was proceeding shortly to America and that Zionists influence in that country and elsewhere would be used in favour of Arab movement and necessity for an Arab country. This statement afforded Faisal great satisfaction.

8. The interview ended with cordial expressions of mutual sympathy and an invitation from Faisal to renew the meeting after Weizmann's visit to America.

Colonel Joyce who was present throughout the interview gives as his private opinion that Faisal really welcomed Jewish cooperation and considered it essential to future Arab ambitions though unable to express any very (? definite) views in absence of authority from his father. It is Colonel Joyce's opinion that Faisal fully realizes the future possibility of a Jewish Palestine and would probably accept it if it assisted Arab expansion further north? I am of opinion interview has had excellent results in promoting (?mutual) sympathy and understanding between Weizmann and Faisal. Both are frank and open in their dealings and nothing but good can result from a personal interview such as has now taken place.



HEAD OF THE ZIONIST COMMISSION CHAIM WEIZMANN, REPORT OF HIS MEETING WITH AMIR FAISAL, 17TH MEETING OF THE ZIONIST COMMISSION, 16 JUNE 1918 [EXCERPTS]

[...] Dr. Weizmann informed Faisal that he was the Chairman of the Commission sent by H.M.G. to study the conditions in Palestine, to lay plans for the future and to get into contact with the representatives of the Arab nation. Up to then he had been trying to do his best to get into contact with the Arabs in Palestine and Egypt, and he was now very pleased to see the representative of the Hedjaz [...] [Faisal] generally hoped that there would be an intimate collaboration between the Jews and Arabs in Palestine and elsewhere, as this was essential for the progress of both nations. But, he added, it was of course very difficult for him to deal with political questions, as all political affairs [sic] were concentrated in his father's hands, as it was his father who decided all such matters.

Dr. Weizmann replied that... he was also aware that he had been nominated the agent of his father and Commander-in-Chief of the Arab Army. He, Dr. Weizmann, attached particular importance to this interview.

He wished Faisal to understand that, should the Jews settle in Palestine, and should they realize their aspirations, they were ready to co-operate with the Arab nation. He added that we did not wish to establish a Jewish State in Palestine, but were willing to live under the suzerainty of Great Britain. There was no intention of ousting anybody out of the country. There was quite enough room for everybody. On the other hand, the Jews would come to Palestine to stay and develop freely. Faisal replied that he quite realised the value of the Jews to Palestine, and that he himself was quite sympathetic to Jewish national aspirations. he, however, had to be very guarded in his public utterances, as Turkish and German agents were only too ready to make capital out of every act which might affect Arab interests in Palestine especially in view of the fact that the Palestine Arab population and Bedouins exaggerated all that was said. One had to be very careful. He, however, emphasized the absolute necessity of an intimate collaboration between the Jews and Arabs.

Dr. Weizmann pushed the idea of collaboration a little further. He said that Jews and Arabs had parallel interests, and thus it was possible for the Jews, who were a great force, to help him realize his great ambitions [deleted: "which were very laudable"]...[to] help him towards Damascus and the territory to the North, which ought not to be encroached upon by the powers who had really no interests there. By encroachment he meant France. Faisal seemed very pleased at this sign of goodwill and remarked that the support of the Jews in this connection would demonstrate a sincere desire for cooperation. He added that the great political questions could not be settled now, but he would help us and would be glad of our cooperation and assistance.

The question was raised as to whether Dr. Weizmann should see his father King Hussein now or after his return from America, but no decision was arrived at.

Dr. Weizmann expressed the opinion that the interview was a very cordial one and would result in a considerable amount of good. He added that Faisal himself gave the impression of an honest and fearless man. There was something definite in his character. All the others seemed to be fluctuating people who would cry out and complain when they thought their interests were affected and from whom we could never expect any real co-operation ... he, together with Colonel Joyce, had drawn up a report which was to be transmitted to General Clayton. Colonel Joyce himself had been very satisfied with the interview [...].



**HEAD OF THE ZIONIST COMMISSION CHAIM WEIZMANN, REPORT OF HIS
MEETING WITH AMIR FAISAL, CARLTON HOTEL, LONDON, 11 DECEMBER 1918**

The Amir produced a map showing a plan of the Sykes-Picot agreement, and expressed his indignation with the agreements contemplated by that agreement, which, in his opinion were equally fatal to Arabs and to Jews. He had no hope of arriving at any understanding with the French who he considered were not in any way amenable to reason.

He explained to me that the present position of the Arabs was extraordinarily dangerous. If the Sykes-Picot agreement held, they would be pushed back into the desert. The Arabs had set up some form of government centred at Damascus, but it was extremely weak. It had no money and no men. The Army was naked and had no ammunition. His great hope was in America, which he thought would be able to destroy the agreement.

I replied that I was aware of the agreement as long ago as 1915, and that whenever I could, I had protested against it. I had an interview on the subject with Lord Robert Cecil in 1916 and I had also referred to it in my letter to Mr. Balfour written from Palestine on 17th July 1918. In that letter I said that in my opinion the Agreement was as bad for the Arabs as for the Jews. We had asked our American Zionists to point Agreement, and wherever possible, to act against it. In that our policies were absolutely identical. I informed him that a strong delegation of American Zionists was on its way to London, which saw eye to eye with us on this matter, and would use its influence in favour of both Jews and Arabs.

I had also heard that the French had been trying to create trouble between ourselves and him (Faisal) but I quite understood their motives. At that point Faisal interrupted me and stated that there was no need to dwell on this point, as he saw through these French attempts at once. He thought that the trouble in Palestine at the present time was fomented by Turkish and pro-Turkish propaganda. The Turks always ruled by trying to divide the races under their sway. The Arabs in Palestine are still used to the methods of Turkish propaganda, but he was quite sure that he and his followers would be able to explain to the Arabs that the advent of the Jews into Palestine was for the good of the country, and that the legitimate interests of the Arab peasants would in no way be interfered with. He then expressed a desire to learn some details of our programme. I gave him the following details:

1. We expect the Peace Conference and Faisal to recognize the national and historical rights of Jews to Palestine.
2. We should ask for the appointment of Great Britain as the Trustee Power, which would set up a Government in Palestine in which the Jews would expect to take an adequate share.
3. We should demand of the Land Laws in Palestine of such a nature as would render the land now in the hands of the Effendis and Usurers available for colonisation.

4. We should then be able to carry out public works of a far-reaching character, and, I added, the country could be improved that it would have room for four or five million Jews, without encroaching on the ownership rights of Arab peasantry.
5. Jews would be prepared to render him every assistance in brain and money, so as to help to revive his country.
6. Questions of Boundaries and Wakf could be left until after the larger Political Settlement, and would be the subject of arrangement between them. (Zionists and Faisal).
7. As for the Moslem Holy Places, the Jews considered themselves insulted by the French insinuations that there was a desire to interfere with them. They rejected with scorn all such allegations. The Jews have never made proselytes and did not intend to interfere with the religious interests of anybody.

At this point Faisal remarked that it was curious that there should be friction between Jews and Arabs in Palestine. There was no friction in any other country where Jews lived together with Arabs. He was convinced that the trouble was promoted by intrigues. He did not think for a moment that there was any scarcity of land in Palestine. The population would always have enough, especially if the country were developed. Besides there was plenty of land in his district.

As for Sursuk and similar Effendis, he did not trouble his head about them. He assured us on his word of honour that he would do everything to support Jewish demands, and would declare at the Peace Conference that Zionism and the Arab movement were fellow movements, and that complete harmony prevailed between them. He would try his best to obtain the British Government as Trustee Power for Arabia, and if he did not succeed he would try to get America to act. He hoped we would help him in his efforts. If he failed, he would have to fight for the existence of an Arab State.



**HEAD OF SCHEME FOR THE PROVISIONAL GOVERNMENT OF PALESTINE,
PREPARED BY A. ETTINGER, Y. WILKANSKY AND V. JABOTINSKY AT THE
ERETZ-ISRAEL CONFERENCE, JAFFA, 22 DECEMBER 1918**

PREFACE

The following scheme is founded on two fundamental assumptions:

- (a) that the claim of the Jewish People that Palestine should become again a Jewish Commonwealth will receive international sanction at the Peace Conference:
and that the Powers will recognise that in all matters of the Government and administration of Palestine a decisive voice belongs to the Jewish People throughout the world:
- (b) that the Powers will appoint Great Britain as their representative, or Trustee, to whom they will entrust the Government of Palestine with the task of assisting the Jewish people in the building up of the Jewish Commonwealth.

I.
FUNDAMENTALS

Palestine will include all the territory within the frontiers specified in the special memorandum annexed hereto.

The official name of the country will be "Erez-Israel", which means the Land of Israel.

The Zionist flag will be the official flag of the country.

The national status of any person born or naturalized in Palestine will be described as "citizen of Palestine", with mention of his relationship to the Trustee State. The capitulation will be abolished.

Sabbath and the Jewish Holidays will be the official days of rest without prejudice to the religious rights of non-Jews.

II.

THE GOVERNMENT OF PALESTINE

1. The President

At the head of the Government of Palestine will be a Governor-General appointed by the Trustee Power.

The Governor-General will guard & defend the rights and the equality of the legal status of all the inhabitants of the country irrespective of race or creed.

2. The Executive Council

The Governor-General will exercise the functions of government through an Executive Council composed of the heads of all government departments.

A special Minister for Arab Affairs will also form one of the Executive Council.

The Executive Council, under the control of the Governor-General will exercise legislative and administrative powers in all matters appertaining to the government of Palestine, except as follows:

- (a) military & foreign affairs, as left to the competence of the Trustee Power;
- (b) the "Holy Places,"
- (c) matters of religion, education and communal organisation.

There will be a special Department of non-Jewish Wakfs under the Minister for Arab Affairs.

The Governor-General will have the right to veto any decision of the Executive Council. In case of such veto the Council may appeal to the Trustee Government.

In matters concerning customs duties the Trustee Government will consult the Palestinian Executive Council.

III.

THE ZIONIST ORGANISATION

Until the creation, for the building up of a Jewish Commonwealth of an all Jewish Congress, the Universal Zionist Organisation will be recognised by the Powers as representing the Jewish People in its relationship to Palestine.

A representative of the Z.O., selected by mutual agreement, will enter the Government of the Trustee Power with the rank of "Permanent Under-Secretary for Palestine".

The members of the Palestinian Executive Council will be appointed by the Trustee Power from a list of candidates submitted by the Under-Secretary for Palestinian Affairs. The Trustee Government will have the power to veto any candidate so proposed.

On the initiative of the Under-Secretary, the Trustee Government will have in special cases the power to legislate for Palestine concerning any matter, except religion, education and communal organisation.

IV.

THE COLONISATION ASSOCIATION

The Universal Zionist Organisation will form, with the sanction of the Powers, a National Colonisation Association. The statutes of the Association shall be framed so as to secure the permanence of Zionist leadership in the Executive.

The Association will be granted the following rights:

1. The rights to organise the immigration of Jews from, any country into Palestine and to prepare the latter country for their reception and establishment.
2. The ownership of all Turkish crown and government lands as well as of all lands uninhabited or unclaimed, or uncultivated, or waste, or desert.
3. All the rights reserved by the Ottoman Government to itself in granting railway concessions, or any other concession in Palestine in the past.
4. The sole right to exploit all underground, or other natural resources and forces.
5. The sole right to construct railways, harbours and irrigation works.
6. The Administration of the Ottoman Government's Agrarian Bank, and the sole right to found new institutions of agrarian credit.
7. The right of pre-emption in all transactions dealing with land, underground resources, natural forces, means of communication or transport, or with any institution appertaining to the exploitation of the aforesaid branches.
8. The sole right to grant concessions for all & any of the purposes mentioned above.
9. Generally, the right to purchase, own, hire, lease, or sell any kind of property and to undertake any sort of public works, or to found any kind of establishment deemed necessary for the development and sanitation of the country, for the progress of its agriculture, commerce & industry and for the success of Jewish colonisation.

The Government will promote such measures, especially land legislation, as may be necessary for the above purposes.

V.

NATIONAL-COMMUNAL AUTONOMY

Any national or religious group, in any town, township, colony or village, will be considered as a national community and will enjoy full & complete autonomy in all its internal affairs, to wit:

- (a) in matters of religion, including marriage, divorce and forms of succession;
- (b) in matters of elementary, secondary or university education, general as well as special;
- (c) in matters of jurisdiction between members of the respective nationality;
- (d) in matters of social relief & welfare.

A national community will embrace compulsorily all the members of the respective nationality in the locality concerned.

National Communities will possess the right of taxation, the right of petition to the Government on any matter affecting the country and the nation, & the right to form federations with one another.

VI.

LANGUAGE REGULATIONS

In all Offices of the Palestinian Government, including Law Courts, Hebrew and Arabic will be treated on a footing of complete equality.

All documents emanating from and all symbols used the Government will be expressed in Hebrew and Arabic. Should the Trustee Power so desire its language will enjoy the same rights.

In intercourse with Jews or Jewish public bodies, all Government Offices will use Hebrew only, both orally and in writing.

All the above rules will equally apply to all municipal offices in any town or independent township the population of which includes both Jews and Arabs. Hebrew will be the only official language:

- (a) in all municipal offices of purely Jewish localities;
- (b) in all Jewish communal institutions;
- (c) in all offices of the Colonisation Association which, however, will also employ interpreters for Arabic and English.



**AGREEMENT BETWEEN AMIR FAISAL OF THE ARAB KINGDOM OF HEDJAZ
AND CHAIM WEIZMANN OF THE ZIONIST ORGANISATION, 3 JANUARY 1919**

His Royal Highness the Amir Faisal, representing and acting on behalf of the Arab Kingdom of Hedjaz, and Dr. Chaim Weizmann, representing and acting on behalf of the Zionist Organisation, mindful of the racial kinship and ancient bonds existing between the Arabs and the Jewish people, and realising that the surest means of working out the consummation of their national aspirations is through the closest possible collaboration in the development of the Arab State and Palestine, and being desirous further of confirming the good understanding which exists between them, have agreed upon the following Articles:

- Article I:* The Arab State and Palestine in all their relations and undertakings shall be controlled by the most cordial goodwill and understanding, and to this end Arab and Jewish duly accredited agents shall be established and maintained in the respective territories.
- Article II:* Immediately following the completion of the deliberations of the Peace Conference, the definite boundaries between the Arab State and Palestine shall be determined by a Commission to be agreed upon by the parties hereto.
- Article III:* In the establishment of the Constitution and Administration of Palestine all such measures shall be adopted as will afford the fullest guarantees for carrying into effect the British Government's Declaration of the 2nd of November, 1917.
- Article IV:* All necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale, and as quickly as possible to settle Jewish immigrants upon the land through closer settlement and intensive cultivation of the soil. In taking such measures the Arab peasant and tenant farmers shall be protected in their rights, and shall be assisted in forwarding their economic development.
- Article V:* No regulation nor law shall be made prohibiting or interfering in any way with the free exercise of religion; and further the free exercise and enjoyment of religious profession and worship without discrimination or reference shall forever be allowed. No religious test shall ever be required for the exercise of civil or political rights.
- Article VI:* The Mohammedan Holy Places shall be under Mohammedan control.
- Article VII:* The Zionist Organisation proposes to send to Palestine a Commission of experts to make a survey of the economic possibilities of the country, and to report upon the best means for its development. The Zionist Organisation will place the aforementioned Commission at the disposal of the Arab State for the purpose of a survey of the economic possibilities of the Arab State and to report upon the best means for its development. The Zionist Organisation will use its best efforts to assist the Arab State in providing the means for developing the natural resources and economic possibilities thereof.
- Article VIII:* The parties hereto agree to act in complete accord and harmony on all matters embraced herein before the Peace Congress.
- Article IX:* Any matters of dispute which may arise between the contracting parties shall be referred to the British Government for arbitration.

Given under our hand at London, England, the third day of January, one thousand nine hundred and nineteen.

[Signed:] *Chaim Weizmann*
Faisal Ibn Husain [in Arabic]

Reservation, in Arabic, by Amir Faisal:

Provided the Arabs obtain their independence as demanded in Memorandum dated the 4th of January 1919, to the Foreign Office of the Government of Great Britain, I shall concur in the above articles. But if the slightest modification or departure were to be made I shall not then be bound by a single word of the present Agreement which shall be deemed void and of no account or validity, and I shall not be answerable in any way whatsoever.



**TENTATIVE REPORT OF THE INTELLIGENCE SECTION OF THE AMERICAN
DELEGATION TO THE PARIS PEACE CONFERENCE, 21 JANUARY 1919**

It is recommended:

- 1) That there be established a separate state of Palestine.
- 2) That this state be placed Under Great Britain as a mandatory of the League of Nations.
- 3) That the Jews be invited to return to Palestine and settle there being assured by the Conference of all proper assistance in so doing that may be consistent with the protection of the personal (especially the religious) and the property rights of the non-Jewish population. and being further assured that it will- be the policy of the League of Nations to recognize Palestine as a Jewish state as soon as it is a Jewish state in fact.
- 4) That the holy places and religious rights of all creeds in Palestine be placed under the protection of the League of Nations and its mandatory.

Discussion.

- 1) It is recommended that there be established a separate state of Palestine.
The separation of the Palestinian area from Syria finds justification in the religious experience of mankind. The Jewish and Christian churches were born in Palestine, and Jerusalem was for long years, at different periods, the capital of each. And while the relation of the Mohammedans to Palestine is not so intimate, from the beginning they have regarded Jerusalem as a holy place. Only by establishing Palestine as a separate state can justice be done to these great facts.
As drawn upon the map, the new state would control its own source of water power and irrigation, on Mount Hermon in the east to the Jordan; a feature of great importance since the success of the new state would depend upon the possibilities of agricultural development.
- 2) It is recommended that this state be placed under Great Britain as a mandatory of the League of Nations.
Palestine would obviously need wise and firm guidance. Its population is without political experience, is racially composite, and could easily become distracted by fanaticism and bitter religious differences.
The success of Great Britain in dealing with similar situations, her relation to Egypt, and her administrative achievements since General Allenby freed Palestine from the Turk, all indicate her as the logical mandatory.
- 3) It is recommended that the Jews be invited to return to Palestine and settle there, being assured by the Conference of all proper assistance in so doing that may be consistent with the protection of the personal (especially the religious) and the property rights of the non-Jewish population, and being further assured that it will be the policy of the League of Nations to recognize Palestine as a Jewish state as soon as it is a Jewish state in fact.
It is right that Palestine should become a Jewish state, if the Jews, being given the full opportunity, make it such. It was the cradle and home of their vital race, which has made large spiritual contributions to mankind, and is the only land in which they can hope to find a home of their own; they being in this last respect unique among significant peoples.
At present, however, the Jews form barely a sixth of the total population of 700,000 in Palestine, and whether they are to form a majority, or even a plurality, of the population in the future state remains uncertain. Palestine, in short, is far from being a Jewish country now. England, as mandatory, can be relied on to give the Jews the privileged position they should have without sacrificing the rights of non-Jews.
- 4) It is recommended that the holy places and religious rights of all creeds in Palestine be placed under the protection of the League of Nations and its mandatory. The basis of this recommendation is self-evident.



**NOTES OF A MEETING BETWEEN AN UNNAMED ZIONIST REPRESENTATIVE AND
AWNI ABDUL HADI AND AHMAD QADRI, HOTEL MEURICE, PARIS, 25 JANUARY
1919**

Abdul Hades [sic] - Ahmed Kadry medicine particular de S.A.R. Amir Feysul called to-day (Jan. 25th) at the Meurice. They told me that they had seen the Zionist proposals (I do not know who showed them the proposals) and that they are troubled on the point of the Zionist claims to British Trusteeship for Palestine as they believe that such claim would strengthen the French claim for Trusteeship in Syria. Their point of view is that Syria should be an independent state under Arab rule. They say that the Jews and the Arabs could arrange matters between themselves in the most favourable way for both whilst on the other hand British Trusteeship in Palestine and French Trusteeship in Syria would create an endless source of friction and intrigue. They said that if a British Trusteeship could be obtained for all Arab countries in the Near East they would consider such solution as most desirable. But as this cannot be attained they think the best way would be to establish a great federation of independent countries and to enter into close relations with Great Britain in order that all the essential functions of Trusteeship [be executed?] without the formal proclamation. On my question whether they represented the Arab Syrian public opinion and if Shukri Ganem Dr. Samne [sic] had any following in Syria they replied that these gentlemen were quite isolated and were supported only by an insignificant group of Syrian business men living in Paris who depended on little favours of the Quai D'Orsay[.] Re Zionist aspirations both declared that all rights and liberties would be given to the Jews in Palestine on equal terms with the Arabs etc. I explained to them that such rights and liberties would not cover our Zionist programme which was a national movement in order to make Palestine a Jewish Country and that we would not be satisfied with emancipation or guarantees of national minority which we claimed in other countries, to which they replied that they would even go further in their concessions but that this must be an arrangement exclusively between Jews and Arabs, who had common interests etc. I asked whether they represented Feysul's views, they said they spoke unofficially, nevertheless I had the impression that they were sent by Feysul. There is even some reason to believe that there is some connection with conversation which Feysul had yesterday with President Wilson. I gave them no assurances except promised them only to examine their views and to communicate with Dr. Weizmann on the matter.



**ZIONIST ORGANIZATION, STATEMENT REGARDING PALESTINE PRESENTED TO
THE PARIS PEACE CONFERENCE (WITH PROPOSED MAP OF ZIONIST BORDERS),
3 FEBRUARY 1919**

[The Zionist Organization asked to submit its proposals regarding Palestine to the Paris Peace conference as a background for the creation of a Jewish national home, in fulfillment of the Balfour Declaration. The proposals included the boundaries envisioned (see map below). A group of anti-Zionist US Jews drafted a counter proposal (see entry dated 4 March 1919 below).]

Third day of February Nineteen hundred and nineteen Third day of Adar Five thousand six hundred and seventy nine.

Proposals to be presented to the Peace Conference.

The Zionist Organization respectfully submits the following draft resolutions for the consideration of the Peace Conference:

1. The High Contracting Parties recognise the historic title of the Jewish people to Palestine and the right of the Jews to reconstitute in Palestine their National Home.
2. The boundaries of Palestine shall be as declared in the Schedule annexed hereto.

3. The sovereign possession of Palestine shall be vested in the League of Nations and the Government entrusted to Great Britain as Mandatory of the League.
4. (Provision to be inserted relating to the application in Palestine of such of the general conditions attached to mandates as are suitable to the case.)
5. The mandate shall be subject also to the following special conditions:
 - I. Palestine shall be placed under such political, administrative and economic conditions as will secure the establishment there of the Jewish National Home and ultimately render possible the creation of an autonomous Commonwealth, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.
 - II. To this end the Mandatory Power shall *inter alia*:
 - a. Promote Jewish immigration and close settlement on the land, the established rights of the present non-Jewish population being equitably safeguarded.
 - b. Accept the cooperation in such measures of a Council representative of the Jews of Palestine and of the world that may be established for the development of the Jewish National Home in Palestine and entrust the organization of Jewish education to such Council
 - c. On being satisfied that the constitution of such Council precludes the making of private profit, offer to the Council in priority any concession for public works or for the development of natural resources which it may be found desirable to grant.
 - III. The Mandatory Power shall encourage the widest measure of self-government for localities practicable in the conditions of the country
 - IV. There shall be for ever the fullest freedom of religious worship for all creeds in Palestine There shall be no discrimination among the inhabitants with regard to citizenship and civil rights, on the grounds of religion, or of race
 - V. (Provision to be inserted relating to the control of the Holy Places)

The Boundaries of Palestine

SCHEDULE

The boundaries of Palestine shall follow the general lines set out below:

Starting on the North at a point on the Mediterranean Sea in the vicinity South of Sidon and following the watersheds of the foothills of the Lebanon as far as JISR EL KARAON, thence to EL BIRE following the dividing line between the two basins of the WAD: EL KOOK and the Wadi ET TEIM thence in a southerly direction following the dividing line between the Eastern and Western slopes of the HERMON, to the vicinity West of BEIT JENN, thence Eastward following the northern watersheds of the NAHR MUGHANIYE close to and west of the Hedjaz Railway.

In the East a line close to and West of the Hedjaz Railway terminating in the Gulf of Akaba.

In the South a frontier to be agreed upon with the Egyptian Government.

In the West the Mediterranean Sea.

The details of the delimitations, or any necessary adjustments of detail, shall be settled by a Special Commission on which there shall be Jewish representation.

Statement.

The historic title

The claims of the Jews with regard to Palestine rest upon the following main consideration:

1. The land is the historic home of the Jews; there they achieved their greatest development from that centre, through their agency, there emanated spiritual and moral influences of supreme value

to mankind By violence they were driven from Palestine, and through the ages they have never ceased to cherish the longing and the hope of a return

2. In some parts of the world, and particularly in Eastern Europe, the conditions of life of millions of Jews are deplorable Forming often a congested population, denied the opportunities which would make a healthy development possible, the need of fresh outlets is urgent, both for their own sake and in the interest of the population of other races, among whom they dwell Palestine would offer one such outlet To the Jewish masses it is the country above all others in which they would most wish to cast their lot By the methods of economic development to which we shall refer later, Palestine can be made now as it was in ancient times, the home of a prosperous population many times as numerous as that which now inhabits it
3. Palestine is not large enough to contain more than a proportion of the Jews of the world I he greater part of the fourteen millions or more scattered through all countries must remain in their present localities, and it will doubtless be one of the cares of the Peace Conference to ensure for them, wherever they have been oppressed, as for all peoples equal rights and humane conditions A Jewish National Home in Palestine will, however, be of high value to them also Its influence will permeate the Jewries of the world, it will inspire these millions, hitherto often despairing, with a new hope it will hold out before their eyes a higher standard; it will help to make them even more useful citizens in the lands in which they dwell.
4. Such a Palestine would be of value also to the world at large, whose real wealth consists In the healthy diversities of its civilisations
5. Lastly the land itself needs redemption Much of it is left desolate Its present condition is a standing reproach. Two things are necessary for that redemption - a stable and enlightened government, and an addition to the present population which shall be energetic, intelligent, devoted to the country, and backed by the large financial resources that are indispensable for development Such a population the Jews alone can supply.

Inspired by these ideas, Jewish activities particularly during the last thirty years have been directed to Palestine within the measure that the Turkish administrative system allowed. Some millions of pounds sterling have been spent in the country particularly in the foundation of Jewish agricultural settlements. These settlements have been for the most part highly successful.

With enterprise and skill the Jews have adopted modern scientific methods and have shown themselves to be capable agriculturists. Hebrew has been revived as a living language: it is the medium of instruction in the schools and the tongue is in daily use among the rising generation. The foundations of a Jewish University have been laid at Jerusalem and considerable funds have been contributed for the creation of its building and for its endowment. Since the British occupation, the Zionist Organization has expended in Palestine approximately £50,000 a month upon relief, education and sanitation. To promote the future development of the country great sums will be needed for drainage, irrigation, roads, railways, harbours and public works of all kinds, as well as for land settlement and house building. Assuming a political settlement under which the establishment of a Jewish National Home in Palestine is assured the Jews of the world will make every effort to provide the vast sums of money that will be needed.

Hundreds of thousands of Jews pray for the opportunity speedily to begin life anew in Palestine Messengers have gone out from many places, and groups of young Jewish men proceeding on foot have already reached Trieste and Rome on their weary pilgrimage to Zion.

The historic title of the Jews to Palestine was recognised by the British Government in its Declaration of November 2nd 1917, addressed by the British Secretary of State for Foreign Affairs to Lord Rothschild and reading as follows:

"His Majesty's Government view with favour the establishment in Palestine of a National Home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may

prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country."

The French Government gave its support to the British Declaration to M. Sokolow as follows:

Ministre des Affaires Etrangères de la République Française

Le 14 Février 1918.

"Monsieur,

"Comme il avait été convenu au cours de notre entretien le samedi 9 de ce mois, le Gouvernement de la République, en vue de préciser son attitude vis-à-vis des aspirations sionistes, tendant à créer pour les juifs en Palestine un foyer national, a publié un communiqué dans la Presse.

"En vous communiquant ce texte, je saisis avec empressement l'occasion de vous féliciter du généreux dévouement avec lequel vous poursuivez la réalisation des vœux de vos coreligionnaires et de vous remercier du zèle que vous apportez à leur faire connaître les sentiments de sympathie que leurs efforts éveillent dans les pays de l'Entente et notamment en France.

"Veuillez agréer, Monsieur, les assurances de ma considération très distinguée.

" (Sgd) S. PICHON. "

Enclosure.

Paris, Le 9 Février 1918

Monsieur Sokolow représentant des organisations Sionistes, a été reçu ce matin, au Ministère des Affaires Etrangères, par M. Stephen Pichon, qui a été heureux de lui confirmer que l'entente est complète entre les gouvernements français et britannique en ce qui concerne la question d'un établissement juif en Palestine.

The Italian Government has declared its approval on the same lines. The President of the United States has expressed his sympathy with the Zionist aspirations in the spirit of Mr. Balfour's declaration. The Governments of Japan, Greece, Serbia, China and Siam, have added their approval to the declaration.

GREAT BRITAIN AS MANDATORY OF THE LEAGUE OF NATIONS

We ask that Great Britain Shall act as Mandatory of the League of Nations for Palestine. The selection of Great Britain as Mandatory is urged on the ground that this is the wish of the Jews of the world and, the League of Nations in selecting a Mandatory will follow as far as possible, the popular wish of the people concerned.

The preference on the part of the Jews for a British Trusteeship is unquestionably the result of the peculiar relationship of England to the Jewish Palestinian problem. The return of the Jews to Zion has not only been a remarkable feature in English literature, but in the domain of statecraft it has played its part, beginning with the readmission of the Jews under Cromwell II manifested itself particularly in the 19th century in the instructions given to British Consular representatives in the Orient after the Damascus Incident; in the various Jewish Palestinian projects suggested by English non-Jews prior to 1881; in the letters of endorsement and support given by members of the Royal Family and Officers of the Government to Lawrence Oliphant; and finally, in the three consecutive acts which definitely associated Great Britain with Zionism in the minds of the Jews, viz - The El Arish offer in 1901; the East African offer in 1903, and lastly the British Declaration in favour of a Jewish National Home in Palestine in 1917. Moreover, the Jews who have gained political experience in many lands under a great variety of governmental systems, whole-heartedly appreciate the advanced and liberal policies adopted by Great Britain in her modern colonial administration.

It may be stated without doubt that all of these things account for the attitude taken by the Jews with reference to the Trusteeship, as evidenced by the following.

On December 16th 1918, the American Jewish Congress composed of delegates representing 3,000,000 American Jews adopted the following resolution:

"The American Jewish Congress instruct their delegation to Europe to co-operate with representatives of other Jewish Organizations and specifically with the world Zionist Organization, to the end that the Peace Conference may recognise the aspirations and historic claims of the Jewish people with regard to Palestine, and declare that, in accordance with the British Government's Declaration of November 2nd 1917 endorsed by the Allied Governments and the President of the United States, there shall be established such political administrative and economic conditions in Palestine, as will assure under the trusteeship of Great Britain, acting on behalf of such League of Nations as may be formed, the development of Palestine into a Jewish Commonwealth; it being clearly understood that nothing shall be done which shall prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in other countries "

Similar action was taken in Jaffa in the month of December 1918 by a conference of representatives of the Jewish population in Palestine and on January 4th 1919 by Jewish Congresses representing about 2,000,000 Jews of the reconstituted States of Austria-Hungary and of Poland

Boundaries

The boundaries above outlined are what we consider essential for the necessary economic foundation of the country Palestine must have its natural outlets to the seas and the control of its rivers and their headwaters. The boundaries are sketched with the general economic needs and historic traditions of the country in mind, factors which necessarily must also be considered by the Special Commission in fixing the definite boundary lines. This Commission will bear in mind that it is highly desirable, in the interests of economic administration that the geographical area of Palestine should be as large as possible so that it may eventually contain a large and thriving population which could more easily bear the burdens of modern civilised government than a small country with a necessary limitation of inhabitants.

The economic life of Palestine, like that of every other semi-arid country depends on the available water supply It is therefore, of vital importance not only to secure all water resources already feeding the country, but also to be able to conserve and control them at their sources.

The Hermon is Palestine's real "Father of Waters" and cannot be severed from it without striking at the very root of its economic life The Hermon not only needs re-afforestation but also other works before it can again adequately serve as the water reservoir of the country It must therefore be wholly under the control of those who will most willingly as well as most adequately restore it to its maximum utility. Some international arrangement must be made whereby the riparian rights of the people dwelling south of the Litani River may be fully protected Properly cared /or these head waters can be made to serve in the development of the Lebanon as well as of Palestine.

The fertile plains east of the Jordan, since the earliest Biblical times, have been linked economically and politically with the land west of the Jordan The country which is now very sparsely populated, in Roman times supported a great population. It could now serve admirably for colonisation on a large scale a just regard for the Economic needs of Palestine and Arabia demands that free access to the Hedjaz Railway throughout its length be accorded both Governments.

An intensive development of the agriculture and other opportunities of Trans-Jordania make it imperative that Palestine shall have access to the Red Sea and an opportunity of developing good har-

bours on the Gulf of Akaba, it will be recalled, was the terminus of an important trade route of Palestine from the days of Solomon onwards. The ports developed in the Gulf of Akaba should be free ports through which the commerce of the hinterland may pass on the same principle which guides us in suggesting that free access be given to the Hedjaz Railway.

PROPOSALS TO THE MANDATORY POWER.

In connection with the Government to be set up by the Mandatory of the League of Nations until such time as the people of Palestine shall be prepared to undertake the establishment of representative and responsible Government, proposals will be made in due course to the Mandatory Power to the following effect:

1. In any instrument establishing the constitution of Palestine the Declarations of the Peace Conference shall be recited as forming an integral part of that constitution
2. The Jewish people shall be entitled to fair representation in the executive and legislative bodies and in the selection of public and civil servants in giving such representation the Mandatory Power shall consult the Jewish Council hereinafter mentioned. Neither law nor custom shall preclude the appointment of a citizen of Palestine as chief of the executive.
3. That in encouraging the self-government of localities the Mandatory Power shall secure the maintenance by local communities of proper standards of administration in matters of education, communal, or regional activities. In granting or enlarging local autonomy regard shall be had to the readiness and ability of the community to attain such standards. Local autonomous communities shall be empowered and encouraged to combine and co-operate for common purposes
4. Education without distinction of race shall be assisted from public funds
5. Hebrew shall be one of the official languages of Palestine and shall be employed in all documents, decrees and announcements and on all stamps, coins and notes issued by the Government
6. The Jewish Sabbath and Holy Days shall be recognised as legal days of rest.
7. All inhabitants continuing to reside in Palestine who on the day of 19, have their domicile in Palestine, except those who elect in writing within six months from such date to retain their foreign citizenship, shall become citizens of Palestine, and they and all persons in Palestine or naturalized under the laws of Palestine after the day of, 19 shall be citizens thereof and entitled to the protection of the Mandatory Power on behalf of the Government of Palestine

Land commission

Recognising that the general progress of Palestine must begin with the reform of the conditions governing land tenure and settlement the Mandatory Power shall appoint a Commission (upon which the Jewish Council shall have representation) with power:

- a. To make a survey of the land and to schedule all lands that may be made available /or close settlement, intensive cultivation and public use.
- b. To propose measures for determining and registering titles of ownership of land
- c. To propose measures for supervising transactions in land with a view of preventing land speculation.
- d. To propose measures for the close settlement, intensive cultivation and public use of land, where necessary by compulsory purchase at a fair pre-war price and further by making available all waste lands unoccupied and inadequately cultivated lands or lands without legal owners and state lands.
- e. To propose measures for the taxation and the tenure of land and in general any progressive measures in harmony with the policy of making the land available for close settlement and intensive cultivation.
- f. To propose measures whereby the Jewish Council may take over all lands available for close settlement and intensive cultivation.
- g. In all such measures the established rights of the present population shall be equitably safeguarded.

THE JEWISH COUNCIL FOR PALESTINE

1. A Jewish Council for Palestine shall be elected by a Jewish Congress representative of the Jews of Palestine and of the world, which shall be convoked in Jerusalem on or before the First day of January, 1920, or as soon thereafter as possible by the Provisional Jewish Council hereinafter mentioned. The Jewish Congress shall determine its functions as well as the constitution and functions of the Jewish Council in conformity with the purpose and spirit of the Declarations of the Peace Conference and of the powers conferred by the Mandatory Power upon the Jewish Council.
2. The Jewish Council shall be recognised as a legal entity and shall have power:
 - a. To co-operate and consult with and to assist the Government of Palestine in any and all matters affecting the Jewish people in Palestine and in all such cases to be and to act as the representative of the Jewish people.
 - b. To participate in the development and administration of immigration, close land settlement, credit facilities, public works, services and enterprises, and every other form of activity conducive to the development of the country. The organization of Jewish education to be entrusted to such Council
 - c. To acquire and hold real estate.
 - d. To acquire and exercise concessions for public works and the development of natural resources.
 - e. With the consent of the Jewish inhabitants concerned or their accredited representatives, to assess such inhabitants for the purpose of stimulating and maintaining education, communal, charitable and other public institutions (including the Jewish Council) and other activities primarily concerned with the welfare of the Jewish people in Palestine.
 - f. With the approval of the Mandatory Power and upon such terms and conditions as the Mandatory Power may prescribe to administer the immigration laws of Palestine in so far as they affect Jewish immigration
 - g. With the approval of the Mandatory Power, to issue bonds, debentures, or other obligations, the proceeds of any or all of which to be expended by the Jewish Council for the benefit of the Jewish people or for the development of Palestine.
 - h. The Jewish Council shall hold all of its property and income in trust for the benefit of the Jewish people.
3. A Provisional Jewish Council of representatives of the Zionist Organization, of the Jewish population in Palestine, and of such other approved Jewish organisations as are willing to co-operate in the development of a Jewish Palestine shall be formed forthwith by the Zionist Organization. Such Provisional Jewish Council shall exercise all of the powers and perform all of the duties of the Jewish Council until such time as the Jewish Council shall be formally constituted by the Jewish Congress.
4. Finally when in the opinion of the Mandatory Power, the inhabitants of Palestine shall be able to undertake the establishment of representative and responsible government, such steps shall be taken as will permit the establishment of such government through the exercise of a democratic franchise without regard to race or faith: and the inhabitants of Palestine under such government, shall continue to enjoy equal civil and political rights as citizens irrespective of race or faith

THE ZIONIST ORGANIZATION

The foregoing proposals with reference to Palestine are submitted to the Peace Conference by the Zionist Organization. The Organization in the present form dates from the year 1897, when the first Zionist Congress was held at Basle, Switzerland, under the leadership of Theodor Herzl. This Organization absorbed at that time all Zionist Organizations which had been in existence previously. The Zionist Movement is supported by Jews in every country where there are Jewish Mass Settlements, i.e. in Eastern Europe, in the United States of America, in Western Europe, in all the British Colonies, in the Argentine, in Siberia, in Shanghai, in Morocco, and in Tunis. Zionist Federations actively engaged in furthering the principles for which the movement stands, are to be found in all these countries.

The supreme body which controls the activities of the Organizations in the different countries consists of delegates elected by the various local Shekel payers (poll tax) by a democratic franchise, and this body meets biennially.

Through the several financial agencies which the Zionist Congress has created to enable it to carry forward its work in Palestine, the Organization and associated bodies have raised and have expended in Palestine since its inception, millions of pounds. Notwithstanding the fact that since 1913 no meetings of the Congress have been held, the Organization has greatly increased its enrolled membership, and has the support of hundreds of thousands of Jews who sympathise with the aims of the movement, and contribute to its funds. Since the war, the centres of political activity have been transferred to London and the United States of America.

In the Allied countries the conduct of the political activities of the Organization has been entrusted to Dr. Chaim Weizmann and M. Nahum Sokolow, members of the Executive. In the United States of America the Provisional Executive Committee for General Zionist Affairs, created at the outbreak of the war, has been replaced by the Zionist Organization of America, the Honorary President of which is Louis D. Brandeis, Associate Justice of the Supreme Court of the United States. Zionists are to be found at the head of all the greater Jewish national institutions which depend upon mass opinion for moral and financial support; and in addition they take a prominent part in all the Jewish National Councils established in the new States in Eastern Europe.

CONCLUSION.

In every part of the world on the Day of Atonement the Jews pray that "all nations may be united by a common bond, so that the will of God may reign supreme throughout the world". In the fulfilment of this prayer, the Jews hope that they will be able to take an honorable place in the new community of Nations. It is their purpose to establish in Palestine a government dedicated to social and national justice; a government, that shall be guided like the community of old by that justice and equality which is expressed in the great precept of our Lawgiver: "There shall be but one law for you and the stranger in the land".

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

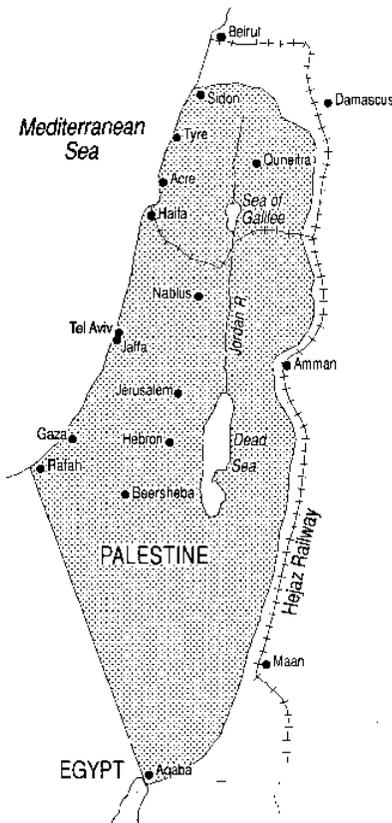
Rothschild (Lord Walter Rothschild).

ON BEHALF OF THE ZIONIST ORGANIZATION: Nahum Sokolow, Chaim Weizmann.

ON BEHALF OF ZIONIST ORGANIZATION OF AMERICA: Julian W. Mack, Stephen S. Wise, Harry Friedenwald, Jacob de Haas, Mary Fels, Louis Robison, Bernard Flexner.

ON BEHALF OF THE RUSSIAN ZIONIST ORGANIZATION: Israel Rosoff.

ON BEHALF OF THE JEWISH POPULATION OF PALESTINE IN ACCORDANCE WITH MANDATE RECEIVED: Nahum Sokolow, Chaim Weizmann.



Map shows proposed borders – Adapted from Tessler, Mark, *The Israeli Palestinian Conflict*, 1994.



FAISAL-FRANKFURTER CORRESPONDENCE, PARIS, 3 AND 5 MARCH 1919

AMIR FAISAL TO FELIX FRANKFURTER, 3 MARCH 1919

Dear Mr. Frankfurter:

I want to take this opportunity of my first contact with American Zionists to tell you what I have often been able to say to Dr. Weizmann in Arabia and Europe.

We feel that the Arabs and Jews are cousins in race, having suffered similar oppressions at the hands of powers stronger than themselves, and by a happy coincidence have been able to take the first step towards the attainment of their national ideals together.

We Arabs, especially the educated among us, look with the deepest sympathy on the Zionist movement. Our deputation here in Paris is fully acquainted with the proposals submitted yesterday by the Zionist Organization to the Peace Conference, and we regard them as moderate and proper. We will do our best, in so far as we are concerned, to help them through: we will wish the Jews a most hearty welcome home.

With the chiefs of your movement, especially with Dr. Weizmann, we have had and continue to have the closest relations. He has been a great helper of our cause, and I hope the Arabs may soon be in a position to make the Jews some return for their kindness. We are working together for a reformed and revived Near East, and our two movements complete one another. The Jewish movement is national and no imperialist. Our movement is national and not imperialist, and there is room in Syria for us both. Indeed I think that neither can be a real success without the other.

People less informed and less responsible than our leaders and yours, ignoring the need for cooperation of the Arabs and Zionists have been trying to exploit the local difficulties that must necessarily arise in Palestine in the early stages of our movements. Some of them have, I am afraid, misrepresented your aims to the Arab peasantry, and our aims to the Jewish peasantry, with the result that interested parties have been able to make capital out of what they call our differences.

I wish to give you my firm conviction that these differences are not on questions of principle, but on matters of detail such as must inevitably occur in every contact of neighbouring peoples, and as are easily adjusted by mutual goodwill. Indeed nearly all of them will disappear with fuller knowledge.

I look forward, and my people with me look forward, to a future in which we will help you and you will help us, so that the countries in which we are mutually interested may once again take their places in the community of civilised people of the world.

Believe me - yours very sincerely
Signed [in Arabic] Faisal

FELIX FRANKFURTER, REPLY TO FAISAL, 5 MARCH 1919

Royal Highness:

Allow me, on behalf of the Zionist Organization, to acknowledge your recent letter with deep appreciation.

Those of us who come from the United States have already been gratified by the friendly relations and the active cooperation maintained between you and the Zionist leaders, particularly Dr. Weizmann. We knew it could not be otherwise; we knew that the aspirations of the Arab and the Jewish peoples were parallel, that each aspired to reestablish its nationality in its own homeland, each making its own distinctive contribution to civilisation, each seeking its own peaceful mode of life.

The Zionist leaders and the Jewish people for whom they speak have watched with satisfaction the spiritual vigour of the Arab movement. Themselves seeking justice, they are anxious that the just national aims of the Arab people be confirmed and safeguarded by the Peace Conference.

We knew from your acts and your past utterances at the Zionist movement - in other words the national aims of the Jewish people - had your support and the support of the Arab people for whom you speak. These aims are now before the Peace Conference as definite proposals by the Zionist Organization. We are happy indeed that you consider these proposals "moderate and proper", and that we have in you a staunch supporter for their realisation. For both the Arab and the Jewish peoples there are difficulties ahead - difficulties that challenge the united statesmanship of Arab and Jewish leaders. For it is no easy task to rebuild two great civilisations that have been suffering oppression and misrule for centuries. We each have our difficulties we shall work out as friends, friends who are animated by similar purposes, seeking a free and full development for the two neighbouring peoples. The Arabs and Jews are neighbours in territory; we cannot but live side by side as friends.

Very respectfully,

(Signed) Felix Frankfurter



**STATEMENT BY ANTI-ZIONIST JEWS TO THE PEACE CONFERENCE,
4 MARCH 1919 [EXCERPTS]**

[A group of anti-Zionist Jews in the US promulgated an opposing proposal to that of the Zionist Organization (see entry dated 3 Feb. 1919 above), which they requested of Pres. Woodrow Wilson to put before the Paris Peace Conference. The counter declaration was signed by many prominent Jews and published 5 March 1919 in The New York Times with 31 signatures affixed to the document. The memorandum handed to Wilson was signed by over 300 prominent Jewish Americans.]

As a future form of government for Palestine will undoubtedly be considered by the approaching Peace Conference, we, the undersigned citizens of the United States, unite in this statement, setting forth our objections to the organization of a Jewish State in Palestine as proposed by the Zionist Societies in this country and Europe and to the segregation of the Jews as a nationalistic unit in any country.

We feel that in so doing we are voicing the opinion of the majority of American Jews born in this country and of those foreign born who have lived here long enough to thoroughly assimilate American political and social conditions. The American Zionists represent, according to the most recent statistics available, only a small proportion of the Jews living in this country, about 150,000 out of 3,500,000. (American Jewish Year Book, 1918, Philadelphia).

At the outset we wish to indicate our entire sympathy with the efforts of Zionists which aim to secure for Jews at present living in lands of oppression a refuge in Palestine or elsewhere, where they may freely develop their capabilities and carry on their activities as free citizens.

But we raise our voices in warning and protest against the demand of the Zionists for the reorganization of the Jews as a national unit, to whom, now or in the future, territorial sovereignty in Palestine shall be committed. This demand not only misrepresents the trend of the history of the Jews, who ceased to be a nation 2000 years ago, but involves the limitation and possible annulment of the larger claims of Jews for full citizenship and human rights in all lands in which those rights are not yet secure. For the very reason that the new era upon which the world is entering aims to establish government everywhere on principles of true democracy, we reject the Zionistic project of a "national home for the Jewish people in Palestine".

Zionism arose as a result of the intolerable conditions under which Jews have been forced to live in Russia and Roumania. But it is evident that for the Jewish population of these countries, variously estimated at from six to ten millions, Palestine can become no homeland. Even with the improvement of the neglected condition of this country, its limited area can offer no solution. The Jewish question in Russia and Roumania can be settled only within those countries by the grant of full rights of citizenship to Jews.

We are all the more opposed to the Zionists, because they, themselves, distinctly repudiate the solely ameliorative program. They demand and hail with delight the "Balfour Declaration" to establish "a national home for the Jewish people in Palestine", i.e., a home not merely for Jews living in countries in which they are oppressed, but for Jews universally. No Jew, wherever he may live, can consider himself free from the implications of such a grant.

The willingness of Jews interested in the welfare of their brethren to aid in redeeming Palestine from the blight of centuries of Turkish misrule, is no acceptance of the Zionist project to segregate Jews as a political unit and to re-institute a section of such a political unit in Palestine or elsewhere.

At the present juncture in the world's affairs when lands that have hitherto been subjected to foreign domination are to be recognized as free and independent states, we rejoice in the avowed proposal of the Peace Congress to put into practical application the fundamental principles of democracy. That principle, which asserts equal rights for all citizens of a state, irrespective of creed or ethnic descent,

should be applied in such a manner as to exclude segregation of any kind, be it nationalistic or other. Such segregation must inevitably create differences among the sections of the population of a country. Any such plan of segregation is necessarily reactionary in its tendency, undemocratic in spirit and totally contrary to the practices of free government, especially as these are exemplified by our own country. We therefore strongly urge the abandonment of such a basis for the reorganization of any state.

Objections to segregation of Jews as a political unit

Against such a political segregation of the Jews in Palestine or elsewhere we object:

1. Because the Jews are dedicated heart and soul to the welfare of the countries in which they dwell under free conditions. All Jews repudiate every suspicion of a double allegiance, but to our minds it is necessarily implied in and cannot by any logic be eliminated from the establishment of a sovereign State for the Jews in Palestine.
By the large part taken by them in the great war, the Jews have once and for all shattered the base aspersions of the Anti-Semites which charged them with being aliens in every land, incapable of true patriotism and prompted only by sinister and self-seeking motives. Moreover, it is safe to assume that the overwhelming bulk of the Jews of America, England, France, Italy, Holland, Switzerland and the other lands of freedom, have no thought whatever of surrendering their citizenship in these lands in order to resort to a "Jewish homeland in Palestine". As a rule those who favor such a restoration advocate it not for themselves but for others. Those who act thus, and yet insist on their patriotic attachment to the countries of which they are citizens, are self-deceived in their profession of Zionism and under the spell of an emotional romanticism or of a religious sentiment fostered through centuries of gloom.
2. We also object to political segregation of Jews for those who take their Zionistic professions seriously as referring not to 'others' but to themselves. Granted that the establishment of a sovereign Jewish State in Palestine would lead many to emigrate to that land, the political conditions of the millions who would be unable to migrate for generations to come, if ever, would be made far more precarious. Roumania - despite the pledges of the Berlin Treaty - has legally branded her Jews as aliens, though many are descended from families settled in that country longer than the present Roumanian government has existed. The establishment of a Jewish State will manifestly serve the malevolent rulers of that and other lands as a new justification for additional repressive legislation. The multitudes who remain would be subject to worse perils, if possible, even though the few who escape might prosper in Palestine.
3. We object to the political segregation also of those who might succeed in establishing themselves in Palestine. The proposition involves dangers which it is manifest, have not had the serious consideration of those who are so zealous in its advocacy. These dangers are adverted to in a most kindly spirit as warning by Sir George Adam Smith, who is generally acknowledged to be the greatest authority in this world on everything connected with Palestine, either past or present. In a recent publication, *Syria and the Holy Land*, he points out that there is absolutely no fixity to the boundaries of Palestine. These have varied greatly in the course of the centuries. The claims to various sections of this undefined territory would unquestionably evoke bitter controversies. "It is not true", says Sir George, "that Palestine is the national home of the Jewish people and of no other people". It is not correct to call its non-Jewish inhabitants 'Arabs', or to say that they have left no image of their spirit and made no history except in the great Mosque". "Nor can we evade the fact that Christian communities have been as long as ever the Jews were". "These are legitimate questions", he says, "stirred up by the claims of Zionism, but the Zionists have not yet fully faced them". To subject the Jews to the possible recurrence of such bitter and sanguinary conflicts which would be inevitable, would be a crime against the triumphs of their whole past history and against the lofty and world-embracing visions of their great prophets and leaders.
4. Though these grave difficulties be met, still we protest against the political segregation of the Jews and the re-establishment in Palestine of a distinctively Jewish State as utterly opposed to the principles of democracy which it is the avowed purpose of the World's Peace Conference to establish.

Whether the Jews be regarded as a 'race' or as a 'religion', it is contrary to the democratic principles for which the world war was waged to found a nation on either or both of these bases. America, England, France, Italy, Switzerland and all the most advanced nations of the world are composed of representatives of many races and religions. Their glory lies in the freedom of conscience and worship, in the liberty of thought and custom which binds the followers of many faiths and varied civilizations in the common bonds of political union. A Jewish State involves fundamental limitations as to race and religion, else the term 'Jewish' means nothing. To unite Church and State, in any form, as under the old Jewish hierarchy, would be a leap backward of two thousand years.

"The rights of other creeds and races will be respected under Jewish dominance", is the assurance of Zionism. But the keynotes of democracy are neither condescension nor tolerance, but justice and equality. All this applies with special force to a country like Palestine. That land is filled with associations sacred to the followers of three great religions, and as a result of migrating movements of many centuries contains an extraordinary number of different ethnic groups, far out of proportion to the small extent of the country itself. Such a condition points clearly to a reorganization of Palestine on the broadest possible basis.

5. We object to the political segregation of the Jews because it is an error to assume that the bond uniting them is of a national character. They are bound by two factors: First, the bond of common religious beliefs and aspirations and, secondly, the bond of common traditions, customs, and experiences, largely, alas, of common trials and sufferings. Nothing in their present status suggests that they form in any real sense a separate nationalistic unit.

The reorganization of Palestine as far as it affects the Jews is but part of a far larger issue, namely, the constructive endeavor to secure the emancipation of the Jews in all the lands in which they dwell. This movement, inaugurated in the eighteenth century and advancing with steady progress through the western lands, was checked by such reactionary tendencies as caused by the expulsion of the Poles from Eastern Prussia and the massacre of Armenians in Turkey. As directed against Jews these tendencies crystallised into a political movement called Anti-Semitism, which had its rise in Germany. Its virulence spread (especially) throughout eastern Europe and led to cruel outbreaks in Roumania and elsewhere, and to the pogroms of Russia with their dire consequences.

To guard against such evils in the future we urge that the great constructive movement, so sadly interrupted, be reinstated and that efficient measures be taken to insure the protection of the law and the full rights of citizenship to Jews in every land. If the basis of the reorganisation of governments is henceforth to be democratic, it cannot be contemplated to exclude any group of people from the enjoyment of full rights.

As to the future of Palestine, it is our fervent hope that what was once a "promised land" for the Jews may become a "land of promise" for all races and creeds, safeguarded by the League of Nations which, it is expected, will be one of the fruits of the Peace Conference to whose deliberations the world now looks forward so anxiously and so full of hope. We ask that Palestine be constituted as a free and independent state, to be governed under a democratic form of government recognizing no distinctions of creed or race or ethnic descent, and with adequate power to protect the country against oppression of any kind. We do not wish to see Palestine, either now or at any time in the future, organized as a Jewish State.



**CHAIM MARGALİYOT KALVARYSKI, ADMINISTRATOR OF THE JEWISH
COLONIZATION ASSOCIATION IN THE GALILEE, PROGRAM FOR A JUDEO-
ARAB ENTENTE, MAY/JUNE 1919**

- I. Palestine constitutes the homeland [*patrie*] of all those who inhabit it: Jews, Muslims and Christians are citizens on an equal footing [*de meme degre*].

II. The Jewish People, of Oriental semitic origin, is in need of a territory in which to develop its national culture. Palestine, its country of origin, forming a sort of isle in the midst of a very large sea of territory and of peoples equally of semitic origin and stretching from the Taurus to Gibraltar through North Africa, constitutes the *Jewish National Home*.

III. *Freedom of Worship*. There is no state religion in Palestine.

IV. *Administration*. Everyone, without distinction of race or religion, will be admitted. When recruiting civil servants, only the abilities of the candidates will be taken into consideration. In the public interests, it is necessary for civil servants to know the two languages of the country: Hebrew and Arabic (not to mention English, the language of the Mandatory Power). But, since it is difficult to find at present people who do know the two languages, both among the Jews as among the Arabs, a period of 5,10 or 15 years will be fixed, at the end of which the knowledge of these two languages will be compulsory for civil servants.

V. *Schools*. In state-run schools, especially in secondary schools, the teaching of the two languages, Hebrew and Arabic, is compulsory. The two languages complement each other. Beyond the moral advantages (better understanding and closer unity among the two elements, the development of a Hebrew-Arabic Literature which will recall the Golden Age of the Arab Caliphs, etc.) there will result economic advantages. All doors will be open to state employees who know both [languages] (not to mention English, the language of the Mandatory Power). In finance and in industry preference will always be given to an employee who knows the two languages. As for private schools, I have advised my political friends to impose the Arabic language [in Jewish schools]. I hope that our Arab friends will appreciate their interests and will act in like fashion regarding Hebrew in their schools.

VI. *Abolition of all Exclusivism, whether Jewish, Muslim or Christian*. Until now the Jews of Palestine, forming only a religious community, had their charitable works and their public institutions, while the Christians and Muslims had theirs. With the formation of the *Jewish National Home in Palestine* some duties of state fall upon them. They are obliged to think of everything and everyone without distinction of religion. There will no longer be poor Jews and poor Muslims and poor Christians. All the poor will have the right to the same care. We shall open up schools, orphanages and hospitals for all. We shall create agricultural [loan] and industrial banks for all, and shall come to the aid of the fellah.

VII. *Freedom of Immigration*. The affluence of Jewish capital and manpower in a poor and underpopulated country like Palestine can only be very profitable to the country, and complete freedoms should be accorded to Jewish immigration.



**GENERAL SYRIAN CONGRESS, MEMORANDUM TO THE KING-CRANE
COMMISSION OPPOSING JEWISH MIGRATION TO PALESTINE, 2 JULY 1919**

We the undersigned members of the General Syrian Congress, meeting in Damascus on Wednesday, 2 July 1919, made up of representatives from the three Zones, viz., the Southern, Eastern, and Western, provided with credentials and authorizations by the inhabitants of our various districts, Muslims, Christians, and Jews, have agreed upon the following statement of the desires of the people of the country who have elected us to present them to the American Section of the International Commission; the fifth article was passed by a very large majority; all the other articles were accepted unanimously.

1. We ask absolutely complete political independence for Syrian within these boundaries: the Taurus System on the North; Rafah and a line running from Al Jauf to the south of the Syrian

- and the Hejazian line to Aqaba on the south; the Euphrates and Khabur Rivers and a line extending east of Abu Kamal to the east of Al Jauf on the east; and the Mediterranean on the west.
2. We ask that the government of this Syrian country should be a democratic civil constitutional Monarchy on broad decentralization principles, safeguarding the rights of minorities, and that the King be the Emir Faisal, who carried on a glorious struggle in the cause of our liberation and merited our full confidence and entire reliance.
 3. Considering the fact that the Arabs inhabiting the Syrian area are not naturally less gifted than other more advanced races and that they are by no means less developed than the Bulgarians, Serbians, Greeks, and Romanians at the beginning of their independence, we protest against Article 22 of the Covenant of the League of Nations, placing us among the nations in their middle stage of development which stand in need of a mandatory power.
 4. In the event of the rejection by the Peace Conference of this just protest for certain considerations that we may not understand, we, relying on the declarations of President Wilson that his object in waging war was to put an end to the ambition of conquest and colonization, can only regard the Mandate mentioned in the Covenant of the League of Nations as equivalent to the rendering our complete independence. And desiring that our country should not fall a prey to colonization, and believing that the United States is farthest from any thought of colonization and has no political ambition in our country, we will seek the technical and economical assistance from the United States of America, provided that such assistance does not exceed twenty years.
 5. In the event of America not finding herself in a position to accept our desire for assistance, we will seek this assistance from Great Britain, also provided that such assistance does not infringe the complete independence and unity of our country and that the duration of such assistance does not exceed that mentioned in the previous article.
 6. We do not acknowledge any right claimed by the French Government in any part whatever of our Syrian country and refuse that she should assist us or have a hand in our country under any circumstances and in any place.
 7. We oppose the pretensions of the Zionists to create a Jewish commonwealth in the southern part of Syria, known as Palestine, and oppose Zionist migration to any part of our country; for we do not acknowledge their title but consider them a grave peril to our people from the national, economical, and political points of view. Our Jewish compatriots shall enjoy our common rights and assume the common responsibilities.
 8. We ask that there should be no separation of the southern part of Syria, known as Palestine, nor of the littoral western zone, which includes Lebanon, from the Syrian country. We desire that the unity of the country should be guaranteed against partition under whatever circumstances.
 9. We ask complete independence for emancipated Mesopotamia and that there should be no economical barriers between the two countries.
 10. The fundamental principles laid down by President Wilson in condemnation of secret treaties impel us to protest most emphatically against any treaty that stipulates the partition of our Syrian country and against any private engagement aiming at the establishment of Zionism in the southern part of Syria; therefore we ask the complete annulment of these conventions and agreements.

The noble principles enunciated by President Wilson strengthen our confidence that our desires, emanating from the depths of our hearts, shall be the decisive factor in determining our future; and that President Wilson and the free American people will be our supporters for the realization of our hopes thereby proving their sincerity and noble sympathy with the aspiration of the weaker nations in general and our Arab people in particular.

We also have the fullest confidence that the Peace Conference will realize that we would not have risen against the Turks, with whom we had participated in all civil, political, and representative privileges, but for their violation of our national rights, and so will grant us our desires in full in order that our political rights may not be less after the war than they were before, since we have shed so much blood in the cause of our liberty and independence.

We request to be allowed to send a delegation to represent us at the Peace Conference to defend our rights and secure the realization of our aspirations.



RECOMMENDATIONS OF THE KING-CRANE COMMISSION WITH REGARD TO SYRIA-PALESTINE AND IRAQ, 28 AUGUST 1919

[Perhaps for fear of being confronted by recommendations from their own delegates which might conflict with their policies, both Britain and France declined to nominate members to the Commission, which was mainly to determine which of the Western nations should act as the mandatory power for Palestine. Pres. Wilson appointed two Americans, Henry King and Charles Crane, whose findings were suppressed and kept secret for three years. Their report was not published until 1947].

I. SYRIA-PALESTINE

The Commissioners make to the Peace Conference the following recommendations for the treatment of Syria:

A. We recommend, as most important of all, and in strict harmony with our instructions, that whatever foreign administration (whether of one or more powers) is brought into Syria, should come in, not at all as a colonization Power in the old sense of that term, but as a Mandatory under the League of Nations, with the clear consciousness that “the well-being and development” of the Syrian people form for it a “sacred trust”.

- (1) To this end the mandate should have a limited term, the time of expiration to be determined by the League of Nations, in the light of all the facts as brought out from year to year, in the annual reports of the Mandatory to the League or in other ways.
- (2) The Mandatory Administration should have, however, a period and power sufficient to ensure the success of the new State; and especially to make possible carrying through important educational and economic undertakings, essential to secure founding of the State.
- (3) The Mandatory Administration should be characterized from the beginning by a strong and vital educational emphasis in clear recognition of the imperative necessity of education for the citizens of a democratic state, and the development of a sound national spirit. This systematic cultivation of national spirit is particularly required in a country like Syria, which has only recently come to self-consciousness.
- (4) The Mandatory should definitely seek, from the beginning of its trusteeship, to train the Syrian people to independent self-government as rapidly as conditions allow, by setting up all the institutions of a democratic state, and by sharing with them increasingly the work of administration and so forming gradually an intelligent citizenship, interested unselfishly in the progress of the country, and forming at the same time a large group of disciplined civil servants.
- (5) The period of “tutelage” should not be unduly prolonged, but independent self-government should be granted as soon as it can safely be done; remembering that the primary business of government is not the accomplishment of certain things, but the development of citizens.
- (6) It is peculiarly the duty of the Mandatory in a country like Syria, and in this modern age, to see that complete religious liberty is ensured, both in the constitution and in the practice of the state, and that a jealous care is exercised for the rights of all minorities. Nothing is more vital than this for the enduring success of the new Arab State.
- (7) In the economic development of Syria, a dangerous amount of indebtedness on the part of the part of the new State should be avoided, as well as any entanglements financially with the affairs of the Mandatory Power. On the other hand the legitimate established privileges of foreigners such as rights to maintain schools, commercial concessions, etc., should be preserved, but subject to review and modification under the authority of the League of Nations in the interest of

Syria. The Mandatory Power should not take advantage of its position to force a monopolistic control at any point to the detriment either of Syria or of other nations; but it should seek to bring the new State as rapidly as possible to economic independence as well as to political independence. Whatever is done concerning the further recommendations of the Commission, the fulfillment of at least the conditions now named should be assured, if the Peace Conference and the League of Nations are true to the policy of mandatories already embodied in "The Covenant of the League of Nations". This should effectively guard the most essential interests of Syria, however the machinery of administration is finally organized. The Damascus Congress betrayed in many ways their intense fear that their country would become, through under some other name, simply a colonial possession of some other Power. That fear must be completely allayed.

B. We recommend, in the second place that the unity of Syria be preserved, in accordance with the earnest petition of the great majority of the people of Syria.

- (1) The territory concerned is too limited, the population too small, and the economic, geographic, racial and language unity too manifest to make the setting up of independence states within its boundaries desirable, if such division can possibly be avoided. The country is very largely Arab in Language, culture, traditions, and customs.
- (2) This recommendation is in line with important "general considerations" already urged, and with the principles of the League of Nations, as well as in answer to the desires of the majority of the population concerned.
- (3) The precise boundaries of Syria should be determined by a special commission on boundaries, after the Syrian territory has been in general allotted. The Commissioners believe, however, that the claim of the Damascus Conference to include Cilicia in Syria is not justified, either historically or by commercial or language relations. The line between the Arabic-speaking and the Turkish-speaking populations would quite certainly class Cilicia with Asia Minor rather than with Syria. Syria, too, has no such need of further sea coast as the large interior sections of Asia Minor.
- (4) In standing thus for the recognition of the unity of Syria, the natural desires of regions like the Lebanon, which have already had a measure of independence, should not be forgotten. It will take for real unity, undoubtedly, to give a large measure of local autonomy, and especially in the case of strongly unified groups. Even the "Damascus Program" which presses so earnestly the unity of Syria, itself urges a government "on broad decentralization principles".

Lebanon has achieved a considerable degree of prosperity and autonomy within the Turkish Empire. She certainly should not find her legitimate aspirations less possible within a Syrian national State. On the contrary, it may be confidently expected that both her economic and political relations with the rest of Syria would be better if she were a constituent member of the State, rather than entirely independent of it.

As a predominantly Christian country, too, Lebanon naturally fears Moslem domination in a unified Syria. But against such domination she would have a four-fold safeguard: her own large autonomy; the presence of a strong Mandatory for the considerable period in which the constitution and practice of the new State would be forming; the oversight of the League of Nations, with its insistence upon religious liberty and the rights of minorities; and the certainty that the Arab Government would feel the necessity of such a state if it were to commend itself to the League of Nations. Moreover, there would be less danger of reactionary Moslem attitude, if Christians were present in the state in considerable numbers, rather than largely segregated outside the state, as experience of the relations of different religious faiths in India suggests.

As a predominantly Christian country, it is also to be noted that Lebanon would be in a position to exert a stronger and more helpful influence if she were within the Syrian State, feeling its problems and needs, and sharing all its life, instead of outside it, absorbed simply in her own narrow concerns. For the sake of the larger interests, both of Lebanon and of Syria, then, the unity of Syria is to be urged. It is certain that many of the more thoughtful Lebanese themselves hold this view. A similar statement might be made for Palestine; though, as "the Holy Land" for Jews and Christians and Moslems alike, its situation is unique, and might more readily justify unique treat-

ment, if such treatment were justified anywhere. This will be discussed more particularly in connection with the recommendation concerning Zionism.

C. We recommend, in the third place, that Syria be placed under an (e) Mandatory Power, as the natural way to secure real and efficient unity.

- (1) To divide the administration of the provinces of Syria among several mandatories, even if existing national unity were recognized; or to attempt a joint mandatory of the whole on the commission plan: neither of these courses would be naturally suggested as the best way to secure and promote the unity of the new State, or even the general unity of the whole people. It is conceivable that circumstances might drive the Peace Conference to some such form of divided mandate; but it is not a solution to be voluntarily chosen, from the point of view of the larger interests of the people, as considerations already urged indicate.
- (2) It is not to be forgotten, either, that, however they are handled politically, the people of Syria are there, forced to get on together in some fashion. They are obliged to live with one another - the Arabs of the East and the people of the Coast, the Moslems and the Christians. Will they be helped or hindered, in establishing tolerable and finally cordial relations, by a single mandatory? No doubt the quick mechanical solution of the problem of different relations is to split the people up into little independent fragments. And sometimes, undoubtedly, as in the case of the Turks and Armenians, the relations are so intolerable as to make some division imperative and inevitable. But in general, to attempt complete separation only accentuates the differences and increases the antagonism. The whole lesson of the modern social consciousness points to the necessity of understanding "the other half", as it can be understood only by close and living relations. Granting reasonable local autonomy to reduce friction among groups, a single mandatory ought to form a constant and increasingly effective help to unity of feeling throughout the state, and ought to steadily improve group relations.

The people of Syria, in our hearings, have themselves often insisted that, so far as unpleasant relations have hitherto prevailed among various groups, it has been very largely due to the direct instigation of the Turkish Government. When justice is done impartially to all; when it becomes plain that the aim of the common government is the service of all classes alike, not their exploitation, decent human relations are pretty certain to prevail, and a permanent foundation for such relations to be secured - a foundation which could not be obtained by dividing men off from one another in antagonistic groups.

The Commissioners urge, therefore, for the largest future good of all groups and regions alike, the placing of the whole of Syria under a single mandate.

D. We recommend, in the fourth place, that Amir Faisal be made the head of the new united Syrian State.

- (1) This is expressly and unanimously asked for by the representative Damascus Congress in the name of the Syrian people, and there seems to be no reason to doubt that the great majority of the population of Syria sincerely desire to have Amir Faisal as ruler.
- (2) A constitutional monarchy along democratic lines, seems naturally adapted to the Arabs, with their long training under tribal conditions, and with their traditional respect for their chiefs. They seem to need, more than most people, a King as the personal symbol of the power of the State.
- (3) Emir Faisal has come, too, naturally into his present place of power, and there is no one else who could well replace him. He had the great advantage of being the son of the Sherif of Mecca, and as such honored throughout the Moslem world. He was one of the prominent Arab leaders who assumed responsibility for the Arab uprising against the Turks, and so shared in the complete deliverance of the Arab-speaking portions of the Turkish Empire. He was consequently hailed by the "Damascus Congress" as having "merited their full confidence and entire reliance". He was taken up and supported by the British as the most promising candidate for the headship of the new Arab State - as Arab of the Arabs, but with a position of wide appeal through his Sherifian connection, and through his broad sympathies with the best in the Occident. His relations with the Arabs to the east of Syria are friendly, and his kingdom would not be threatened from that side.

He undoubtedly does not make so strong an appeal to the Christians of the West Coast, as to the Arabs of the East; but no man can be named who would have a stronger general appeal. He is tolerant and wise, skillful in dealing with men, winning in manner, a man of sincerity, insight, and power. Whether he has the full strength needed for his difficult task it is too early to say; but certainly no other Arab leader combines so many elements of power as he, and he will have invaluable help throughout the mandatory period.

The Peace Conference may take genuine satisfaction in the fact that an Arab of such qualities is available for the headship of this new state in the Near East.

E. We recommend, in the fifth place, serious modification of the extreme Zionist program for Palestine of unlimited immigration of Jews, looking finally to making Palestine distinctly a Jewish State.

- (1) The Commissioners began their study of Zionism with minds predisposed in its favor, but the actual facts in Palestine, coupled with the force of the general principles proclaimed by the Allies and accepted by the Syrians have driven them to the recommendation here made.
- (2) The Commission was abundantly supplied with literature on the Zionist program by the Zionist Commission to Palestine; heard in conferences much concerning the Zionist colonies and their claims and personally saw something of what had been accomplished. They found much to approve in the aspirations and plans of the Zionists, and had warm appreciation for the devotion of many of the colonists, and for their success, by modern methods, in overcoming great natural obstacles.
- (3) The Commission recognized also that definite encouragement had been given to the Zionists by the Allies in Mr. Balfour's often quoted statement, in its approval by other representatives of the Allies. If, however, the strict terms of the Balfour Statement are adhered to - favoring "the establishment in Palestine of a national home for the Jewish people," "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine" - it can hardly be doubted that the extreme Zionist Program must be greatly modified. For "a national home for the Jewish people" is not equivalent to making Palestine into a Jewish State; nor can the erection of such a Jewish State be accomplished without the gravest trespass upon the "civil and religious rights of existing non-Jewish communities in Palestine". The fact came out repeatedly in the Commission's conference with Jewish representatives, that the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine, by various forms of purchase.

In his address of July 4, 1918, President Wilson laid down the following principle as one of the four great "ends for which the associated peoples of the world were fighting": The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery". If that principle is to rule, and so the wishes of Palestine's population of Palestine - nearly nine-tenths of the whole - are emphatically against the entire Zionist program. The tables show that there was no one thing upon which the population of Palestine were more agreed than upon this. To subject a people so minded to unlimited Jewish immigration, and to steady financial and social pressure to surrender the land, would be a gross violation of the principle just quoted, and of the peoples' rights, though it kept within the forms of law.

It is to be noted also that the feeling against the Zionist program is not confined to Palestine, but shared very generally by the people throughout Syria, as our conferences clearly showed. More than 72 per cent - 1350 in all - of the petitions in the whole of Syria were directed against the Zionist program. Only two requests - those for a united Syria and for independence - had a larger support. This general feeling was only voiced by the "General Syrian Congress," in the seventh, eighth and tenth resolutions of their statement.

The Peace Conference should not shut its eyes to the fact that the anti-Zionist feeling in Palestine and Syria is intense and not lightly to be flouted. No British officer, consulted by the Commissioners,

believed that the Zionist program could be carried out except by force of arms. The officers generally thought that a force of not less than fifty thousand soldiers would be required even to initiate the program. That of itself is evidence of a strong sense of the injustice of the Zionist program, on the part of the non-Jewish populations of Palestine and Syria. Decisions, requiring armies to carry them out, are sometimes necessary, but they are surely not gratuitously to be taken in the interests of a serious injustice. For the initial claim, often submitted by Zionist representatives, that they have a “right” to Palestine, based on an occupation of two thousand years ago, can hardly be seriously considered.

There is a further consideration that cannot justly be ignored, if the world is to look forward to Palestine becoming a definitely Jewish state, however gradually that may take place. That consideration grows out of the fact that Palestine is “the Holy Land” for Jews, Christians, and Moslems alike. Millions of Christians and Moslems all over the world are quite as much concerned as the Jews with conditions in Palestine, especially with those conditions which touch upon religious feelings and rights. The relations in these matters in Palestine are most delicate and difficult. With the best possible intentions, it may be doubted whether the Jews could possibly seem to either Christians or Moslems proper guardians of the holy places, or custodians of the Holy Land as a whole. The reason is this: the places which are most sacred to Christians - those having to do with Jesus - and which are also sacred to Moslems, are not only not sacred to Jews, but abhorrent to them. It is simply impossible, under those circumstances, for Moslems and Christians to feel satisfied to have these places in Jewish hands, or under the custody of Jews. There are still other places about which Moslems must have the same feeling. In fact, from this point of view, the Moslems, just became the sacred places of all three religions are sacred to them, have made very naturally much more satisfactory custodians of the holy places than the Jews could be. It must be believed that the precise meaning, in this respect, of the complete Jewish occupation of Palestine has not been fully sensed by those who urge the extreme Zionist program. For it would intensify, with a certainty like fate, the anti-Jewish feeling both in Palestine and in all other portions of the world which look to Palestine as “the Holy Land”.

In view of all these considerations, and with a deep sense of sympathy for the Jewish cause, the Commissioners feel bound to recommend that only a greatly reduced Zionist program be attempted by the Peace Conference and even that, only very gradually initiated. This would have to mean that Jewish immigration should be definitely limited, and that the project for making Palestine distinctly a Jewish commonwealth should be given up.

There would then be no reason why Palestine could not be included in a united Syrian State, just as other portions of the country, the holy places being cared for by an International and Inter-religious Commission, somewhat as at present, under the oversight and approval of the Mandatory and of the League of Nations. The Jews, of course, would have representation upon this Commission.

The recommendations now made lead naturally to the necessity of recommending what power shall undertake the single Mandate for all Syria.

- (1) The considerations already dealt with suggest the qualifications ideally to be desired in the mandatory Power: First of all, it should be freely desired by the people. It should be willing to enter heartily into the spirit of the mandatory system, and its possible gift to the world, and so be willing to withdraw after a reasonable period, and not seek selfishly to exploit the country. It should have a passion for democracy, for the education of the common people and for the development of the national spirit. It needs unlimited sympathy and patience in what is practically certain to be a rather thankless task; for no Power can go in honestly to face actual conditions (like land-ownership, for example) and seek to correct these conditions, without making many enemies. It should experience in dealing with less-developed people, and abundant resources in men and money.
- (2) Probably no Power combines all these qualifications, certainly not in equal degree. But there is hardly one of these qualifications that has not been more or less definitely indicated in our conference with Syrian people and they certainly suggest a new stage in the development of the self-sacrificing spirit in the relations of peoples to one another. The Power that undertakes the single

Mandate for all Syria, in the spirit of these qualification will have the possibility of greatly serving not only Syria but the world, and of exalting at the same time its own national life. For it would be working in direct line with the high aims of the Allies in the War, and give proof that those high aims had not been abandoned. And that would mean very much just now, in enabling enabling the nations to keep their faith in one another and in their own highest ideals.

- (3) The Resolutions of the Peace Conference of January 30, 1919, quoted in our instructions, expressly state for regions to be "completely severed from the Turkish Empire", that "the wishes of these communities must be a principal consideration in the election of the mandatory Power." Our survey left no room for doubt of the choice of the majority of the Syrian people. Although it was not known whether America would take a Mandate at all; and although the Commission could not only give no assurances upon that point, but had rather to discourage expectation; nevertheless, upon the face of the returns, America was the first choice of 1,152 of the petitions presented—more than sixty per cent—while no other Power had as much as fifteen per cent for first choice. And the conferences showed that the people knew the grounds upon which they registered their choice for America. They declared that their choice was due to knowledge of America's record; the unselfish aims with which she had come into the War; the faith in her felt by multitudes of Syrians who had been in America; the spirit revealed in American educational institutions in Syria, especially the College in Beirut, with its well-known and constant encouragement of Syrian national sentiment; their belief that America had no territorial or colonial ambitions, and would willingly withdraw when the Syrian State was well established as her treatment both of Cuba and the Philippines seemed to them to illustrate; her genuinely democratic spirit; and her ample resources. From the point of view of the desires of the "people concerned," the Mandate should clearly go to America.
- (4) From the point of view of qualifications, too, already stated as needed in the Mandatory of Syria, America, as first choice of the people, probably need not fear careful testing, point by point, by the Standard involved in our discussion of qualifications; though she has much less experience in such work than Great Britain, and is likely to show less patience; and though her definite connexions with Syria have been less numerous and close than those of France. She would have at least the great qualification of fervent belief in the new mandatory system of the League of Nations, as indicating the proper relations which a strong nation should take toward a weaker one. And, though she would undertake the Mandate with reluctance, she could probably be brought to see how logically the taking of such responsibility follows from the purposes with which she entered the War, and from her advocacy of the League of Nations.
- (5) There is the further consideration that America could probably come into the Syrian situation, in the beginning at least, with less friction than any other Power. The great majority of Syrian people, as has been seen, favour her coming, rather than that of any other Power. Both the British and the French would find it easier to yield their respective claims to America than to each other. She would have no rival imperial interests to press. She would have abundant resources for the development of the sound prosperity of Syria; and this would inevitably benefit in a secondary way the nations which have had closest connexion with Syria, and so help to keep relations among the Allies cordial. No other Power probably would be more welcome as a neighbour to the British with their large interests in Egypt, Arabia and Iraq; or the Arabs and Syrians in these regions; or the French with their long-established and many-sided interests in Bairut and the Lebanon.
- (6) The objections to recommending at once a single American Mandate for all Syria are: First of all, that it is not certain that the America people would be willing to take the Mandate; that is not certain that the British or French would be willing to withdraw, and would cordially welcome America's coming, a situation which might prove steadily harassing to an American administration; that the vague but large encouragement given to the Zionist aims might prove particularly embarrassing to America, on account of her large influential Jewish population; and that, if America were to take any mandate at all, and were to take but one mandate, it is probable that an Asia Minor Mandate would be more natural and important. For there is a task there of such peculiar and world-wide significance as to appeal to the best in America, and demand the utmost from her, and as certainly to justify her in breaking with her established policy concerning mixing in the affairs

of the eastern hemisphere. The Commissioners believe, moreover, that no other Power could come into Asia Minor with hands so free to give impartial justice to all the peoples concerned.

To these objections, as a whole, it is to be said that they are all of such a kind that they may resolve themselves; and that they only form the sort of obstacles that must be expected in so large and significant an undertaking. In any case they do not relieve the Commissioners from the duty of recommending the course which, in their honest judgment, is the best course, and the one for which the whole situation calls.

The Commissioners, therefore, recommend, as involved in the logic of the facts, that the United States of America be asked to undertake the single Mandate for all Syria.

If for any reason the mandate for Syria is not given to America, then the Commissioners recommend, in harmony with the express request of the majority of Syrian people, that the mandate be given to Great Britain. The tables show that there were 1,073 petitions in all Syria for Great Britain as mandatory, if America did not take the Mandate. This is very greatly in excess of any similar expression for the French.

On the contrary—for whatever reason—more than sixty percent of all the petitions presented to the Commission directly and strongly protested against any French mandate. Without going into discussion of the reasons for this situation, the Commissioners are reluctantly compelled to believe that this situation itself makes it impossible to recommend a single French Mandate for all Syria.

The feeling of the Arabs of the East is particularly strong against the French. And there is grave reason to believe that the attempt to enforce a French Mandate would precipitate war between the Arabs and the French, and force upon Great Britain a dangerous alternative. The Commissioners may perhaps be allowed to say that this conclusion is contrary to their own earlier hope, that because of France's long and intimate relations with Syria, because of her unprecedented sacrifices in the War, and because the British Empire seemed certain to receive far greater accessions of territory from the War—it might seem possible to recommend that France be given the entire Mandate for Syria. But the longer the Commission remained in Syria, the more clear it became that the course could not be taken. The Commissioners recommend, therefore, if America cannot take the mandate for all Syria, that it be given to Great Britain; because of the choice of the people concerned; because she is already on the ground and with much of the necessary work in hand; because of her trained administrators; because of her long and generally successful experience in dealing with less developed peoples; and because she has so many of the qualifications needed in a mandatory Power, as we have already considered them.

We should hardly be doing justice, however, to our sense of responsibility to the Syrian people, if we did not frankly add some at least of the reasons and misgivings, variously expressed and implied in our conferences, which led to the preference for an American Mandate over a British Mandate. The people repeatedly showed honest fear that in British hands the mandatory power would become simply a colonising power of the old kind; that Great Britain could find it difficult to give up the colonial theory, especially in case of a people thought inferior; that she would favour a civil service and pension budget too expensive for a poor people; that the interests of Syria would be subordinated to the supposed needs of the Empire; that there would be, after all, too much exploitation of the country for Britain's benefit; that she would never be ready to withdraw and give the country real independence; that she did not really believe in universal education, and would not provide adequately for it; and that she already had more territory in her possession—in spite of her fine colonial record—than was good either for herself or for the world.

These misgivings of the Syrian people unquestionably largely explain their demand for "absolute independence", for a period of "assistance" of only twenty years, their protest against Article XXII of the Covenant of the League of Nations, etc. They all mean that whatever Power the Peace Conference

shall send into Syria, should go in as a true mandator) under the League of Nations, and for a limited term. Anything else would be a betrayal of the Syrian people.

It needs to be emphasised, too, that under a true mandatory for Syria, all the legitimate interests of all the nations in Syria would be safeguarded. In particular, there is no reason why any tie that France has had with Syria in the past should be severed or even weakened under the control of another mandatory Power, or in an independent Syria.

There remains only to be added that, if France feels so intensely concerning her present claims in Syria as to threaten all cordial relations among the Allies, it is of course, possible to give her a Mandate over the Lebanon (not enlarged) separated from the rest of Syria, as is desired by considerable groups in that region. For reasons already given, the Commissioners cannot recommend this course, but it is a possible arrangement.

II. IRAQ

In view of the Resolutions, passed by the Peace Conference on January 30, 1919, and the Anglo-French Declaration of November 7, 1918-on the eve of the Armistice- both of which documents class Syria and Iraq together to be treated in the same way, and make to them the same promises and assurances, the Commissioners recommend that the Peace Conference adopt for Iraq a policy in general parallel to that recommended for Syria, in order that the Anglo-French Declaration may not become another "scrap of paper."

1. We accordingly recommend, as most important of all, and in strict harmony with our instructions, that whatever foreign administration is brought into Iraq, should come into Iraq not at all as a colonising power in the old sense of that term, but as a mandatory under the League of Nations, with clear consciousness that the "well-being and development" of the people form for it a sacred trust. To this end the Mandate should have a limited term, the time of expiration to be determined by the League of Nations, in the light of all the facts as brought out from year to year, whether in the annual reports of the mandatory to the League or in other ways.
The entire test of the first recommendation for Syria, with its subordinate recommendations, applies point by point to Iraq as truly as to Syria. If the Peace Conference, the League of Nations, and the appointed mandatory Power loyally carry out the policy of mandates embodied in the Covenant of the League of Nations, the most essential interests of Iraq would be fully safeguarded-but only so.
2. We recommend, in the second place that the unity of Iraq be preserved: the precise boundaries to be determined by a special commission on boundaries, after the Mandate has been assigned. It should probably include at least the Vilayets of Basra, Baghdad, and Mosul. And the Southern Kurds and Assyrians might well be linked up with Iraq. The wisdom of a united country needs no argument in the case of Iraq.
3. We recommend, in the third place, that Iraq be placed under one Mandatory Power, as the natural way to secure real and efficient unity. The economic, political social and educational development of the people all call for such a unified mandate. Only waste, confusion, friction, and injury to the people's interests could come from attempting a division and "spheres of influence" on the part of several nations. But this implies that the mandatory Power shall not itself be an exploiting Power, but shall sacredly guard the people's rights.
4. Since it is plainly desirable that there be general harmony in the political and economic institutions and arrangements of Iraq and Syria; and since the People themselves should have chief voice in determining the form of government under which they shall live, we recommend that the Government of Iraq, in harmony with the apparent desires of its people, be a Constitutional Monarchy, such as is proposed for Syria and that the people of Iraq be given opportunity to indicate their choice of a Monarch, the choice to be reviewed and confirmed by the League of Nations. It may be fairly assumed that the 1,278 petitions from Syrians for the independence of Iraq percent of the total number received the feeling in Iraq itself; and such contact as we have been able to secure with Iraqis confirms the assumption, and leads to the belief that the programme, presented at Aleppo

by representative Iraqis, headed by Ja'far Pasha, Military Governor of the Aleppo District, and practically parallel to the, Damascus Programme, would be generally supported by the Iraqi people. Whether this support extends to each item in the programme alike, and so the naming of a king from the sons of the King of the Hejaz, we have not sufficient data to determine, and so have recommended that a plebiscite be taken upon that point; although there is British evidence that many Iraqis have expressed themselves in favour of one of the sons of the King of the Hejaz as Amir.

5. The Iraqi Programme expresses its choice of America as mandatory, and with no second choice. Undoubtedly there has been a good deal of feeling in Iraq against Great Britain, and the petitions specifically charge the British authorities in Iraq with considerable interference with freedom of opinion, of expression, and of travel of which might be justified in time of military occupation. But feeling so stirred might naturally breed unwillingness to express desire for Great Britain as mandatory. On the other hand, the material in the pamphlet called "Copies and Translations of Declarations and other Documents relating to Self-Determination in Iraq" was called out by an attempt on the part of the British Government in Iraq to secure the opinions of leading men of all groups concerning "self-determination." This material, just because reported directly to British officials, is doubtless somewhat more favourable to the British than it would otherwise be; but it gives unquestionable good evidence of much opinion likely to choose a British Mandate. And after all, the range of choice of a mandatory, of sufficient power and experience and of essential justice, is decidedly limited. and it is by no means improbable that if the Iraqis were confronted by a refusal of America to take a Mandate for Iraq, they would make Great Britain at least second choice, as the majority of the Syrians did. There is supplementary evidence also upon this point.

Now it seems so unlikely that America could or would take a Mandate for Iraq, in addition to the possible consideration of Syria and Asia Minor, that the Commissioners recommend that the Peace Conference assign the Mandate for Iraq to Great Britain: because of the general reasons already given for recommending her as mandatory in Syria, if America does not go in there; because she is probably best of all fitted for the particular task involved, in view of her long relations with the Arabs; in recognition of the sacrifices made by her in delivering Iraq from the Turks, though with no acknowledgment of right of conquest, as her own statements expressly disclaim; because of the special interests she naturally has in Iraq on account of its nearness to India and its close connexions with Arabia; and because of work already done in the territory.

These reasons make it probable that the largest interest of the people of Iraq as a whole will be best served by a British Mandate, in spite of the fact that from the point of view of world-interests, in the prevention of jealousy, suspicion, and fear of domination by a single Power, it were better for both Britain and the world that no further territory anywhere be added to the British Empire. A British Mandate, however, will have the decided advantage of tending to promote economic and educational unity throughout Iraq and Syria, whether Syria be under Great Britain or America, and so will reflect more fully than ever before the close relations, in language, customs, and trade between these parts of the former Turkish Empire.

In a country so rich as Iraq in agricultural possibilities, in oil, and in other resources with the best intentions, there will inevitably be danger of exploitation and monopolistic control by the mandatory Power, through making British interests supreme, and especially through large Indian immigration. This danger will need increasingly and most honestly to be guarded against. The Iraqis feel very strongly the menace particularly of Indian immigration, even though that immigration should be confined to Moslems. They dread the admixture of another people of entirely different race and customs, as threatening their Arabic civilisation.

Respectfully submitted,

Henry C. King,
Charles R. Crane.



**ACTING CHAIRMAN OF THE ZIONIST CONGRESS MENAHEM USSISHKIN,
NOTES OF A MEETING WITH THE HEAD OF THE TOWN COUNCIL OF JERUSALEM,
MUSA KAZIM AL-HUSSEINI, 8 OCTOBER 1919**

However, with regard to our country there is one thing that is clear, and that is that Palestine is to be separate from Syria; Syria is to be under the protectorate of France and Palestine under that of England.

Musa Kazim: But we do not agree to this. We asked for the protection of American, and England only enters into the second degree of our considerations. We demand no separation from Syria, with no changes in the internal situation, and with no special privileges for anybody.

U.: I have already told Your Worship that there is no longer any doubt on this question. Palestine is separated from Syria, and this has become a fact. There is no going back now. With regard to the "privileges" to which your refer, you mean of course the Jews. I can say that we have already spoken to the Amir Faisal on this matter, and we have come to an agreement. You have read of this in the newspapers, I presume?

M.K.: Indeed, we read the newspapers. But we do not submit to the Amir Faisal with regard to our political demands. Nor do we rely on him in this matter. We are opposed to any special rights for the Jews. We cannot consent to language rights, immigration rights, etc. I speak not only for myself, but for all my Arab brothers. We have already repudiated the concessions made by the Amir.

U.: But the British government has also promised Rights to the Jews, and they have issued a special declaration on this matter, the famous Balfour Declaration about which you have heard, no doubt. And if England gave a promise, she knew what she was promising and without doubt will know how to keep her promise.

M.K.: Yes! We heard that the British government has given a promise, but that promise was given *for the present only* to the Jews, *and not to us*. It is therefore impossible for us to agree with their exaggerated and premature demands which follow one upon the other. Wait until the official announcement is made by the British government, and then ... And, generally speaking, the demands of the Jews are just the beating of a hollow drum and arise mostly from lack of knowledge of the conditions of the people of the country, their habits, and their outlook. They are therefore very annoying to the Arabs. And this is not the right and proper thing for you to do. Indeed, the Jews are superior to us in knowledge, culture, wealth and capabilities - in everything related to their economic concerns, etc. But just as the mind of the European Jew is sharp he cannot see what is before him, and what is in store for him in the near future from the Jews, i.e., from the mass immigration of the Jews. I may also mention that we have nothing against the Jews who are citizens of this country. These we know and they know us. We have lived together with them and are doing so now, and will continue to do so in peace and friendship. There is no quarrel or outcry except that we shall oppose the immigration of Jews with all our might. For they have to tact and their aims are quite clear and well know to us. They want - and they have had the impertinence to announce it publicly in the newspapers and in public speeches - they want to drive us out of the land and to take possession of our houses and estates. They were not ashamed to state clearly and send us off to the Hejaz. According to them - and these are words which have been quite frank-there is no room for two men in one chair; and Palestine, according to them, will serve only at the seat of honour for the Jews and the Arabs will have no share in it. This will never be! And generally the Jews lack tact and are not at all diplomatic. The Arabs differ from them in this respect. The Arabs are by nature charitable and generous and disburse charity to the limit of their ability. But it is obvious that they must be treated politely - their friendship must be encouraged and you must enter into relations with them and visit them, so that over coffee and cigarettes they are bound to forget everything and will compromise in every way. The welcome of guests is a quality in which the Arab goes too far. But his cannot be so when they are

approached with claims and demands one after another. If you do this you will not succeed. The Arabs know how to oppose these demands.

U.: As regard the demands of the Jews, I must say that there is no exaggeration, but indeed the reverse. For the present they are *minimum demands, based upon right and justice upon which there can be compromise whatsoever*. If there is room for compromise at all, it is particularly with regard to tact and details, if we find that it is as you say that we have made mistakes in this direction. No doubt mistakes were made on your side also ...



**MEMORANDUM OF A MEETING OF ZIONIST REPRESENTATIVES WITH AMIR
FAISAL AND AWNI ABD AL-HADI, CARLTON HOTEL, LONDON, 19 OCTOBER 1919**

[Zionists participants included: Dr. Shmaryahu Levin, member of the Zionist Executive; Benjamin Victor Cohen, counsel for the American Zionist Movement from 1919-21; and Samuel Landman, British Secretary to the Zionist Organisation. Levin spoke in Hebrew, Landman translated into French for Awni, who then translated into Arabic for Faisal.]

(Levin extended invitation to Faisal to attend Balfour Declaration anniversary celebrations.) He stated that he hoped that the Amir would on that occasion make a statement favourable to Zionism, so as to show the Jewish people that they could count on him as a friend, and with the more important object of effacing the unfortunate impression created by the interview with the “Jewish Chronicle” [of 3 October]. The Amir expressed his regret that he could not accept the flattering invitation, because he was leaving for Paris the next morning, and did not know whether he could return in time. (They agreed to work out the text of a message to be sent by Faisal for the occasion.)

(After Faisal withdrew, Awni remained and asked in what way the *Jewish Chronicle* interview was unsatisfactory.) It was pointed out to him that the statement attributed to Faisal, asking for Palestine to be a province of an independent Arabia, was contrary to the aspirations of the Zionists. Further, the objection to the phrase of Dr. Weizmann is, “that Palestine was to be as Jewish as England is English” could not fail to evoke disapproval among the Zionists. Finally, the restriction of immigration to very small numbers was especially likely to arouse Zionist dissatisfaction.

Mr. Hadi replied very fully, elaborating the following standpoint:

Mr. Balfour’s declaration was very unfortunate, in that it aroused the opposition of the Palestine Arabs against the Jews. This opposition had been aggravated by the statements of the Zionists, especially in Palestine, in which they talked of Palestine as “Eretz Israel” the Jewish Land. This manner of speech was very offensive to the Palestinian Arabs, who regarded Palestine as their country, having lived there for so many centuries during which time Jews had been far away. Today the Jews were still in a very small minority, and it was to him unthinkable that the Arabs could renounce their claim to Palestine in favour of the Jews.

He advised the Zionists, in their own interests to stop all talk of a Jewish Palestine, and limit themselves to colonisation and development of their own culture and institutions, with a maximum of self-government in internal matters and a certain degree of representation in the Government of the country.

When it was pointed out to him that Great Britain was likely to accept the mandate on the terms of the Balfour Declaration, he said nothing was yet settled, but advised the Zionists in their own interests not to put blind faith in the British Government. He absolutely failed to understand why they had so much confidence in and friendship for Great Britain. It was pointed out to him that Great Britain had been the traditional friend and protector of the Jews, and that the Jews intended to be loyal to Great Britain. He said that the Zionists asked for the friendship of the Arabs, but what would desire

them to do, he suggested the following: he had seen a member of the American Peace Delegation recently, in Paris, and had discussed with him the position regarding Arabia and Palestine. He gathered it would not be very difficult to persuade America to insist that Mesopotamia, Palestine and Syria should become an independent Confederation, with an Arab King, under the League of Nations, England to have commercial predominance in Palestine and Mesopotamia and France in Syria. He thought the Zionists would be more likely to satisfy their aspirations by supporting such a settlement than by asking for a British Mandate. He had heard from a very high French authority [that France?] would under no circumstances allow the British to colonise Mesopotamia with Hindoos or Palestine with Jews.

The Zionist representative replied that such a proposal was entirely at variance with the demands made at the Peace Conference, and could not be entertained for a moment. the Zionists were anxious to work side by side with the Arabs in the restoration of the Near East.

Dr. Levin stated that such restoration was impossible without Jewish experts and Jewish capital, which they were prepared to devote freely to this purpose. As regards the promise of a Jewish Palestine, this was made by all the Great Powers, and it was on the strength of that hope that the Jews would put forth all their energy and enthusiasm. If that hope were removed, as it would be if the course of action suggested in the interview with the "Jewish Chronicle" as being satisfactory to the Amir Faisal were adopted, the Near East would not be able to attract those Jewish elements which were indispensable.

Mr. Hadi said that the Arabs would prefer to develop their country, their railways, their roads, with Jewish capital and Jewish experts, rather than French or English.

Dr. Levin replied that if they invited Jewish experts, they would be only too pleased to come, provided always that the proposals of the Zionists were not departed from.

Reverting to the message from the Amir Faisal for the 2 November Demonstration, Mr. Landman emphasised the necessity of a very clear message from the Amir, so as to undo the effect of the "Jewish Chronicle" interview.

Mr. Hadi promised to do his best to find a satisfactory formula. This ended the interview.



AGREEMENT BETWEEN ZIONIST REPRESENTATIVE YEHOShUA HANKIN AND "THE NATIONALIST GROUP IN SYRIA AND LEBANON", 26 MARCH 1920

The undersigned, Mr. Yehoshua Hankin, representing the Zionist Organisation in Palestine, and Messrs Najib Sfeir, Yusuf Muazzin, Dr. Rashid Karam, Mr. Najib Hashim and Dr. Antun Shihade, representing the Nationalist Group in Syria and Lebanon, in view of the gravity of the political situation in Syria, Lebanon and Palestine, and desirous of co-ordinating their political activity for the good of these three countries, have agreed after discussion on the following basic principles:

1. The Governments of Syria and Lebanon recognise the independence of Palestine within boundaries to be fixed by a committee with representatives of both sides (Syria and Lebanon, on the one hand; Palestine, on the other), and the Zionist Organisation will have the right to build there a National Home for the Jewish people, by organising a mass immigration of Jews from every land into Palestine, and by obtaining political and economic privileges necessary to ensure the calm and free development of the National Home.
2. The Nationalist Group in Syria and Lebanon will do everything necessary to prepare public opinion among the Arab people for this recognition, and to accustom the Arabs to [look upon] the Jewish people as neighbours.

3. The Zionist Organisation undertakes in future not to go beyond the borders of Syria and Lebanon as will be determined in accordance with paragraph 1.
4. The Zionist Organisation undertakes to respect the religious rites and customs of Muslims and Christians in Palestine, and not to interfere in questions affecting the holy places.
5. The Zionist Organisation undertakes to assist the Governments of Syria and Lebanon in the development of their countries, and to arrange for capital loans on terms to be agreed.
6. All the inhabitants of Palestine without distinction of religion will enjoy complete civil and economic equality.

[Signed and dated at Jerusalem; text in French, Arabic and Hebrew (above translation from French). Karam signed also for Shihade; Sfeir signed also for Hashim.]



THE BRITISH MANDATE FOR PALESTINE, SAN REMO CONFERENCE, 24 APRIL 1920

[Note: The Mandate was confirmed by the Council of the League of Nations on 24 July 1922 and came into operation in September 1923. See also Maps 3 and 4 in the Annex]

The Council of the League of Nations:

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

Whereas the Principal Allied powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

Whereas recognition has thereby been given to the historical connexion of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval; and

Whereas His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

Whereas by the aforementioned Article 22 (paragraph 8), it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations;

Confirming the said Mandate, defines its terms as follows:

ARTICLE 1.

The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this mandate.

ARTICLE 2.

The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the

preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

ARTICLE 3.

The Mandatory shall, so far as circumstances permit, encourage local autonomy.

ARTICLE 4.

An appropriate Jewish agency shall be recognized as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

The Zionist Organization, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognized as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home.

ARTICLE 5.

The Mandatory shall be responsible for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the Government of any foreign Power.

ARTICLE 6.

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.

ARTICLE 7.

The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

ARTICLE 8.

The privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by Capitulation or usage in the Ottoman Empire, shall not be applicable in Palestine.

Unless the Powers whose nationals enjoyed the aforementioned privileges and immunities on August 1st, 1914, shall have previously renounced the right to their re-establishment, or shall have agreed to their non-application for a specified period, these privileges and immunities shall, at the expiration of the mandate, be immediately re-established in their entirety or with such modifications as may have been agreed upon between the Powers concerned.

ARTICLE 9.

The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights.

Respect for the personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Waqfs shall be exercised in accordance with religious law and the dispositions of the founders.

ARTICLE 10.

Pending the making of special extradition agreements relating to Palestine, the extradition treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

ARTICLE 11.

The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control

of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land.

The Administration may arrange with the Jewish agency mentioned in Article 4 to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, in so far as these matters are not directly undertaken by the Administration. Any such arrangements shall provide that no profits distributed by such agency, directly or indirectly, shall exceed a reasonable rate of interest on the capital, and any further profits shall be utilized by it for the benefit of the country in a manner approved by the Administration.

ARTICLE 12.

The Mandatory shall be entrusted with the control of the foreign relations of Palestine, and the right to issue exequaturs to consuls appointed by foreign Powers. He shall also be entitled to afford diplomatic and consular protection to citizens of Palestine when outside its territorial limits.

ARTICLE 13

All responsibility in connexion with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory, who shall be responsible solely to the League of Nations in all matters connected herewith, provided that nothing in this article shall prevent the Mandatory from entering into such arrangements as he may deem reasonable with the Administration for the purpose of carrying the provisions of this article into effect; and provided also that nothing in this Mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed.

ARTICLE 14.

A special Commission shall be appointed by the Mandatory to study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council.

ARTICLE 15.

The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief. The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired.

ARTICLE 16.

The Mandatory shall be responsible for exercising such supervision over religious or eleemosynary bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprise of such bodies or to discriminate against any representative or member of them on the ground of his religion or nationality.

ARTICLE 17.

The Administration of Palestine may organize on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defence of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the Mandatory. Except for such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine.

Nothing in this article shall preclude the Administration of Palestine from contributing to the cost of the maintenance of the forces of the Mandatory in Palestine.

The Mandatory shall be entitled at all times to use the roads, railways and ports of Palestine for the movement of armed forces and the carriage of fuel and supplies.

ARTICLE 18.

The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State Member of the League of Nations (including companies incorporated under its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the mandated area.

Subject as aforesaid and to the other provisions of this mandate, the Administration of Palestine may, on the advice of the Mandatory, impose such taxes and customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special customs agreement with any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

ARTICLE 19.

The Mandatory shall adhere on behalf of the Administration of Palestine to any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic or industrial property.

ARTICLE 20.

The Mandatory shall co-operate on behalf of the Administration of Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

ARTICLE 21.

The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a Law of Antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archaeological research to the nationals of all States Members of the League of Nations.

ARTICLE 22.

English, Arabic and Hebrew shall be the official languages of Palestine. Any statement or inscription in Arabic on stamps or money in Palestine shall be repeated in Hebrew and any statement or inscription in Hebrew shall be repeated in Arabic.

ARTICLE 23.

The Administration of Palestine shall recognize the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

ARTICLE 24.

The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report.

ARTICLE 25.

In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inapplicable

to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of Articles 15, 16 and 18.

ARTICLE 26.

The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.

ARTICLE 27.

The consent of the Council of the League of Nations is required for any modification of the terms of this mandate.

In the event of the termination of the mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by Articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the mandate, including the rights of public servants to pensions or gratuities.

The present instrument shall be deposited in original in the archives of the League of Nations and certified copies shall be forwarded by the Secretary General of the League of Nations to all Members of the League.

DONE AT LONDON the twenty-fourth day of July, one thousand nine hundred and twenty-two.



GOVERNMENT OF PALESTINE, IMMIGRATION ORDINANCE, 26 AUGUST 1920

Whereas it is necessary to make provision for regulating the entry into Palestine of persons desiring to reside there permanently or temporarily.

It is Hereby Ordered as Follows:

1. Entry into Palestine, either for permanent or temporary residence, shall be regulated by the High Commissioner from time to time according to the conditions and needs of the country.
2. The High Commissioner may appoint a Director of Immigration and other Immigration Officers to control the entry of all persons into Palestine. The Director and the officers so appointed shall have the power to enter on board any vessel or railway train, to detain or examine any persons desiring to enter Palestine, and to require the production from such person of any letters, written messages or memoranda, or any written or printed matter, including plans, photographs, and other pictorial representations.
3. Every person who desires to enter Palestine, whether by sea or land or air, must be in possession of a passport or other permit or papers of identity. The photograph of the holder, save in the case of Moslem women, shall be attached to the passport or permit or papers.
4. Every person resident in Palestine at the date of this Ordinance who leaves the country and intends to return shall obtain in accordance with the Palestine Passport Regulations a passport of Laissez-Passer which he shall produce on demand to the Immigration Officer.
5. No person shall enter Palestine except with the leave of the Director of Immigration, or an Immigration Officer duly authorised by him, unless he has been permanently resident in Palestine since the British Occupation or was so resident within a year of the outbreak of war. The Director of Immigration shall refuse leave, unless the person satisfies the following conditions:

- (a) That he is in possession of a passport or permit endorsed or *visé* at a British Passport Office or by a British Consul or other official authorised to grant *visa* or permits on behalf of H.M. Government.
 - (b) That he has in his possession or is in a position to obtain the means of supporting himself and any dependents who desire to enter with him.
 - (c) That he is not a lunatic, idiot, or me[n]tally deficient.
 - (d) That he is not the subject of a certificate given by a Medical Inspector that on medical grounds to be specified by order from time to time he should not be permitted to land.
 - (e) That he has not been sentenced in a foreign country for any crime for which extradition may be granted.
 - (f) That he has not been prohibited from entering the country by the High Commissioner.
 - (g) That he fulfils such other requirements as may be prescribed by any general or special instructions of the Director of Immigration.
 - (h) Such fee shall be payable by an immigrant on admission as may be determined by the High Commissioner by the regulation.
6. (a) An Immigration Officer or a Medical Inspector may inspect any person seeking to enter Palestine and may detain him provisionally.
- (b) Where leave to enter is refused, the person may be temporarily detained in such manner as the High Commissioner may direct at some place and while so detained shall be deemed to be in legal custody.
- (c) The Director of Immigration or an Immigration Officer duly authorised by him may order that a person arriving on a ship to whom leave to enter is refused shall be removed from Palestine by the Master of the ship on which he arrived or by the owners or agents of that ship, to the country of which he is a national or from which he embarked for Palestine.
7. Any person allowed to enter shall within 15 days of his arrival in Palestine register at the Police Headquarters of the District in which he resides the particulars set out in the schedule hereto. This provision shall not apply to persons certified by the Consular *visé* to be travellers, or persons in transit to another country, whose stay in Palestine will not exceed three months from the date of entry. In case any person so certified overstays the period he shall register immediately at the place in which he is resident and shall apply to the Director of Immigration for a permit to stay for a further period in Palestine.
8. The High Commissioner may make an order in either of the following cases for the deportation, within five years of his entry into Palestine, of any person who has not become a citizen of Palestine, and may by such order require such person to leave and to remain thereafter out of Palestine:
- (a) If any court certifies that he has been sentenced to a term of imprisonment exceeding one month for an offence under this Ordinance or otherwise, and recommends that an order for deportation should be made in his case.
 - (b) If any Court certifies within one year of his last entry into Palestine that he has been found wandering without ostensible means of subsistence, or has been sentenced in a foreign country for a crime for which he is liable to be extradited.
 - (c) If the High Commissioner deems to be conducive to the public good to make such an order. A person against whom such an order is made may be expelled from Palestine and sent to the country of which he is a national. The order may extend to the dependents of such person. The High Commissioner may apply any money or property of such person in payment of the expenses of his journey and the maintenance, until his departure, of himself and his dependents. An order made under this article may be subject to any condition which the High Commissioner may think proper. A person with respect to whom a deportation order has been made shall leave Palestine in accordance with the order, and shall thereafter so long as the order is in force remain out of Palestine.
9. If any person acts in contravention of or fails to comply with any of the provisions of this Ordinance or any order or rule made thereunder, or aids or abets in any such contravention, or harbours any person whom he knows or has reasonable ground for believing to have acted in con-

travention of [t]his Ordinance, he shall be guilty of an offence against this Ordinance. Any person shall be guilty of an offence if he:

- (a) Refuses to answer any question reasonably put to him by the Director of Immigration of any official acting under his orders to produce any document in his possession.
 - (b) Makes any false return or false statement.
 - (c) Alters any certificate or copy of a certificate or any entry made in pursuance of this Ordinance.
 - (d) Obstructs or impedes an official in the exercise of his duties.
 - (e) Without lawful authority uses or has in his possession any forged, altered, or irregular passport or permit or other document, or any passport or document on which any *visa* or endorsement has been altered or forged.
 - (f) Remains in Palestine after an order for his deportation has been notified to him. Any person found guilty of a contravention will be liable to a fine not exceeding 100 pound E. or to imprisonment for a term [not] exceeding 6 months, without prejudice to any prosecution to which he may be liable under any other law.
10. The High Commissioner may direct that any person or class of persons shall be exempted wholly or in part, and either unconditionally or subject to such conditions as he may impose, from the provisions of this Ordinance.
Nothing in this Ordinance shall apply to:
- (a) Any duly accredited head of a foreign diplomatic mission or any member of his household or of his official staff, or to any duly accredited Consul de Carriere.
 - (b) Any member of the British Military, Naval, and Air Forces in uniform and any member of the Civil Government entering or leaving Palestine on duty.
11. The Director of Immigration may with the approval of the High Commissioner issue from time to time any orders or regulations for the better control of immigration into Palestine.
12. This Ordinance shall be known as the Immigration Ordinance 1920 and shall come into force from 1st September.

Herbert Samuel
High Commissioner for Palestine



LEAGUE OF NATIONS, INTERIM REPORT ON THE CIVIL ADMINISTRATION OF PALESTINE DURING THE PERIOD 1 JULY 1920-30 JUNE 1921, 30 JULY 1921

I. THE CONDITION OF PALESTINE AFTER THE WAR.

When General Allenby's army swept over Palestine, in a campaign as brilliant and decisive as any recorded in history, it occupied a country exhausted by war. The population had been depleted; the people of the towns were in severe distress; much cultivated land was left untilled; the stocks of cattle and horses had fallen to a low ebb; the woodlands, always scanty, had almost disappeared; orange groves had been ruined by lack of irrigation; commerce had long been at a standstill. A Military Administration was established to govern the country. For nearly two years it laboured, with great devotion, at its restoration. An administrative system, as efficient as the conditions allowed, was set up. The revenue authorised by the Turkish law was collected, and was spent on the needs of the country. A considerable sum, advanced by the Anglo-Egyptian Bank, was lent by the Government in small amounts to the agriculturists, and enabled them to purchase stock and seed, and partly to restore their cultivation. Philanthropic agencies in other countries came to the relief of the most necessitous. Commerce began to revive. It was encouraged by the new railway connection with Egypt, established during the campaign for purposes of military transport. It was assisted also by the construction, with the same object, of a net-work of good roads. The country showed all the signs of gradually returning life.

But the prospects of Palestine are not limited, on the economic side, merely to a return to the standard attained before the war. It has the possibilities of a far more prosperous future. Small in area - comparable in size to Belgium or Wales - its geographical position rendered it in ancient times, and may render it again, a centre of no small importance to the commercial traffic of the larger territories that surround it. Within the limits of a province, it offers the varieties of soil and climate of a continent. It is a country of mountain and plain, of desert and pleasant valleys, of lake and sea-board, of barren hills, desolate to the last degree of desolation, and of broad stretches of deep, fruitful soil. The rainfall of Jerusalem equals that of London. The water problem, over most of the country, is not a question of quantity, but of storage, of pumping and of distribution.

It is obvious to every passing traveller, and well-known to every European resident, that the country was before the War, and is now, undeveloped and under-populated. The methods of agriculture are, for the most part, primitive; the area of land now cultivated could yield a far greater product. There are in addition large cultivable areas that are left untilled. The summits and slopes of the hills are admirably suited to the growth of trees, but there are no forests. Miles of sand dunes that could be redeemed, are untouched, a danger, by their encroachment, to the neighbouring tillage. The Jordan and the Yarmuk offer an abundance of water-power; but it is unused. Some industries - fishing and the culture and manufacture of tobacco are examples - have been killed by Turkish laws; none have been encouraged; the markets of Palestine and of the neighbouring countries are supplied almost wholly from Europe. The seaborne commerce, such as it is, is loaded and discharged in the open roadsteads of Jaffa and Haifa: there are no harbours. The religious and historical associations that offer most powerful attractions to the whole of the Western, and to a large part of the Eastern world, have hitherto brought to Palestine but a fraction of the pilgrims and travellers, who, under better conditions, would flock to her sacred shrines and famous sites.

The country is under-populated because of this lack of development. There are now in the whole of Palestine hardly 700,000 people, a population much less than that of the province of Galilee alone in the time of Christ.*⁵ Of these 235,000 live in the larger towns, 465,000 in the smaller towns and villages. Four-fifths of the whole population are Moslems. A small proportion of these are Bedouin Arabs; the remainder, although they speak Arabic and are termed Arabs, are largely of mixed race. Some 77,000 of the population are Christians, in large majority belonging to the Orthodox Church, and speaking Arabic. The minority are members of the Latin or of the Uniate Greek Catholic Church, or - a small number - are Protestants.

The Jewish element of the population numbers 76,000. Almost all have entered Palestine during the last 40 years. Prior to 1850 there were in the country only a handful of Jews. In the following 30 years a few hundreds came to Palestine. Most of them were animated by religious motives; they came to pray and to die in the Holy Land, and to be buried in its soil. After the persecutions in Russia forty years ago, the movement of the Jews to Palestine assumed larger proportions. Jewish agricultural colonies were founded. They developed the culture of oranges and gave importance to the Jaffa orange trade. They cultivated the vine, and manufactured and exported wine. They drained swamps. They planted eucalyptus trees. They practised, with modern methods, all the processes of agriculture. There are at the present time 64 of these settlements, large and small, with a population of some 15,000. Every traveller in Palestine who visits them is impressed by the contrast between these pleasant villages, with the beautiful stretches of prosperous cultivation about them and the primitive conditions of life and work by which they are surrounded.

The success of these agricultural colonies attracted the eager interest of the masses of the Jewish people scattered throughout the world. In many countries they were living under the pressure of laws or customs which cramped their capacities and thwarted their energies; they saw in Palestine the prospect of a home in which they might live at ease. Profoundly discontented, as numbers of them were, with a life of petty trade in crowded cities, they listened with ready ears to the call of a healthier and

* See Sir George Adam Smith "Historical Geography of the Holy Land", Chap. 20.

finer life as producers on the land. Some among them, agriculturists already, saw in Palestine the prospect of a soil not less fertile, and an environment far more free, than those to which they were accustomed. Everywhere great numbers of Jews, whose religion causes them to live, spiritually, largely in the past, began to take an active interest in those passages of their ritual, that dwelt, with constant emphasis, upon the connection of their race with Palestine; passages which they had hitherto read day by day and week by week, with the lax attention that is given to contingency that is possible but remote. Among a great proportion, at least, of the fourteen millions of Jews, who are dispersed in all the countries of the globe, the Zionist idea took hold. They found in it that larger and higher interest, outside and beyond the cares and concerns of daily life, which every man, who is not wholly materialist, must seek somewhere.

Societies were formed which purchased areas of land in Palestine for further Jewish colonization. The Hebrew language, which, except for purposes of ritual, had been dead for many centuries, was revived as a vernacular. A new vocabulary, to meet the needs of modern life, was welded into it. Hebrew is now the language spoken by almost all the younger generation of the Jews of Palestine and by a large proportion of their elders. The Jewish newspapers are published in it. It is the language of instruction in the schools and colleges, the language used for sermons in the synagogues, for political speeches and for scientific lectures.

Large sums of money were collected in Europe and America, and spent in Palestine, for forwarding the movement. Many looked forward to a steady process of Jewish immigration, of Jewish land colonization and industrial development, until at last the Jews throughout the world would be able to see one country in which their race had a political and a spiritual home, in which, perhaps, the Jewish genius might repeat the services it had rendered to mankind from the same soil long ago.

The British Government was impressed by the reality, the strength and the idealism of this movement. It recognised its value in ensuring the future development of Palestine, which now appears likely to come within the British sphere of influence. It decided to give to the Zionist idea, within certain limits, its approval and support. By the hand of Mr. Balfour, then Foreign Secretary, it made, in November, 1917, the following Declaration:

"His Majesty's Government view with favour the establishment in Palestine of a National Home for the Jewish People, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish Communities in Palestine or the rights and political status enjoyed by Jews in any other Country."

This pronouncement was received with the warmest gratitude and enthusiasm by the mass of the Jewish people throughout the world. After the occupation of Palestine, a Zionist Commission was sent there, with the approval of the Government, to concert measures for carrying into effect the policy of the Declaration.

Meanwhile, however, a section of native opinion in Palestine was becoming disturbed as to the meaning of British policy. Welcoming release from Turkish misgovernment, anxious to accept the benefit of British assistance in securing an efficient administration, it was uneasy as to the implications of the Balfour Declaration. To install the Jews in Palestine might mean the expulsion of the Arabs. If there were an unlimited Jewish immigration and finally a Jewish majority in the population, how could the safeguards embodied in the second half of the Declaration be enforced? The ownership by the Arabs of their lands and homes would be imperilled. The Moslem Holy Places, and particularly the Haram-esh-Sherif on Mount Moriah, might be taken from them. Quotations from the speeches and writings of Zionist leaders, which were said to justify these forebodings, were translated into Arabic and circulated by the press among the people. An organization was formed, with branches in many parts of the country, to combat the application of the Zionist policy. Individuals or groups, in Palestine or else-

where, who had some interest in causing embarrassment to the Administration, stimulated the agitation. The wildest stories as to the intentions of the Jews and the fate awaiting the Arabs were circulated in the towns and villages, and were often believed by a credulous people. Among a section of the Arabs, who had all previously lived on excellent terms with the Jewish population, a bitter feeling was evoked against the Jews. It was fostered and developed until it culminated in a serious outbreak in the streets of Jerusalem in April, 1920, when a number of Jews were killed and wounded and Jewish shops were looted.

Many men of education and enlightenment among the Arabs took no part, however, in this antagonism. They recognised that the fears that had been expressed were illusory. They realised that Jewish co-operation was the best means, perhaps the only means, of promoting the prosperity of Palestine, a prosperity from which the Arabs could not fail to benefit. They desired the maintenance of peace and order, and they had confidence that the British Government would permit no injustice, even if injustice were intended. And among the mass of the population there were large numbers who, taking no interest in politics, thinking only of the needs of daily life, made no response to the agitation that sought to arouse their fears and inflame their passions.

Such was the economic condition of the country, and such was the political atmosphere, when on July 1st, 1920, by order of His Majesty's Government a Civil Administration was established in Palestine.

II. POLICY OF THE ADMINISTRATION.

In a later section of this Report I will furnish a summary of the specific measures that have been adopted in the various Departments of Government. It will be convenient first to continue and complete this survey of the general political situation.

Zionism takes many forms, and its individual adherents, like the adherents of any other political creed, hold various views as to its proper aims. There are those among them who sometimes forget or ignore the present inhabitants of Palestine. Inspired by the greatness of their ideal, feeling behind them the pressure of two thousand years of Jewish history, intent upon the practical measures that are requisite to carry their purpose into effect, they learn with surprise, and often with incredulity, that there are half-a-million people in Palestine, many of whom hold, and hold strongly, very different views. Some among this school of Zionists, when they realise that there is opposition, would wish to ride over it rough-shod, and are ready to condemn any other policy as a surrender by weakness to violence. At the other end of the scale there are Zionists who believe that the establishment of a further number of Jewish agricultural colonies, with some industrial enterprises, and perhaps a University, is all that can, or should, be done. Between these two views there is every gradation.

The policy of His Majesty's Government contemplates the satisfaction of the legitimate aspirations of the Jewish race throughout the world in relation to Palestine, combined with a full protection of the rights of the existing population. For my own part, I am convinced that the means can be found to effect this combination. The Zionism that is practicable is the Zionism that fulfils this essential condition.

It is the clear duty of the Mandatory Power to promote the well-being of the Arab population, in the same way as a British Administration would regard it as its duty to promote the welfare of the local population in any part of our Empire. The measures to foster the well-being of the Arabs should be precisely those which we should adopt in Palestine if there were no Zionist question and if there had been no Balfour Declaration. There is in this policy nothing incompatible with reasonable Zionist aspirations. On the contrary, if the growth of Jewish influence were accompanied by Arab degradation, or even by a neglect to promote Arab advancement, it would fail in one of its essential purposes. The grievance of the Arab would be a discredit to the Jew, and in the result the moral influence of Zionism would be gravely impaired.

Simultaneously, there must be satisfaction of that sentiment regarding Palestine - a worthy and ennobling sentiment - which, in increasing degree, animates the Jewries of the world. The aspirations of these fourteen millions of people also have a right to be considered. They ask for the opportunity to establish a "home" in the land which was the political, and has always been the religious, centre of their race. They ask that this home should possess national characteristics - in language and customs, in intellectual interests, in religious and political institutions.

This is not to say that Jewish immigration is to involve Arab emigration, that the greater prosperity of the country, through the development of Jewish enterprises, is to be at the expense, and not to the benefit of the Arabs, that the use of Hebrew is to imply the disappearance of Arabic, that the establishment of elected Councils in the Jewish Community for the control of its affairs is to be followed by the subjection of the Arabs to the rule of those Councils. In a word, the degree to which Jewish national aspirations can be fulfilled in Palestine is conditioned by the rights of the present inhabitants.

These have been the principles which have guided the policy of the Administration. The year under review has not been, however, a period favourable to their application. The long delay in the formal settlement of the international status of Palestine has tended to disturb the minds of the people. Even more serious has been the consequence that it has not been possible to issue a Government loan. Without a loan, many public works that would be directly or indirectly remunerative, cannot be executed. The financial conditions of Eastern and Central Europe, and internal difficulties within the Zionist Organisation in the United States, have prevented the Zionist Movement from providing as yet any large sums for enterprises of development or colonization - although, indeed, several land purchases have been completed and many preparations made for the future. As a consequence, while there has been much pressure to admit Jewish immigrants there has been comparatively little expansion in the opportunities for employment. Between September, 1920, and May, 1921, about 10,000 immigrants arrived.

In conformity with one of the articles in the draft Mandate for Palestine, the Hebrew language has been recognized, with English and Arabic, as one of the official languages of the country. It is employed in all the notices and publications of the Central Government, and for local purposes in those districts where the Jews form a considerable element in the population.

The agitation, to which reference has been made, against what was thought to be the policy to be adopted in relation to the Jews, was revived during last winter and spring. In the atmosphere that prevailed an outbreak might take place at any time. On May 1st there was a riot at Jaffa. Disturbances continued during the following days. Attacks were made from Arab villages upon the Jewish colonies of Petah Tikvah and Chederah. Troops were employed and suppressed the disturbances, and the attacks on the colonies were dispersed with considerable loss to the attackers. Martial law was proclaimed over the area affected, but much excitement prevailed for several days in Jaffa and the neighbouring districts, and for some weeks there was considerable unrest. 88 persons were killed and 238 injured, most of them slightly, in these disturbances, and there was much looting and destruction of property. There were no casualties among the troops. A number of persons were prosecuted for offences committed, and special Civil and Military Courts were established for their trial. The sentences inflicted included one of 13 years penal servitude, two of 10 years, one of 5 years, and 42 of less severity.

A Commission of Enquiry was appointed, under the Chairmanship of the Chief Justice of Palestine, Sir Thomas Haycraft, to investigate the causes of the riots and the circumstances that attended them. The Commission has taken much evidence and has completed its inquiry, but it has not yet presented its report at the time this is written. I refrain, therefore, from further description of the Jaffa disturbances, or from comment upon these unhappy events.

At an assembly of Notables held in Jerusalem on June 3rd, on the occasion of His Majesty's Birthday, I made a statement of the policy of the Government in relation to the Jewish National Home, following the lines indicated in the preceding paragraphs.

A delegation of eight members, appointed by a Conference representing a considerable body of Moslem and Christian opinion, has proceeded to England in the month of July to lay their views upon the political situation before the authorities.

III. FORM OF GOVERNMENT.

The administration of the country, entrusted to the High Commissioner, is conducted through a staff, the heads of which, both in the central Departments and in the Districts, are British. A new framework of government has had to be constructed; it has been found necessary in certain cases to introduce new laws and regulations; experienced administrators, familiar with Western methods and impartial in local disputes, have been indispensable. But as the preliminary work is completed, and as Palestinians possessing the necessary qualities can be chosen and trained to administrative work, it is intended to reduce the number of British and to increase the number of Palestinian officials. This process has, indeed, already begun.

In October, 1920, an Advisory Council was constituted. It consists of ten unofficial members nominated by the High Commissioner, of whom four are Moslems, three Christians, and three Jews; and of ten members of the Administration. It meets every month, usually on two consecutive days. Its functions are consultative, but no case has yet arisen in which the Government has been unable to accept the opinion of the majority of the unofficial members. The proceedings are published in the Press.

A list of the Ordinances passed by the Council is given in Appendix I. It is the policy of the Administration to continue, whenever possible, to apply the Turkish Laws, to which the people are accustomed. Changes are made only where they are indispensable. Efficiency is essential to good government, but there is a point where efficiency may become harassing. The danger of passing that point is foreseen. Ne pas trop gouverner is a good maxim, particularly in an Eastern country, and above all in the early years of a new régime.

It was stated at the inauguration of the Advisory Council that its establishment was no more than a first step in the development of self-governing institutions. The success that has attended its work justifies an early extension. On June 3rd it was announced that His Majesty's Government were giving the closest attention to the question of ensuring in Palestine a free and authoritative expression of popular opinion. Steps are now being taken to frame a constitution for the country, which will include an elective element, and the leaders of the various sections of the population are being consulted as to its terms.

IV. FINANCE.

The cost of the Civil Administration of Palestine has been kept within the amount of the local revenue, and no grant-in-aid is received from the British Exchequer. Several taxes, oppressive in their incidence and small in their yield, have been abolished. The Military Administration repealed the Military Exoneration Tax, the Road Tax, the Temettu (a tax upon all professions, arts and crafts) and certain minor fees. The Civil Administration has abolished the Fish Tax of 20 per cent. *ad valorem*, and the local Octroi duties. It has reduced the import duties on building materials and on live stock from 11 per cent. to 3 per cent. In substitution for the octroi, an additional import duty is levied of 1 per cent. on most articles, and of 2 per cent. on some. A more important reform has been the abolition of the tobacco monopoly established by the Turks and conducted by the Tobacco Regie. The effect has been that the price of tobacco to the consumer has greatly fallen; that the cultivation of tobacco, hitherto prohibited, is about to be begun in several districts; that two factories for the manufacture of cigarettes have already been opened, employing a considerable number of workpeople, and others are

in prospect; while, at the same time, the Government is drawing a large new Customs revenue from the importation of tobacco.

The railways of Palestine were taken over from the Military Authorities in October, 1920, and their revenue and expenditure included in those of the Government. The revenue of the Ottoman Public Debt Administration in Palestine was amalgamated with the general revenue of Palestine as from April 1st, 1921. On the other side of the account, Palestine will be charged, under the provisions of the Treaty of Sèvres, with an annuity in respect of her share of the Ottoman Pre-War Debt. The amount of that share has not yet been definitely fixed, but it is estimated to be less than £E200,000.

The principal heads of Revenue and Expenditure for the year 1921-22, as presented to the Advisory Council in March last, are given in Appendix III.

V. DEFENCE AND PUBLIC SECURITY.

The Defence of Palestine is assured by a garrison maintained by the Mandatory Power. The numbers of the garrison have now been reduced to 5,000 combatant troops. The charge thereby imposed upon the British Exchequer is £2,500,000 a year. It therefore appears that the cost of a British garrison with its complement of ancillary troops, officers, artillery, horses and mules, is now at the rate of £1,000 a year for every two fighting men, or a million pounds for every two thousand men.

The Palestine Administration maintains a Police Force with a strength of 1,300 drawn from all sections of the local population. The force is not yet at a satisfactory standard of efficiency, but a training school has been established, and is already achieving good results, and every effort is being made to raise the standard of the force. In addition a new Gendarmerie of 500 men, 300 mounted, of whom 50 on camels, and 200 unmounted, is being organised. This force, while it will form a part of the Palestine Police, will not be employed on ordinary police duties. It will be highly trained under British Officers, will receive better pay than the ordinary police, and will be employed, in bodies of not less than twenty-five men, in the protection of the frontiers against raids from neighbouring territories and in suppressing any internal disturbances that may occur.

A great number of blood feuds among the Bedouins of Palestine have been settled by the intervention of the District Officials. In the Beersheba district alone 134 have been dealt with. The peace and order of the country have thereby been improved.

VI. RELIGIOUS QUESTIONS.

The most complete liberty of religion prevails in Palestine. The many faiths and sects which find in the Holy Land their origin or their inspiration, are free to maintain their teachers and pastors, and to practise their cults, without let or hindrance. In the controversies that occasionally arise between them, the policy of the Administration has been strictly to maintain the *status quo*. The Treaty of Sèvres provides for the appointment of a Commission on the Holy Places, on which representatives of the principal faiths will find a place. For the decision of that Commission, the settlement of such controversies is reserved.

In certain matters of internal organization, however, action has been taken to assist the communities. A purely Moslem authority is being constituted for the control of the Moslem religious endowments (Wakfs), and for the appointment of judges in the Moslem religious courts. To this authority the Government will transfer the revenues of certain wealthy endowments, which were sequestered by the Turkish Government eighty years ago.

The Orthodox Patriarchate of Jerusalem has been in recent years the theatre of bitter internal disputes, and the victim of serious financial embarrassments. The intervention of the Government, following

upon a laborious enquiry by commission has ended the disputes and has vindicated the authority of the Patriarch. A Financial Commission is being established, with the sanction of the Patriarch and Synod, to put order into their affairs.

The Jewish Community of Palestine possessed no recognised ecclesiastical organization. On the invitation of the Government, that Community has now established an elective Rabbinical Council, embodying a lay element, under presidency of two joint Chief Rabbis.

VII. LEGAL DEPARTMENT.

A judicial system has been established by the Military, and developed by the Civil Administration, which dispenses justice with a degree of integrity, impartiality and promptitude hitherto unknown in Palestine. Minor jurisdiction in civil and criminal cases is exercised by Palestinian magistrates. Four District Courts presided over by British judges, who sit with two Palestinian members, try the more serious civil and criminal cases, and hear appeals from the magistrates' judgments. There is a Court of Appeal at Jerusalem with a British Chief Justice and a British Vice-President, which is the Supreme Court and hears appeals from the District Courts.

In cases in which a British or foreign subject is tried for a criminal offence, the Court is constituted with a British magistrate or with a majority of British judges. The prosecution of offences is under the control of a British official, and is carried out in the District Courts by a Palestinian Public Prosecutor. In the three principal towns, benches of honorary magistrates are being constituted from the notables of the locality for the trial of contraventions.

The Ottoman Law remains as the foundation of the legal system, with such amendments, principally affecting a simplification of the procedure, as have been introduced by Ordinances and Rules of Court issued by the Administration. In the Beersheba District, Tribal Law continues to be administered among the Bedouins by the Sheikhs' Court, from which an appeal lies to a British officer.

VIII. ARCHAEOLOGY.

The antiquities of Palestine are of profound interest to Biblical students and to archaeologists throughout the world. The Administration regards itself as a trustee on their behalf. To encourage excavation and discovery, to prevent the injury or destruction of antiquities and to form national collections of objects that will be of value to the student and of interest to the local inhabitant and to the traveller, these are the purposes which the Administration regards as among its most important duties.

Immediately upon its inception, a Department of Antiquities was formed. It was placed under the scholarly and capable direction of Professor J. Garstang, D.Sc., who also holds the posts of Professor of Archaeology in the University of Liverpool, and of Director of the newly founded British School of Archaeology in Jerusalem. Palestine is fortunate in being a field of investigation by several archaeological bodies established in Jerusalem - French, American, British, Italian and Greek, as well as Jewish. The representatives of these bodies have been constituted into an Advisory Board, under the presidency of the Director of Antiquities, to which all matters of importance, and particularly applications for permits to excavate, are referred. The existence and authority of this Board are a recognition of the international interest of archaeological work in Palestine.

An Ordinance has been passed, of a comprehensive character, to protect the antiquities. Permits to excavate sites of interest have been given to several competent authorities - the Palestine Exploration Fund, the École Archéologique Française de Jérusalem, the Jewish Archaeological Society of Palestine, the Custodia della Terra Santa and the University of Philadelphia. A number of buildings and objects of interest have already been brought to light. A Palestine National Museum has been established and 6,000 exhibits have been collected and catalogued. A list of the historical sites in Palestine

is in active preparation and partly completed, and a register of every object of antiquarian interest known to exist in the country is in process of formation.

A voluntary organisation, the Pro-Jerusalem Society, has undertaken the care of the town walls and the ancient buildings of a municipal character in Jerusalem, in addition to much excellent work of other kinds for the improvement of the amenities of the city. The Government gives to the Society a grant in respect of this service, together with a subvention, adding pound for pound to the funds it is able to collect from private sources.

IX. DEPARTMENTAL WORK.

Railways.- All the railways of Palestine have been brought under the control of the Government. In addition, the Palestine Railway Department operates, on behalf of the Army, the Sinai Military Railway between Kantara, on the Suez Canal, and Rafah, on the Egyptian- Palestine frontier. The total length of the entire system is approximately 1,000 kilometres.

Within the limits of the funds available many improvements have been effected during the last twelve months. The main line between Rafah and Haifa, hastily constructed during the campaign, has been strengthened and protected. As a result, the interruptions which were frequent during the rainy season of 1919-20 were absent last winter. The line from Jaffa to Ludd Junction was of narrow gauge, involving the transshipment of all goods carried by railway between the port of Jaffa and other parts of Palestine and Egypt. This railway has now been broadened. Three small branch lines are in course of construction. Stations have been improved and new stations opened. Sleeping cars and dining cars are run on a number of the trains. It has been necessary to raise passenger fares, and with this addition to their income the railways pay their way.

Commerce and Industry. - A Department of Commerce and Industry has been created, which keeps in close touch with the trading classes and uses its best endeavours to promote the economic development of the country. Chambers of Commerce have been formed in all the principal towns of Palestine and have a total membership of nearly a thousand. Conferences of delegates from these Chambers are held quarterly, under the presidency of the High Commissioner, and with the presence of the heads of the Government Departments concerned. At these conferences a great variety of questions of interest are discussed.

There has been a general fall in the prices of commodities, in sympathy with the world movement, but they still remain high in comparison with prices in Egypt and elsewhere.

A table (Appendix IV) shows the value of imports and exports month by month from April 1st, 1919, to June 30th, 1921.

Except that the export of livestock is still prohibited, and except for the usual police regulations dealing with the importation of arms and deleterious drugs, etc., all restrictions upon the import and export trade of Palestine have now been abolished.

Several new industrial enterprises are being established. A revival of house- building is beginning in various parts of the country. Should no unfavourable conditions supervene, there is a prospect of a considerable development of trade in the near future.

The grant of mining concessions and of prospectors' licences is still prohibited by instruction of His Majesty's Government.

Egyptian currency has been made the only legal tender in Palestine, together with the British gold sovereign, at the rate of 97.5 Egyptian piastres to the pound. Other currencies, however, are not pro-

hibited from circulating at whatever price they may obtain in the market. It had been found necessary to forbid the export of gold by an Order made by the Military Administration. This prohibition has been rescinded, with some advantage to trade and with no counterbalancing disadvantages.

Agriculture. - A Department was formed in the last months of the Military Administration for the assistance of agriculture, which is, and must long remain, the principal industry of Palestine. The Department has shown much activity. A small technical staff has been engaged. Agricultural assistants have been posted in all districts and instructed to tour the villages continually. Plant diseases and insect pests are notified immediately and steps taken to prevent their spread. Complete preparations have been made to combat a plague of locusts, should such occur.

A field staff of veterinary surgeons reports and deals at once with contagious livestock disease. Animals imported from abroad are subjected to quarantine. Veterinary hospitals have been established.

A Fisheries Service has been established to deal with scientific investigations and practical measures for improvement of the fishing industry.

The Agricultural Department has established five meteorological stations in conjunction with the Physical Department of the Egyptian Government.

An Ordinance has been enacted for the protection of forests. Forest areas are being demarcated and a staff of forest rangers and guards has been appointed. The destructive felling of the few remaining trees in the country has been stopped; forest nurseries have been established, and some hundreds of thousands of trees have been planted by the Government or by private landowners. Such are the first beginnings of a process which should add largely to the productiveness of Palestine, increase its rainfall and bring fresh charm to its scenery.

Agricultural shows, the first ever held in the country, were organised at Haifa, Jaffa and Nablus. They attracted much interest and are likely to prove a useful stimulus to the industry. A museum to illustrate all matters of agricultural interest has been created.

The measures that have been taken, and particularly the provision of £E.370,000 in loans to agriculturists, have assisted the revival of the country. Large additional areas have been cultivated this year and the head of stock show a remarkable recuperation. The good prices obtained for oranges have been a great encouragement to the cultivators.

The agricultural development of the country - and indeed its urban development also - are greatly hampered by the condition of confusion into which the titles of ownership of land were allowed to fall during the Turkish régime. There is here a tangle which will need years of patient effort to unravel. Land Settlement Courts have been established and are now commencing their work. A Survey Department has been created; assistant surveyors are being trained; preliminary measures are being taken for carrying out a cadastral survey of the whole country. A Land Ordinance has been enacted, which includes provisions designed to prevent land being purchased by speculators and held back from productive use. The Ordinance includes important clauses also for the protection of existing tenants when areas of land are sold for colonisation. The Administration seeks to promote the closer settlement of the country, but at the same time to secure the present cultivators from the danger of eviction and loss of livelihood.

A Land Commission, consisting of a British official and representatives of the Moslem and the Jewish communities, examines, with these objects in view, all proposals dealing with the use of State lands or the colonisation of private lands.

The Land Registries, which had been closed during the Military Administration, were re-opened in October for transactions. The figures of transactions registered during the nine months show a total of over 2,000. The number and value of land transactions show a steady increase in recent months.

Education. - There is evidence throughout Palestine of an active desire for opportunities for education. The majority of the Moslems are illiterate, and to provide a number of schools sufficient for their requirements is a task of some magnitude. The Administration has adopted a scheme under which the people of any town or village where a school is needed, are invited to provide a suitable building and to keep it in repair; the Government defrays, out of general taxation, the salaries of the teachers and the other costs of maintenance. Under this scheme new schools are being opened at an average rate of more than one a week. It is intended to continue this process until the whole country is covered. A period of four years will probably be necessary.

To assist in the staffing of these schools, the two Government Training Colleges, one for men and one for women, have been considerably enlarged, and give instruction to 75 and 40 students respectively.

Peripatetic teachers, paid by the Government, have been appointed to work among the Bedouin tribes of the Beersheba District. In addition to their duties as schoolmasters, they instruct the adults of the tribes in Moslem religious law.

Fortunately a number of voluntary schools, maintained for the most part by organisations outside Palestine, assist in providing for the needs of the population. A system of State grants to these schools, accompanied by Government inspection, has been inaugurated. The financial position only permits, however, the distribution of a very modest sum.

Law classes have been established in Jerusalem, which will enable young Palestinians to qualify as advocates in the local courts. A number of junior officials in the Government Service also join in the attendance at these classes, which comprise about 140 students. The instruction is given by the principal officials of the Legal Department.

Public Health. - Both the Military and the Civil Administrations have paid the closest attention to measures for safeguarding the health of the population. The Department of Public Health has a fully organised central and local establishment. The sanitation of the towns is efficiently supervised. A quarantine service is maintained. Before the British occupation there were no Government hospitals or dispensaries for the civilian population; at the present time the Government maintains 15 hospitals, 21 dispensaries, 8 clinics and 5 epidemic posts. In addition, a great deal of hospital work and some sanitary work is admirably carried out in Jerusalem and certain other towns by Zionist or by religious organisations.

Progress is being made in combating the two maladies that are most prevalent in Palestine - malaria and eye-disease. An expert Commission is engaged in elaborating definite plans for the drainage of swamps, and for other measures for the extirpation of malaria. The oiling, and in some cases the closing, of wells and cisterns is being constantly effected in the towns and villages; a total of over 50,000 have been registered and are regularly being dealt with. Villages suffering from malaria are visited fortnightly by Anti-malarial Sub-Inspectors and free quinine is provided. During the autumn of 1920 six to seven thousand villagers were so treated every month.

The schools are medically inspected. Special measures are taken for the treatment of trachoma, by which no fewer than 60% to 95%, according to locality, of the school children of Palestine are affected. A Travelling Ophthalmic Hospital treats numbers of sufferers from eye-diseases, both adults and children. With the exception of these maladies, the health of Palestine has been remarkably good and epidemic diseases have been kept well under control.

Public Works. - It is in the Department of Public Works that lack of capital sums available for expenditure has been chiefly felt. Certain main roads have been reconstructed or are now in process of reconstruction. A number of Government buildings have been put into good repair. The jetty at Haifa, which serves for the loading and unloading of goods in the absence of a harbour, has been considerably extended. A few minor works have been carried out. For the rest, the many improvements which the country needs, and which would tend to increase its prosperity and its revenue, have had to be postponed until the Mandate is promulgated and a loan can be issued. Meantime the organisation of the Department of Public Works is being placed on a satisfactory footing, to be in readiness for any larger tasks which the future may bring.

The Stores Department has been reorganised in an efficient manner.

Post Office. - The Post Office, which also administers the telegraphs and telephones, shows a steady increase in efficiency. Several new post offices have been opened; the postal service has been improved; a number of the more important telegraph and telephone routes have been rebuilt or strengthened; a telephone system is in its infancy, but already has 700 subscribers and 22 public call offices. The finances of the Post Office show a small credit balance.

Immigration and Travel. - Since the ports of Palestine were opened to immigration, with certain restrictions, in August, 1920, slightly over 10,000 immigrants have arrived in the country. These were almost all Jewish; only 315 non-Jewish immigrants were registered. Of the Jews, 8084 came under the auspices of the Zionist Organisation and 1815 came independently.

During the disturbances in Jaffa and the neighbourhood early in May this year, all immigration was suspended for the time being. But in any event it was becoming increasingly evident that the flow of immigrants was greater than the country was able to absorb. The postponement of works of development, due to the causes specified earlier in this Report, restricted the openings for employment far more narrowly than had been anticipated. New regulations were consequently drawn up.

To obtain a visa to enter Palestine a person must now be able to show that he belongs to one or other of the following categories:

- (1) Persons of independent means who intend to take up permanent residence in Palestine.
- (2) Members of professions who intend to follow their calling.
- (3) Wives, children and other persons wholly dependent on residents in Palestine.
- (4) Persons who have a definite prospect of employment with specified employers or enterprises.
- (5) Persons of religious occupation, including the class of Jews who have come to Palestine in recent years from religious motives and who can show that they have means of maintenance here.
- (6) Travellers who do not propose to remain in Palestine longer than three months.
- (7) Returning residents.

In the month of July the ports have again been opened and persons belonging to those classes have been arriving. There have been admitted also some hundreds of immigrants not falling within them, but who had obtained visas for Palestine before the suspension of immigration in May, had left their homes and would suffer serious hardship if they were not allowed to proceed.

Partly among the immigrants and partly among the pre-war residents of Palestine, a small group of Communists was formed. This group sought to become an agency of Bolshevist propaganda. It aroused against itself an almost universal hostility and attracted an attention quite out of proportion to its numbers. As many as possible of this group have been identified: 15 who are aliens have been deported from the country, and eight who had acquired Ottoman nationality, together with five aliens, have been bound over to be of good behaviour.

Measures are being adopted to encourage the tourist traffic; the results will, however, only gradually become apparent.

Statistics. - A professional statistician was invited to Palestine for a period of six months and has been engaged in placing the statistics of the various departments of the Administration on a sound basis.

Municipalities. - The Municipal Councils, which before the war were elective, though on a very restricted franchise, have since the occupation been nominated. Steps are now being taken to re-establish the elective principle.

A Commission, composed of officers of the Government and of the mayors and leading councillors of the towns, has made an exhaustive enquiry into the existing sources of municipal revenue and methods of collection. It discovered many matters needing reform and recommended a number of changes: these are gradually being put into effect.

An Ordinance permits the establishment of elective councils in small towns, in large villages, or in suburbs of a distinct character within a municipality for the local government of which no special provision has been made by the Ottoman Law.

A Town Planning Ordinance has been enacted in order to prevent the continuance of the chaotic methods of building new streets and quarters which had hitherto prevailed in Palestine. Plans have been prepared for Jerusalem and Haifa, and are in process of preparation for other towns.

With a view to preserving the charm and preventing the vulgarisation of the country, the placarding of advertisements has been prohibited throughout Palestine, except, in towns, in places allotted for the purpose by municipalities, in the railway stations and on business premises for the purposes of the business conducted there.

Jerusalem before the occupation had been wholly dependent for water upon rain-water stored in cisterns. The Army brought a new supply by pipe, but this supply has already been found insufficient. The Government is bringing into use some ancient reservoirs of vast capacity, named the Pools of Solomon, but of unknown date, possibly Herodian, situated eight miles away. By their employment it will be possible to furnish the city with an abundant supply of pure water at moderate cost.

The Pro-Jerusalem Society organised an admirable exhibition of local arts and crafts, which revealed the presence in Palestine of a number of artists and craftsmen of marked talent. There is reason to hope that Palestine may gradually become a centre of artistic production, rivalling perhaps in time the famous emporiums of the East of past generations.

X. TRANS-JORDANIA.

Included in the area of the Palestine Mandate is the territory of Trans-Jordania. It is bounded on the north by the frontier of Syria, placed under the mandate of France; on the south by the kingdom of the Hejaz; and on the west by the line of the Jordan and the Dead Sea; while on the east it stretches into the desert and ends - the boundary is not yet defined - where Mesopotamia begins. Trans-Jordania has a population of probably 350,000 people. It contains a few small towns and large areas of fertile land, producing excellent wheat and barley. The people are partly settled townsmen and agriculturists, partly wandering Bedouin; the latter, however, cultivate areas, more or less fixed, during certain seasons of the year.

When Palestine west of the Jordan was occupied by the British Army and placed under a British military administration, over Trans-Jordania and a large part of Syria there was established an Arab administration, with its capital at Damascus. The ruler was His Highness the Emir Feisal, the third son of H.M. King Hussein, the King of the Hejaz. When Damascus was occupied by French troops in

July, 1920, and the Emir Feisal withdrew, it was necessary to adopt fresh measures in Trans-Jordania. I proceeded to the central town of Salt on August 20th, and, at an assembly of notables and sheikhs of the district, announced that His Majesty's Government favoured the establishment of a system of local self-government, assisted by a small number of British officers as advisers.

Local councils were accordingly formed in the various districts, the people not being ready to unite in any form of combined government for Trans-Jordania as a whole. Five British officers were appointed to assist the councils and their officials and to aid in organising a gendarmerie. No British troops were stationed in the district.

It cannot be claimed that the system of administration so set up was satisfactory. The authority of the councils was flouted by large sections of the population; taxes were collected with difficulty; the funds at the disposal of the local authorities were insufficient to ensure the maintenance of order, still less to defray the cost of roads, schools, hospitals, or other improvements for the benefit of the people.

Some progress was beginning, however, to be made when, in the month of November, H.H. the Emir Abdallah, the second son of King Hussein, arrived from the Hejaz at Ma'an, to the south of Trans-Jordania. His purpose was declared to be to restore a Shereefian government in Damascus. His arrival caused much disturbance in the minds of the people of Trans-Jordania and further impaired the authority, already slight, of the local authorities. From Ma'an the Emir proceeded on March 2nd to Amman, a town on the Hejaz Railway to the east of Salt, and there established his headquarters.

The Secretary of State for the Colonies being in Palestine in the month of March, a Conference was held with the Emir, who came to Jerusalem for the purpose. An arrangement was reached by which the Emir undertook to carry on the administration of Trans-Jordania, under the general direction of the High Commissioner of Palestine, as representing the Mandatory Power, and with the assistance of a small number of British officers, for a period of six months pending a definite settlement. Order and public security were to be maintained and there were to be no attacks against Syria. Since that time a close connection has continued between Palestine and Trans-Jordania. British representatives remain in the principal centres.

I paid a visit to Amman on April 18th as the guest of the Emir and explained in an address to the sheikhs and notables the arrangement that had been made. The Emir came to Palestine again in the month of May. The political and technical officers of the Palestine Administration have made frequent visits to Trans-Jordania and have assisted the local officials with their advice. The difficulties of local finance have continued. Order and security are still lacking. A grant-in-aid of £180,000 was, however, voted by Parliament in July for the assistance of Trans-Jordania, and it is hoped that this assistance will enable an effective reserve force of gendarmerie to be established, revenue to be collected and the government of the district to be placed on a sounder footing. The district possesses great agricultural wealth, and the local revenue, if it were collected, would fully meet the local expenditure.

The political and economic connection between Palestine and Trans-Jordania is very close. Trade is active; communications are constant; disturbance in the one area cannot fail to be of detriment to the other; the prevention of raids from east of the Jordan and the preservation of order there are of no small importance to the population on the west. Syria, too, has a close interest in the security of her southern border. If Trans-Jordania became a prey to anarchy, not only her own inhabitants, but also the neighbouring territories, would be sufferers. All of them look to the Mandatory Power to prevent an eventuality which, in default of her influence and authority, might prove not remote.

CONCLUSION.

I cannot end this Report without expressing my very sincere thanks to the members of my staff for the work of an arduous year.

British and Palestinian, at headquarters and in the districts, in the administrative departments, in the judiciary, in the technical services, in the police - the officials of the Government have displayed a high degree of loyalty and zeal. Individual exceptions there have been, no doubt. In so new a service a uniformly satisfactory standard is not to be expected. But during a time of activity and change, under conditions often of difficulty and sometimes of strain, the staff as a whole have shown a sense of duty, an industry and a loyalty that redound both to their own credit and to the country's advantage.

The British military authorities have rendered ready assistance whenever it was desired. Whether at General Headquarters at Cairo, or at the Divisional Headquarters in Palestine, or at the local stations, the Commanding Officers have constantly maintained a close and friendly co-operation with the Administration. They have dealt promptly and efficiently with all matters of joint concern. To them also I would convey my cordial thanks.

HERBERT SAMUEL, *High Commissioner and Commander-in-Chief.*



**GOVERNMENT OF PALESTINE, PUBLIC NOTICE REGARDING THE
ADMISSION OF IMMIGRANTS INTO PALESTINE, 1 AUGUST 1921**

New regulations have now been drawn up governing the admission of immigrants into Palestine. Apart from Travellers, that is to say, persons who do not intend to remain in Palestine more than three months, and returning residents. Immigrants into Palestine are divided into the five undermentioned categories:

- 'B' (1) Persons of independent means who intend to take up permanent residence in Palestine.
- 'C' (2) Members of professions who intend to follow their calling.
- 'D' (3) Wives, children and other persons wholly dependent on residents of Palestine.
- 'E' (4) Persons who have a definite prospect of employment with specified employers or enterprises.
- 'F' (5) Persons of religious occupations, including the class of Jews who have come to Palestine in recent years from religious motives and who can show that they have means of maintenance here.

A person who desires to settle in Palestine must obtain a visa from a British Consul or other British Passport Control Officer whom he will have to satisfy that he belongs to one of the abovementioned categories. Members of professions will have to produce their diplomas or other indubitable evidence of qualification in their professions. Wives, children and other persons wholly dependent on residents in Palestine will be required to produce evidence that their relatives in Palestine are both willing and in a position to support them.

The quickest and most satisfactory method is for the relative in Palestine to apply to the Governor of the district in which he lives either direct or through some person or organisation of a representative character for a certificate in the following terms: 'I (AB) hereby certify that (the prospective immigrant) is the wife, child, etc. of (the resident in Palestine) who is both willing and in a position to support him (her).' This certificate when completed and signed should be sent to the prospective immigrant with instructions to take it to the nearest British Consul or Passport Control Officer in support of his request for a visa for Palestine.

Much time will also be saved if persons who wish to introduce immigrants belonging to category 4 into Palestine will communicate in the first place with the Department of Immigration & Travel, Jerusalem, stating the name and present address of the prospective immigrant, the nature of the employment offered to him, and the name and address of the prospective employer.

ALBERT M. HYAMSON
Immigration & Travel



REPORT OF THE HAYCRAFT COMMISSION, OCTOBER 1921 [EXCERPTS]

[After the Jaffa riots of May 1921, a Commission of Inquiry was set up under the Chief Justice of Palestine, Sir Thomas Haycraft. The following are excerpts of the 'Haycraft Report'].

[...] The fundamental cause of the riots and the subsequent acts of violence was a feeling among the Arabs of discontent with, and hostility to, the Jews, due to political and economic causes, and connected with Jewish immigration, and with their conception of Zionist policy as derived from Jewish exponents. [...]

The immediate cause of the Jaffa riots on the 1st of May was an unauthorized demonstration of Bolshevik Jews, followed by its clash with an authorized demonstration of the Jewish labor Party. The racial strife was begun by Arabs and rapidly developed into a conflict of great violence between Arabs and Jews, in which the Arab majority, who generally were the aggressors, inflicted most of the casualties. [...]

When we come to consider the causes of the disturbances we find an immediate cause which of itself would not have been sufficient to give rise to more than a street-riot of the ordinary kind... the MPS demonstration and its clash with the procession of the Jewish Labor Party. [...]

We feel bound to express the opinion arrived at in the course of this inquiry that the Zionist Commission, which is the representative of the Zionist Organization in Palestine, has failed to carry conviction to the Arabs on the point of the National Home benefiting Arabs as much as Jews. As far as we can judge, the only sentiment it has inspired in them is one of profound mistrust...The distrust inspired in the Arabs by the Zionist Commission has been in our opinion an appreciable factor in creating the feeling, but for which probably the Jaffa riots would not have taken place...The Commission has desired to ignore the Arabs as a factor to be taken into serious consideration, or else has combated their interests to the advantage of the Jews... Furthermore, the influence exercised, or believed to be exercised, by the Commission over the framing of legislation and in the selection of Government officials has done nothing to lessen the distrust with which it is regarded by the Arabs, who have no similar body to exercise corresponding influence on their behalf.

It is not for us to say that the activities, real or alleged, of the Zionist Commission were or are illegitimate: we can, however, say that in our opinion the Commission's conception of its duties and functions has exercised an exacerbating rather than a conciliatory influence on the Arab population of Palestine, and has thus been a contributory cause of the disturbances which are the subject of our inquiry. [...]

It has been argued before us that the present state of popular feeling is due to an artificial agitation promoted by men who suffer by the change of Government [i.e., from the Turkish Government] who, having lost the advantages they enjoyed under the corrupt regime, are anxious to embarrass the British Administration by any means to bring about a change of government, and that they have chosen the obvious method of attacking the Jewish policy. They say also that the *sheikhs* and money-lenders fear to lose their influence over the people if the Jews become a power in agricultural affairs. There may be some truth in these arguments, and it is not improbable that there are persons of the above categories who do what they can to promote discontent. But that is not enough to explain the present state of things. The educated people are sons of the soil, and they talk politics. They are too numerous to have as a body any substantial interest in a reversion to Ottoman Government. [...]

A good deal has been alleged by Jewish witnesses about the instigation of the Arab mob to violence by their leaders. If this means no more than that while educated people talk and write the mob acts, then there is truth in the allegation. But if it means that had it not been for incitement by the notables, *effendis* and *sheikhs* there would have been no riots, the allegation cannot be substantiated. To some

extent the motives that influenced different sections of the Arab population were not the same; but the general belief that the aims of the Zionists and Jewish immigration are a danger to the national and material interests of the Arabs in Palestine is well-nigh universal among the Arabs, and it is not confined to any particular class. All that can truly be said in favor of the Jewish view is that the leaders of Arab opinion not only make no secret of what they think, but carry on a political campaign. In this campaign, however, the people participate with the leaders, because they feel that their political and their material interests are identical. [...]

We consider that any anti-British feeling on the part of the Arabs that may have arisen in the country originates in the association of the Government with the furtherance of the policy of Zionism. [...]

The disturbances raged for several days with intensity wherever Arabs came into contact with Jews, and spread into the surrounding country, where Jewish colonies, having nothing whatever to do with Bolshevism, were attacked with ferocity. The Bolshevik demonstration was the spark that set alight the explosive discontent of the Arabs and precipitated an outbreak which developed into an Arab-Jewish feud.

It has been said to us by Jewish witnesses that there was no essentially anti-Jewish question at that time, but that a movement against the Jews was engineered by persons who, anxious to discredit the British Government, promoted discontent...It is argued by them that all the trouble is due to the propaganda of a small class whose members regret the departure of the old regime, because British administration had put an end to privileges and opportunities of profit formerly enjoyed by them...These witnesses asseverate that Zionism has nothing to do with the anti-Jewish feeling manifested in the Jaffa disturbances. They declare that the Arabs are only anti-Zionist or anti-Jewish because they are primarily anti-British, and that they are merely making use of the anti-Zionist cry in order to wreck the British Mandate.

We are satisfied that this is not the case...the feeling against the Jews was too genuine, too widespread and too intense to be accounted for in the above superficial manner. That there is discontent with the government has appeared during this inquiry; but we are persuaded that it is due partly to the Government policy with regard to a Jewish National Home in Palestine, partly to Arab misunderstanding of that policy, and partly to the manner in which that policy is interpreted and sought to be applied by some of its advocates outside the Government. It culminates in a suspicion that the government is under Zionist influence, and is therefore led to favor a minority to the prejudice of the vast majority of the population [...]. We consider that an anti-British feeling on the part of the Arabs that may have arisen in the country originates in their association of the Government with the furtherance of the policy of Zionism. [...]



**PROPOSAL FOR AN ARAB-JEWISH ENTENTE:
NOTES OF A CONFERENCE, LONDON, 7 NOVEMBER 1921**

[Conference participants were: James de Rothschild, in whose home the meeting took place, Dr. Weizmann, Riadh Effendi El Sulh, I. Ben-Avi, Mr. Leonard Stein, Mr. Wolfenson.]

Mr. de Rothschild submitted to Dr. Weizmann and to Riadh Eff, a draft basis for discussion, of which a copy is attached [follows]. (Note - This draft was based on a draft prepared by Mr. Ben-Avi, in consultation with Riadh Eff and on an alternative draft prepared by Mr. Stein).

Dr. Weizmann said that he was disposed to accept Mr. de Rothschild's draft, though he reserved the right to suggest certain changes of form, if such should appear desirable on further consideration.

It must be understood that he was speaking in his personal capacity and that he had not yet consulted his colleagues, without whose concurrence he could, naturally, not commit the Zionist Organisation.

At the request of Riadh Eff, *Mr. de Rothschild* then proceeded to translate the draft into French.

Riadh Eff. accept the Preamble, Article I and 2 (a) and (b). With regard to article 2 (c), he took exception to the words "when the time is ripe". He pointed out that Article 22 of the Covenant of the League of Nations re-cognised the independence of territories under "A" Mandates, of which Palestine was one. This was a point on which the Arabs laid great stress. They would also require an express repudiation of the idea of a Jewish State.

Dr. Weizmann demurred to an express repudiation. This was a matter in which it was best to let sleeping dogs lie. He could not bind his children and his children's children.

Riadh Eff said that he was convinced that *Dr. Weizmann* really envisaged a Jewish state and, indeed, he personally would not respect him if he did not.

After some discussion, it was agreed that *Riadh Eff* should further consider the draft and should formulate counter-proposals on point on which the draft was unacceptable.

Dr. Weizmann suggested, and it was agreed in principle, that negotiations should proceed in London, with a view to the conclusion of a formal agreement at a Conference to be held in Cairo or Jerusalem next February or March.

Mr. de Rothschild emphasised the importance of bringing the negotiations to their final stage before the proposed conference was convened.



**RESOLUTION PASSED AT THE 12TH ZIONIST CONGRESS, PROPOSAL
FOR AN ARAB-JEWISH ENTENTE, CARLSBAD, 4 DECEMBER 1921**

We do thereby reaffirm our desire to attain a durable understanding which shall enable the Arab and Jewish peoples to live together in Palestine on terms of mutual respect and co-operate in making the common home into a flourishing community, the upbuilding of which will assure to each of these peoples an undisturbed national development." In the spirit of this resolution the following notes have been drafted:

Taking note of the Balfour Declaration of November 2nd, 1917, and of its subsequent reaffirmation by His Britannic Majesty's Government and the Principal Allied Powers: Deploing the misconceptions which still exists as to the manner in which the Balfour Declaration is to be construed:

1. The promise of a national home in Palestine made to the Jewish people by His Britannic Majesty's Government (and concurred in by the Principal Allied Powers) is to be interpreted as a promise to secure the international recognition, under the guarantee of the League of Nations, of the right of the Jews to constitute themselves in Palestine as a national unit.
2. (a) The Jews on the one hand and the Arabs on the other are to be regarded as living side by side on a footing of perfect equality in all matters, including the official use and recognition of their respective languages.
 - (b) In areas in which there is a mixed population, the rights of the minority are to be fully guaranteed, including the right of representation on the local administrative bodies.

- (c) The existence in Palestine of the Jewish National Home is not to be a bar to the recognition of Palestine, when the time is ripe, as a self-governing commonwealth.
3. The Zionist leaders and the Jews of Palestine will support the demand for the development of self-governing institutions on a representative basis, it being clearly understood that the terms of this agreement will remain binding and inviolable, as will also the provisions of the Mandate, so long as the Mandate is in force.
 4. The Zionist Leaders and the Jews of Palestine will support the demand that non-Palestinian officials, with the exception of the High Commissioner, the Civil, Financial and Legal Secretaries, and the heads of the principal Departments, shall be gradually replaced by Palestinians, due regard being had, in the case of District officials, to the Arab or Jewish character, as the case may be, of the population concerned.
 5. Jewish immigration is to be limited by the capacity of Palestine, from time to time, to absorb it, but not otherwise. It is declared that there is not nor has there ever been any desire or intention to disturb the existing Arab population or any part of it. The right of the Arab inhabitants and their descendants to the secure enjoyment of their homes and prosperity is unequivocally recognised and guaranteed.
 6. (a) It is agreed that the Law of Nationality should recognise as citizens of Palestine all persons who being presently resident in the country at a date to be subsequently fixed, do not decline such citizenship, provided that no person owing allegiance to another state shall become a citizen until he has renounced such allegiance.
(b) It is further agreed that facilities should be provided for the acquisition of citizenship by persons who take up their permanent residence in Palestine, the qualifying period to be settled by common agreement with the Mandatory Power.
 7. The Zionist Leaders and the Jews of Palestine will give all the moral and material support in their power to the various Arab States which have been constituted or are in the process of constitution and will, in general, co-operate whole-heartedly with the Arab people in its efforts to realise its legitimate national aspirations. The Arabs, on their side, will loyally work with the Jews in all matters appertaining to the establishment of the Jewish National Home.
It is the ordent of both parties to lay the foundations of a generally Arab-Jewish understanding to the advantage of the Jewish people and the Arab world as a whole and in the interest of the fruitful development of the Near and Middle East.
 8. The Zionist Leaders categorically re-affirm their repeated assurances that they do not contemplate and have never contemplated the smallest interference with the religious rights and customs of the non-Jewish inhabitants of Palestine, for which they undertake to show the most rigorous and scrupulous regard. In particular, do they recognise the Moslem and Christian Holy Places as inviolable and formally repudiate the injurious and wholly unfounded suggestion that it is desired, directly or indirectly to trespass upon them.
The Arabs, on their part, undertake to show an equal regard for the Holy Places and the religious rights and customs of the Jews.
 9. All the various Jewish Organisations, which have in view the economic reconstruction of Palestine on an extensive scale, will welcome the co-operation of the Arab inhabitants and undertake to afford them a full opportunity of participating in such economic endeavours as they may initiate.



**CHAIM WEIZMANN, LETTER TO UNDER-SECRETARY OF STATE,
BRITISH COLONIAL OFFICE, 1 DECEMBER 1921**

I have given careful consideration to the proceedings at the Colonial Office on November 29th, when I had the advantage of meeting members of the Palestine Arab Delegation for the purpose of an informal exchange of views. I desire now to draw attention to certain conclusions which appear to me to emerge.

2. After refusing, at the outset, to recognise the Balfour Declaration, the Arab representatives shifted their ground and ended by pressing for its re-interpretation. This indicates, to my mind, a certain weakening and suggests that the Arab Delegation is conscious of the futility of a frontal attack.

3. On the other hand, I am convinced that the Delegation will never come to grips with concrete realities, so long as it has any hope, however illusory, of securing by a side-wind what could at least be represented as a change of policy. Before any progress can be made, it is essential that the Delegation should realise that the Mandate is regarded by His Majesty's Government as *chose jugée*. Any suggestion of a re-statement, as distinct from a reiteration, of British policy in Palestine could only have the effect of gravely impairing any prospect there may be of a working agreement on issues of practical importance. It would at once weaken very seriously the bargaining-power of the Zionist Organization and encourage interminable debates of an abstract character, from which no practical advantage could result.

4. I venture to suggest, therefore, that before any progress can be effected, it must be made clear to the Arab Delegation, beyond any possibility of doubt, that the Balfour Declaration and the Mandate are intangible [sic] and that His Majesty's Government are not prepared to embark upon an analysis of them in the abstract. Faced with an unambiguous intimation to this effect, the Delegation, which appears, as I have suggested, to be already weakening, will doubtless see the expediency of descending into the region of practical politics.

5. The Zionist Organization remains, on its side, fully prepared to enter into the discussion of a working agreement. I desire only to reiterate my conviction that no such discussion can be fruitful, so long as the basis on which alone it can be conducted appears, to the Arab eye, to be shifting.



**MINUTES, FIRST MEETING BETWEEN A ZIONIST DELEGATION AND
REPRESENTATIVES OF THE 'EXECUTIVE COMMITTEE OF THE CONGRESS OF
PARTIES OF THE CONFEDERATION OF ARAB COUNTRIES', CAIRO, 18 MARCH 1922**

On the 18th of March 1922, at 5:00 p.m., two delegations, one representing the Zionist Organization and the other the "Executive Committee of the Congress of Parties of the Confederation of the Arab Countries" met in Cairo with the purpose of reaching, after an exchange of views, an understanding which would make it possible for both parties to collaborate in the development of Mesopotamia, Syria, Palestine and other Arab countries on a footing of equality of rights and interests.

In holding that meeting both parties were actuated by their reciprocal desire to inaugurate a new era of peace and understanding and in order to put an end to the dissensions and misunderstandings which divide them and which, if continued, would only react to the detriment of their interests, both common and individual, and would retard the realization of the legitimate aspirations of both parties.

Having recognized this necessity, each of the two parties declared that it is cognisant of the other party as a power with whom it was highly desirable and particularly useful to reach complete understanding.

The Arab delegation declares that their countries, after several centuries of destructive and corrupt administration, are finding it impossible to reconstitute themselves in order to take their assigned place in the world once again without the close collaboration between the nationals of these countries and the agents of civilization [which] are divided into two categories:

1. well-established European peoples, in other words, colonialist powers, whose presence in relatively backward countries constitutes a particularly grave danger to the independence and political unity of these countries; [and]
2. the Jewish nation, originating in the East, whose members dispersed around the world constitute one of the best forces on which modern civilization and progress are based.

Taking into consideration the ancient origin of the Jewish national which, without doubt, is historically related to the Arabs; and considering, on the other hand, that Jewish colonization does not present any political peril, since the Jews who settle in a country become attached to it, make it their fatherland [*patrie*] and as a result do not colonize [it] for the benefit of a specific foreign power; the Arab delegates declare that in order to advance their countries towards modern civilization and progress they give all preference to the Jews, and would be particularly happy to collaborate with them to the end that the Jews may become, to the greatest possible extent, the agents of the external civilization of which the Arabs are in need.

In reply to this declaration, the Jewish delegates, expressing happiness at the confidence shown to them, and insisting for their part on the old relationship, declared their readiness to collaborate [with the Arabs] in the inauguration of an era of peace and work and to be the factor of peace and progress in the above-mentioned countries. On the other hand, they drew the attention of the Arab delegates to the specific legal interests and aspirations which the Jews have in Palestine as their historical and national cradle [*berceau*].

While recognizing these aspirations, the Arab delegates asked that the discussion should not have as its basis either the Balfour Declaration or the accord entered into between the British and King Husain [the McMahon-Husain correspondence]. The accord to be reached between the two parties must not be influenced by either of those two political documents. Arabs and Jews must discuss, today, as nation to nation, make mutual concessions and recognized each other's rights.

The accord to be reached should compromise two parts: (1) the object, (2) the means of execution.

The goal is the complete and final independence of the above-mentioned countries joined in confederation.

On this occasion, the Arab delegates clearly specified that it was not their intention to ask the Jews to declare themselves against foreign governments, just as they did not intend, for their part, to begin their political work by a show of hostility towards these same governments.

The work which should unite Jews and Arabs in close collaboration will be a long process, and the two parties appreciate full well that the object towards which they are jointly striving is not one which can be attained overnight. But it is agreed that from now on they would work together, by harmonious and systematic preparation in all spheres of activity and by every legal means, towards shortening the term of the mandates.

This will constitute the basis of an accord between the two parties in which all the means of execution will be specified in detail.

After approving the Arab declaration, the Jewish delegates specified their immediate demands and presented them in this form:

1. Peace and tranquillity in Palestine.
2. The cessation of all hostilities against immigration and settlement of Jews in Palestine within the scope of the economic capacity of the country once the accord is signed.
3. The cessation of anti-Jewish propaganda by the Arab press and by Arab committees in Palestine and abroad.

In exchange for this, the Jews would place at the service of the Arabs all the political, economic and propaganda resources at their disposal. In a word, they will collaborate sincerely with the Arabs towards the realization of the final goal already determined. As for the guarantees which the Arabs would have to give the Jews, the Jewish delegation insisted, in particular, on the rioting which could erupt in Palestine during the month of April on the occasion of the holidays [Nebi Musa and Easter] as a result of the excitement of mob feeling.

The Arab delegation was quick to recognize that the demand was well-founded and, wishing to give the Jews a first tangible proof of the sincerity with which they intended to cooperate with them, suggested that it would undertake as soon as possible the pacification of spirits in Palestine with a view to preventing the troubles in question. It declared that it has now decided to delegate one of its members in Palestine to bring to the organizations in that country a message of peace in the name of the congress. For their part, the Jewish delegates must devote themselves to preventing any provocative demonstration on their side.

As regard the guarantees which the Arabs requested from the Jews, the Arab delegates felt they had to confer with other members of their Congress, and thus stated that they would present their demand for guarantees at a subsequent meeting to be held the next day, March 19th, at 3:00 p.m.



**MINUTES, SECOND MEETING BETWEEN A ZIONIST DELEGATION AND
REPRESENTATIVES OF THE 'EXECUTIVE COMMITTEE OF THE CONGRESS OF
PARTIES OF THE CONFEDERATION OF ARAB COUNTRIES', CAIRO, 19 MARCH 1922**

The two parties met again for a second session on the 19th of March at 3:00 p.m. The Jewish delegates asked for clarifications regarding the rights and interests which the Arabs would be granting them in Palestine.

The Arab delegates went over the principles which would have to constitute the basis of a common programme for the two parties with the following formula:

Complete independence of the Arab countries, with Palestine as the Jewish National Home, where the Jews and the Arabs shall constitute a Palestinian national unit with equality of rights and duties. Jewish culture and civilization will develop freely in Palestine for the common good.

As for the guarantees, whatever they are they can in no way have any real value unless both parties execute them with sincerity. To this end, the two parties commit themselves to use all their honesty and the honour of their word in the service of the said programme.

The Arabs, while recognizing the difficult character of the execution of this programme, will begin working immediately after the signing of the entente towards the pacification of spirits and to prepare the [population], carefully and surely, to accept these new principles.

The delegate whom they promised to send to Palestine to bring the word of peace on the occasion of the [Nebi Musa and Easter] April holidays will leave during the coming week.

The Jewish delegates, for their part, will devote themselves, as was agreed at the previous session, to preventing any provocative demonstrations on the part of their co-religionists.

The Arab delegates were not asking the Jews to declare themselves against the British Mandate for Palestine, but they insist that the Zionist Organization should refuse to support the obtaining of other mandates in other Arab countries of the Arabian peninsula. As for the position which the Arabs will have to take on the Palestine Mandate, this will be the subject of an entente between the two parties through the setting up of a joint committee.

This joint committee, the establishment of which was proposed by the Arab delegates, will consist of the members of the Arab Executive Committee [of the Cairo Congress] and any Jewish members who will be delegated for this purpose by the Zionist Organization (a maximum of four, equal to the number of Arab delegates).

This joint committee will elaborate the programme and its execution in all its details, will agree on the means to take to bring the efforts of the two parties towards the common goal. The Arab delegates declare that they have already been provided with the necessary powers to sign any entente and to work out any programme, as well as [to decide] the composition of the said committee.

The Jewish delegates, while accepting in their private capacities all the principles already enumerated, declare that they must confer with the head office of their organization before they can definitely sign the accords.

The signatures will be forthcoming once the Jewish delegates have obtained the necessary full powers for this purpose.



MINUTES, THIRD MEETING BETWEEN A ZIONIST DELEGATION AND REPRESENTATIVES OF THE 'EXECUTIVE COMMITTEE OF THE CONGRESS OF PARTIES OF THE CONFEDERATION OF ARAB COUNTRIES', CAIRO, 2 APRIL 1922

The two parties met for the third time on the 2nd of April, 1922 at 4:00 p.m. The Zionist representatives stated that they were officially instructed to communicate the contents of a telegram from Dr. Chaim Weizmann, President of their organization, who was presently in Rome. The telegram read as follows:

“After having read the documents approve entirely your negotiations. We accept in principle projected accords. We nominate Sokolow, Eder, Menasche, Kalvarisky as our delegates on the joint committee to continue to negotiate and establish the text of an accord. If our presence necessary, will come. If not, will sign accord in Geneva. This latter course will be preferable. Try to precise more clearly Palestine question.

The Arab delegation took note of this communication and manifested its desire to see the joint committee constituted and commence work as early as possible. However, they drew the attention of the Jewish representatives to the fact that the presence of Mr. Sokolow in America and the presence of two other members in Palestine did not seem to permit commencement of the work of the joint committee with as much speed as they had wished to proceed in the general interests. They asked that, if it was impossible for the four members nominated by Dr. Weizmann to arrive within a very short time, other delegates be nominated in their place to proceed with the work as quickly as possible.”

The Jewish delegates took note of this suggestion and said they wished to have the following points elucidated:

- 1) whether the Arab delegates were in a position to produce documents certifying as to their authority.
- 2) whether the organization which delegated them was favourable to His Majesty Faisal, King of Mesopotamia, as well as His Majesty Husain I, King of the Hejaz,
- 3) whether the Arab delegates were not of the opinion that it would be advantageous to have one or two Palestinian members join in the negotiations, seeing that the latter will, in any case, be the most directly affected [*les principaux interesses*] by all questions pertaining to that country,
- 4) whether the Arab organizations had among their members representatives of the Christian Arab community,
- 5) whether the Arab delegates were not in full accord with the Jews as to policy of friendship towards the Great Powers, to being understood that this friendship was not to be of a nature to hinder in any way the final object to which both parties look forward.

The Arab delegates replied:

As to the FIRST POINT, when we decided in principle upon mutual collaboration we had no desire to ask the Jews to give any guarantee, but wished, on the contrary, to offer them one. With regard to the authority of our organization, this could not be better proved than by facts and tangible proofs.

In addition to the document attesting to our authority, which we shall produce to the Jewish delegates on their producing their own credentials, we propose to annex to the treaty of accord a clause providing that, in the event of our not being able to prove our authority for the execution of decisions which will be taken by the joint committee, such accords shall be deemed to be null and avoid.

As to the SECOND POINT, Their Majesties Faisal and Husain are two soldiers in the Arab cause. Like all the sons of Arabia, they work in harmony with the Arab organizations. In case of necessity we shall be able to obtain documents from Their Majesties attesting to this truth and/or get Their Majesties to make a verbal declaration to the Zionist delegates, thereby proving their complete approbation of our policy in this matter.

As to the THIRD POINT, no one can influence our decisions concerning the constitution of the members of our Executive. Nevertheless, we shall be able, if necessary, to put the Jews in touch with such Palestinian personalities as they may desire to confer with.

As to the FOURTH POINT, the Arab organizations do not desire that there should be any difference between Christian and Moslem Arabs. All are considered equal and brothers, but if the Jews so desire, we shall be able to demonstrate to them that the Christian element is widely represented in our organization.

As to the FIFTH POINT, we desire to bring to mind the minutes of our two preceding meetings when it was categorically stipulated on our side that we desired under no circumstances to manifest any hostility against any of the Allies. We wish to add that we count upon the friendship of the Allies, who themselves desire the realization of our national aspirations.

The Jewish delegates rendered homage to the precision and the frankness of this declaration.

In view of the fact that the Jewish special envoy who went to Italy [S. van Vriesland] to convey the documents relative to this question to Dr. Weizmann was due to arrive the following morning at Alexandria, the meeting was adjourned to the next day without fixing the hour, so as to allow the Jewish delegates to acquaint themselves with the instructions sent to them by Dr. Weizmann.



MINUTES, FOURTH MEETING BETWEEN A ZIONIST DELEGATION AND REPRESENTATIVES OF THE 'EXECUTIVE COMMITTEE OF THE CONGRESS OF PARTIES OF THE CONFEDERATION OF ARAB COUNTRIES', CAIRO, 4 APRIL 1922

The meeting opened on the 4th of April, 1922, at 11:00 a.m. in the presence of the envoy who carried Dr. Weizmann's instructions.

The protocol of the preceding meeting having been read and certain corrections having been made in the text, the special envoy conveyed Dr. Weizmann's anxiety to see the Joint Committee constituted and commencing its work as early as possible. This desire was confirmed by the suggestion of the Arab delegates as noted in the protocol of the preceding meeting, and was accepted with satisfaction.

It was therefore decided that the Joint Committee should meet at the end of the next week. Meanwhile, the Jewish delegates who were to have returned to Palestine on the same day would prepare their own draft agreement as a basis of the accord. The Arabs for their part would draw up their own proposals.

They envoy added that Dr. Weizmann was delighted to learn of the result of the Jewish-Arab negotiations and would be very happy to see them reach a complete accord. It had always been his desire to reach an understanding with the Arabs. His duties presently kept him in Rome, but as soon as he was free he would come to Cairo to take part in the negotiations and, if unavoidably prevented, he would be happy to meet the members of the Executive somewhere in Europe in order to countersign the agreement. Nothing could prove better his desire to collaborate with the Arabs than his negotiations with Faisal when His Majesty was in London.

The President of the Arab Executive [Rashid Rida] replied by thanking Dr. Weizmann and declaring that he had no doubt of the sincerity of his desire to collaborate with the Arabs. They were aware of his negotiations with His Majesty King Faisal. The road to accord and collaboration was today opened. We must proceed with frankness and confidence.

There were some Moslem and Christian Arabs who claimed that the Jewish reign was condemned never again to see the light of day. We believe and wish to the contrary. So far as I am personally concerned, I have given expression to that wish though my commentaries on the Koran.

The Jewish delegates asked for a copy of that part of the commentaries in which reference was made to them and were given the assurance that they would be provided with such a copy as soon as possible.

At the end of the meeting the Arab delegates expressed their desire that the Jewish delegates who had hitherto conducted the negotiations with them and who, thanks to their tact and sincerity, had won all their sympathy, might be asked not to withdraw from the negotiations, and might continue to lend their valuable support and put their knowledge of men and affairs at the disposal of the Joint Committee until such time as an agreement had been reached.



**THE BRITISH WHITE PAPER ("CHURCHILL WHITE PAPER"):
BRITISH POLICY IN PALESTINE, 3 JUNE 1922**

The Secretary of State for the Colonies has given renewed consideration to the existing political situation in Palestine, with a very earnest desire to arrive at a settlement of the outstanding questions which have given rise to uncertainty and unrest among certain sections of the population. After consultation with the High Commissioner for Palestine the following statement has been drawn up. It summarizes the essential parts of the correspondence that has already taken place between the Secre-

tary of State and a Delegation from the Moslem Christian Society of Palestine, which has been for some time in England, and it states the further conclusions which have since been reached.

The tension which has prevailed from time to time in Palestine is mainly due to apprehensions, which are entertained both by sections of the Arab and by sections of the Jewish population. These apprehensions, so far as the Arabs are concerned, are partly based upon exaggerated interpretations of the meaning of the Declaration favouring the establishment of a Jewish National Home in Palestine, made on behalf of His Majesty's Government on 2nd November, 1917. Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become "as Jewish as England is English". His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated, as appears to be feared by the Arab Delegation, the disappearance or the subordination of the Arabic population, language, or culture in Palestine. They would draw attention to the fact that the terms of the Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded in Palestine. In this connection it has been observed with satisfaction that at the meeting of the Zionist Congress, the supreme governing body of the Zionist Organization, held at Carlsbad in September, 1921, a resolution was passed expressing as the official statement of Zionist aims "the determination of the Jewish people to live with the Arab people on terms of unity and mutual respect, and together with them to make the common home into a flourishing community, the upbuilding of which may assure to each of its peoples an undisturbed national development."

It is also necessary to point out that the Zionist Commission in Palestine, now termed the Palestine Zionist Executive, has not desired to possess, and does not possess, any share in the general administration of the country. Nor does the special position assigned to the Zionist Organization in Article IV of the Draft Mandate for Palestine imply any such functions. That special position relates to the measures to be taken in Palestine affecting the Jewish population, and contemplates that the Organization may assist in the general development of the country, but does not entitle it to the share in any degree in its Government.

Further, it is contemplated that the status of all citizens of Palestine in the eyes of the law shall be Palestinian, and it has never been intended that they, or any section of them, should possess any other juridical status.

So far as the Jewish population of Palestine are concerned it appears that some among them are apprehensive that His Majesty's Government may depart from the policy embodied in the Declaration of 1917. It is necessary, therefore, once more to affirm that these fears are unfounded, and that that Declaration, re-affirmed by the Conference of the Principal Allied Powers at San Remo and again in the Treaty of Sèvres, is not susceptible of change.

During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected assembly for the direction of its own political organs; an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organization for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew Press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious, and social organizations, its own language, its own customs, its own life, has in fact "national" characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish

people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognized to rest upon ancient historic connection.

This, then, is the interpretation which His Majesty's Government place upon the Declaration of 1917, and, so understood, the Secretary of State is of opinion that it does not contain or imply anything which need cause either alarm to the Arab population of Palestine or disappointment to the Jews.

For the fulfillment of this policy it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment. Hitherto the immigration has fulfilled these conditions. The number of immigrants since the British occupation has been about 25,000.

It is necessary also to ensure that persons who are politically undesirable are excluded from Palestine, and every precaution has been and will be taken by the Administration to that end.

It is intended that a special committee should be established in Palestine, consisting entirely of members of the new Legislative Council elected by the people, to confer with the administration upon matters relating to the regulation of immigration Council elected by the people, to confer with the administration upon matters relating to the regulation of immigration. Should any difference of opinion arise between this committee and the Administration the matter will be referred to His Majesty's Government, who will give it special consideration. In addition, under Article 81 of the draft Palestine Order in Council, any religious community or considerable section of the population of Palestine will have a general right to appeal, through the High Commissioner and the Secretary of State, to the League of Nations on any matter on which they may consider that the terms of the Mandate are not being fulfilled by the Government of Palestine.

With reference to the Constitution which it is now intended to establish in Palestine, the draft of which has already been published, it is desirable to make certain points clear. In the first place, it is not the case, as has been represented by the Arab Delegation, that during the war His Majesty's Government gave an undertaking that an independent national government should be at once established in Palestine. This representation mainly rests upon a letter dated the 24th October, 1915, from Sir Henry McMahon, then His Majesty's High Commissioner in Egypt, to the Sherif of Mecca, now King Hussein of the Kingdom of the Hejaz. That letter is quoted as conveying the promise to the Sherif of Mecca to recognise and support the independence of the Arabs within the territories proposed by him. But this promise was given subject to a reservation made in the same letter, which excluded from its scope, among other territories, the portions of Syria lying to the west of the district of Damascus. This reservation has always been regarded by His Majesty's Government as covering the vilayet of Beirut and the independent Sanjak of Jerusalem. The whole of Palestine west of the Jordan was thus excluded from Sir H. McMahon's pledge.

Nevertheless, it is the intention of His Majesty's Government to foster the establishment of a full measure of self-government in Palestine. But they are of opinion that, in the special circumstances of that country, this should be accomplished by gradual stages and not suddenly. The first step was taken when, on the institution of a Civil Administration, the nominated Advisory Council, which now exists, was established. It was stated at the time by the High Commissioner that this was the first step in the development of self-governing institutions, and it is now proposed to take a second step by the

establishment of a Legislative Council containing a large proportion of members elected on a wide franchise. It was proposed in the published draft that three of the members of this Commission, but representations having been made in opposition to this provision, based on cogent considerations, the Secretary of State is prepared to omit it. The Legislative Council would then consist of the High Commissioner as President and twelve elected and ten official members. The Secretary of State is of opinion that before a further measure of self-government is extended to Palestine and the Assembly placed in control over the Executive, it would be wise to allow some time to elapse. During this period the institutions of the country will have become well established; its financial credit will be based on firm foundations, and the Palestinian officials will have been enabled to gain experience of sound methods of government. After a few years the situation will be again reviewed, and if the experience of the working of the constitution now to be established so warranted, a larger share of authority would then be extended to the elected representatives of the people.

The Secretary of State would point out that already the present Administration has transferred to a Supreme Council elected by the Moslem community of Palestine the entire control of Moslem religious endowments (Wakfs), and of the Moslem religious Courts. To this Council the Administration has also voluntarily restored considerable revenues derived from ancient endowments which had been sequestered by the Turkish Government. The Education Department is also advised by a committee representative of all sections of the population, and the Department of Commerce and Industry has the benefit of the co-operation of the Chambers of Commerce which have been established in the principle centres. It is the intention of the Administration to associate in an increased degree similar representative committees with the various Departments of the Government.

The Secretary of State believes that a policy upon these lines, coupled with the maintenance of the fullest religious liberty in Palestine and with scrupulous regard for the rights of each community with reference to its Holy Places, cannot but commend itself to the various sections of the population, and that upon this basis may be built up that spirit of operation upon which the future progress and prosperity of the Holy Land must largely depend.



**BRITISH COLONIAL SECRETARY WINSTON S. CHURCHILL,
SPEECH ON "ZIONISM AND PALESTINE," 4 JULY 1922 [EXCERPTS]**

Broadly speaking, there are two issues raised to-night, and it is very important to keep them distinct. The first is, are we to keep our pledge to the Zionists made in 1917 to the effect that His Majesty's Government would use their best endeavours to facilitate the achievement of a National Home for the Jewish people? Are we to keep that pledge or are we to abandon it? That is the first issue. The second issue is a separate one, and it is: Are the measures taken by the Colonial Office to fulfill that pledge reasonable and proper measures? That is a different question, and I think the Committee is in a very different position with regard to each of those two issues. It is entirely at liberty to criticise the administration of the Colonial Office. If that administration has been wrongly conceived or ill-directed; if it is marked by improper incidents; if it is not, in fact, a reasonable and proper way of carrying out the policy of Great Britain, this is the time to expose it, this is the time to inflict Parliamentary censure upon the Minister and the Minister and the Department responsible.

With regard to the larger issue of whether we would or should not repudiate our promise to the Zionists, I venture to suggest the Committee has not the same freedom. No doubt individual Members who have always opposed the Zionist policy - if such there be - are perfectly consistent in opposing it now, but the House, as a whole, has definitely committed itself on more than one occasion to the general proposition that we should use our best endeavours to make good our pledges and facilitate the achievement of a National Home for the Jewish people in Palestine. There never has been any serious challenge to that policy in Parliament. Pledges and promises were made during the War, and

they were made, not only on the merits, though I think the merits are considerable. They were made because it was considered they would be of value to us in our struggle to win the War. It was considered that the support which the Jews could give us all over the world, and particularly in the United States, and also in Russia, would be a definite palpable advantage. I was not responsible at that time for the giving of those pledges, nor for the conduct of the War of which they were, when given, an integral part. But like other Members I supported the policy of the War Cabinet [...]

....There is no doubt whatever that the fulfillment of the Balfour Declaration was an integral part of the whole mandatory system, as inaugurated by agreement between the victorious Powers and by the Treaty of Versailles. These are decisions in which I have taken only a very subordinate part, and which the House at every stage has approved. And speaking as Colonial Secretary, charged with the execution of a particular policy, a policy adopted and confirmed by this country before the whole world, I am bound by the pledges and promises which have been given in the name of Great Britain in the past, and by the decisions which Parliament has taken from time to time [...].

You have no right to say this of things as individuals; you have no right to support public declarations made in the name of your country in the crisis and heat of the War, and then afterwards, when all is cold and prosaic, to turn round and attack the Minister or the Department which is faithfully and laboriously endeavouring to translate these perfervid enthusiasms into the sober, concrete facts of day-to-day administration [...].

We really must know where we are. Who led us along this path, who impelled us along it? I remained quite silent. I am not in the "Black Book." I accepted service on the lines laid down for me. Now, when I am endeavouring to carry it out, it is from this quarter that I am assailed.

I am bound to ask the Committee to take the vote which is about to be given as a vote of confidence, because we cannot carry out our pledges to the Zionists, with which the House is full familiar, unless we are permitted to use Jews, and use Jews freely, within what limits are proper, to develop new sources of wealth in Palestine. I am bound also to ask the Committee to attach significance to this vote because of the adverse vote recorded in another place a few days ago. I think that it was a very unfortunate vote. As far as this House and the country are concerned, it does not make much difference. We all know that you can easily get 60 or 70 Members of that Chamber together. We all remember the vote given on the subject of Miss Violet Douglas-Pennant. This vote may have a serious result in Palestine. It might lead to violent disturbances, and though we consider ourselves properly equipped to deal with such disturbances, and have every intention of putting them down with a firm hand, a vote like this, unless dealt with by the House of Commons, might lead to distress and bloodshed. We are doing our best to carry out the pledges as entered into both to the Jews and the Arabs. We are doing our best to develop the resources of Palestine in order to recoup the expenditure made by this country. The year before last we were faced with a cost of 8,000,000 pound; last year it costs 4,000,000 pound; this year it was estimated at a cost of 2,000,000 pound. I had long talks with Sir Herbert Samuel while he was over here. He promised me that next year it will not be more than 1,500,000 pound, and the year after that only 1,000,000 pound.

This is a great reduction in four years of administration - from 8,000,000 pound to 1,000,000 pound. I say that Palestine is all the more important to us in view of what is happening, in view of the ever-growing significance to the British Empire of the Suez Canal; and I do not think 1,000,000 pound a year, even if further reductions cannot be obtained - and I do not admit that no further reductions can be obtained - would be too much for Great Britain to pay for the control and guardianship of this great historic land, and for keeping the word she has given before all the nations of the world [...].



**COUNCIL OF THE LEAGUE OF NATIONS, CONFIRMED TEXT ON THE
TERMS OF THE BRITISH MANDATE, 24 JULY 1922**

The Council of the League of Nations:

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

Whereas recognition has thereby been given to the historical connexion of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval; and

Whereas His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

Whereas by the aforementioned Article 22 (paragraph 8), it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations;

Confirming the said Mandate, defines its terms as follows:

Article 1:

The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this mandate.

Article 2:

The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

Article 3:

The Mandatory shall, so far as circumstances permit, encourage local autonomy.

Article 4:

An appropriate Jewish agency shall be recognized as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country. The Zionist Organization, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognized as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home.

Article 5:

The Mandatory shall be responsible for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the Government of any foreign Power.

Article 6:

The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.

Article 7:

The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

Article 8:

The privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by Capitulation or usage in the Ottoman Empire, shall not be applicable in Palestine.

Unless the Powers whose nationals enjoyed the aforementioned privileges and immunities on August 1st, 1914, shall have previously renounced the right to their re-establishment, or shall have agreed to their non-application for a specified period, these privileges and immunities shall, at the expiration of the mandate, be immediately re-established in their entirety or with such modifications as may have been agreed upon between the Powers concerned.

Article 9:

The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights. Respect for the personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Waqfs shall be exercised in accordance with religious law and the dispositions of the founders.

Article 10:

Pending the making of special extradition agreements relating to Palestine, the extradition treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

Article 11:

The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land.

The Administration may arrange with the Jewish agency mentioned in Article 4 to construct or operate, upon fair, and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, in so far as these matters are not directly undertaken by the Administration. Any such arrangements shall provide that no profits distributed by such agency, directly or indirectly, shall exceed a reasonable rate of interest on the capital, and any further profits shall be utilized by it for the benefit of the country in a manner approved by the Administration.

Article 12:

The Mandatory shall be entrusted with the control of the foreign relations of Palestine, and the right to issue exequaturs to consuls appointed by foreign Powers. He shall also be entitled to afford diplomatic and consular protection to citizens of Palestine when outside its territorial limits.

Article 13:

All responsibility in connexion with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory, who shall be responsible solely to the League of Nations in all matters connected herewith, provided that nothing in this article shall prevent the Mandatory from entering into such arrangements as he may deem reasonable with the Administration for the purpose of carrying the provisions of this article into effect; and provided also that nothing in this Mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed.

Article 14:

A special Commission shall be appointed by the Mandatory to study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council.

Article 15:

The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief. The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired.

Article 16:

The Mandatory shall be responsible for exercising such supervision over religious or eleemosynary bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprise of such bodies or to discriminate against any representative or member of them on the ground of his religion or nationality.

Article 17:

The Administration of Palestine may organize on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defense of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the Mandatory. Except for such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine. Nothing in this article shall preclude the Administration of Palestine from contributing to the cost of the maintenance of the forces of the Mandatory in Palestine. The Mandatory shall be entitled at all times to use the roads, railways and ports of Palestine for the movement of armed forces and the carriage of fuel and supplies.

Article 18:

The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State Member of the League of Nations (including companies incorporated under its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the mandated area.

Subject as aforesaid and to the other provisions of this mandate, the Administration of Palestine may, on the advice of the Mandatory, impose such taxes and customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special customs agreement with any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

Article 19:

The Mandatory shall adhere on behalf of the Administration of Palestine to any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic or industrial property.

Article 20:

The Mandatory shall co-operate on behalf of the Administration of Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

Article 21:

The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a Law of Antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archaeological research to the nationals of all States Members of the League of Nations

Article 22:

English, Arabic and Hebrew shall be the official languages of Palestine. Any statement or inscription in Arabic on stamps or money in Palestine shall be repeated in Hebrew and any statement or inscription in Hebrew shall be repeated in Arabic.

Article 23:

The Administration of Palestine shall recognize the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

Article 24:

The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report.

Article 25:

In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inapplicable to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of Articles 15, 16 and 18.

Article 26:

The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.

Article 27:

The consent of the Council of the League of Nations is required for any modification of the terms of this mandate.

Article 28:

In the event of the termination of the mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by Articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the mandate, including the rights of public servants to pensions or gratuities. The present instrument shall be deposited in original in the archives of the League of Nations and certified copies shall be forwarded by the Secretary General of the League of Nations to all Members of the League.

DONE AT LONDON the twenty-fourth day of July, one thousand nine hundred and twenty-two.



THE PALESTINE ORDER IN COUNCIL, LONDON, 10 AUGUST 1922

- PART I. PRELIMINARY
- PART II. EXECUTIVE
- PART III. LEGISLATURE
- PART IV. APPLICATION OF CERTAIN BRITISH STATUTES
- PART V. JUDICIARY
- PART VI. REMOVAL AND DEPORTATION
- PART VII. VALIDATION OF ORDINANCES, AND INDEMNIFICATION
- PART VIII. GENERAL

AT THE COURT AT BUCKINGHAM PALACE, The 10th day of August, 1922.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY.

LORD CHAMBERLAIN.

LORD STAMFORDHAM.

MR. SECRETARY SHORTT.

MR. MCCURDY.

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them;

And whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country;

And whereas the Principal Allied Powers have selected His Majesty as the Mandatory for Palestine;

And whereas, by treaty, capitulation, grant, usage, sufferance and other lawful means, His Majesty has power and jurisdiction within Palestine.

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:--

PART I - PRELIMINARY

- Title. 1. This Order may be cited as "The Palestine Order in Council, 1922."
The limits of this Order are the territories to which the Mandate for Palestine applies, hereinafter described as Palestine.
- Definitions. 2. In this Order the word:--
"Secretary of State" means one of His Majesty's Principal Secretaries of State.
"The High Commissioner" shall include every person for the time being administering the Government of Palestine.
"Public Lands" means all lands in Palestine which are subject to the control of the Government of Palestine by virtue of Treaty, convention, agreement or succession, and all lands which are or shall be acquired for the public service or otherwise.
"The Mandate" means the Mandate for Palestine which was confirmed, and the terms of which were defined by the Council of the League of Nations on the 24th day of July, 1922.
"The High Commissioner in Council" means the High Commissioner acting by and with the advice of the Executive Council.
"Gazette" means the Official Gazette of Palestine.
"Person" includes Corporation.
Words importing the plural or the singular may be construed as referring to one person or thing or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).
- Interpretation. 3. (i) Where this Order or any Ordinance confers a power or imposes a duty, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.
(ii) Where this Order or any Ordinance confers a power or imposes a duty on the holder of an office, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed by the holder of the office for the time being or by a person duly appointed to act for him.
(iii) Where this Order or any Ordinance confers a power to make rules, regulations or orders, then, unless a contrary intention appears, the power shall be construed as including a power exercisable in the like manner and subject to the like approval and conditions (if any) to rescind, revoke, amend or vary the rules, regulations or orders.
(iv) Expressions defined in this Order shall have the same respective meaning in any Ordinances, rules or regulations made under this Order, unless a contrary intention appears.

PART II - EXECUTIVE

- Office of High Commissioner. 4. His Majesty may, by a Commission under His Sign Manual and Signet, appoint a fit person to administer the Government of Palestine under the designation of High Commissioner and Commander-in-Chief or such other designation as His Majesty thinks fit, and the person so appointed is hereinafter referred to as the High Commissioner.
- Powers of High Commissioner. 5. The High Commissioner shall do and execute in due manner all things that shall belong to the said office, according to the tenour of any Orders in Council relating to Palestine and of such Commission as may be issued to him under His Majesty's Sign Manual and Signet, and according to such instructions as may from time to time be

given to him, for the purpose of executing the provisions of the Mandate, under His Majesty's Sign Manual and Signet, or by Order of His Majesty in Council or by His Majesty through one of His Principal Secretaries of State, and to such laws and ordinances as are now or shall hereafter be in force in Palestine.

- Publication of High Commissioner's Commission. 6. Every person to fill the Office of High Commissioner shall, with all due solemnity, before entering on any of the duties of his office cause the Commission appointing him to be High Commissioner to be read and published in the presence of the Chief Justice, or if the Chief Justice is not able to attend, in the presence of such other of His Majesty's Officers in Palestine as can conveniently attend, which being done, he shall then and there take before him or them the Oath of Allegiance in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the Reign of Her Majesty Queen Victoria, entitled, "An Act to amend the Law relating to Promissory Oaths," and likewise the usual oaths for the due execution of the Office of High Commissioner and for the due and impartial administration of justice, which oaths the said Chief Justice, or some other of His Majesty's Officers then present, is hereby required to administer.
- Succession to Government. 7. Whenever the office of High Commissioner is vacant or if the High Commissioner become incapable or be absent from Palestine, or be from any cause prevented from acting in the duties of his office, the person appointed to be Chief Secretary to the Government of Palestine, or if there be no such officer therein, or such officer be unable to act, then such person or persons as His Majesty may appoint under His Sign Manual and Signet and in default of such appointment the Senior Member of the Executive Council shall during His Majesty's pleasure administer the Government of Palestine, first taking the oaths hereinbefore directed to be taken by the High Commissioner and in the manner herein prescribed, which being done, the Chief Secretary or any other such Administrator as aforesaid is hereby authorised, empowered and commanded to do and execute during His Majesty's pleasure, all things that belong to the office of the High Commissioner according to the tenour of this Order, and according to His Majesty's Instructions as aforesaid, and the laws of Palestine.
- Administrator. Provided that the High Commissioner during his passage by sea from one part of Palestine to another, or when, in the exercise or discharge of any powers or duties by this Order in Council or otherwise conferred or imposed upon him, he is in any territories adjacent to or near to Palestine, shall not be considered to be absent from Palestine.
- Oaths to be taken by the Administrator. 8. In the event of the High Commissioner having occasion at any time to be temporarily absent for a short period from the seat of Government, or, in the exercise or discharge of any powers or duties conferred or imposed upon him by His Majesty, or through one of His Majesty's Principal Secretaries of State, to visit any territories adjacent to or near to Palestine, he may by an instrument under the Public Seal of Palestine appoint the Chief Secretary, or if there be no such Officer or such Officer is absent or unable to act, then any other person to be his Deputy within any part of Palestine, during such temporary absence and in that capacity to exercise, perform and execute, for and on behalf of the High Commissioner during such absence but no longer, all such powers and authorities vested in the High Commissioner (except the power of pardon), as shall in and by such instrument be specified and limited, but no others. Every such Deputy shall conform to and observe all such instructions as the High Commissioner shall from time to time address to him for his guidance. Provided nevertheless that by the appointment of a Deputy as aforesaid the power and authority of the High Commissioner shall not be abridged, altered, or in any way affected otherwise than His Majesty may at any time think proper to direct.
- Appointment of Deputy to High Commissioner. 9. The High Commissioner shall keep and use the Public Seal of Palestine for the
- Public Seal.

- sealing of all things whatsoever that shall pass the said Public Seal.
- Executive Council. 10. There shall be for the purpose of assisting the High Commissioner an Executive Council which shall be composed of such persons and constituted in such manner as may be directed by any instructions which may from time to time be addressed to the High Commissioner by His Majesty, under His Majesty's Sign Manual and Signet, and all such persons shall hold their places in the said Council during His Majesty's pleasure; and the said Executive Council shall observe such Rules in the conduct of business as may from time to time be contained in any such Instructions as aforesaid.
- Definition of boundaries, formation of districts, etc. 11.--(1) The High Commissioner may, with the approval of a Secretary of State, by Proclamation divide Palestine into administrative divisions or districts in such manner and with such subdivisions as may be convenient for purposes of administration describing the boundaries thereof and assigning names thereto.
(2) If a question arises whether any place is or is not within any administrative division or district, and such question does not appear to be determined by any such Proclamation or other evidence, it shall be referred to the High Commissioner, and a certificate under his hand and seal shall be conclusive on the question, and judicial notice shall be taken thereof.
- Public Lands. 12.--(1) All rights in or in relation to any public lands shall vest in and may be exercised by the High Commissioner for the time being in trust for the Government of Palestine.
(2) All mines and minerals of every kind and description whatsoever being in, under or on any land or water, whether the latter be inland rivers or seas or territorial waters, shall vest in the High Commissioner subject to any right subsisting at the date of this Order of any person to work such mines or minerals by virtue of a valid concession.
- High Commissioner empowered to make grants of land. 13. The High Commissioner may make grants or leases of any such public lands or mines or minerals or may permit such lands to be temporarily occupied on such terms or conditions as he may think fit subject to the provisions of any Ordinance. Provided that such grant or disposition shall be in conformity either with some Order in Council or Law or Ordinance now or hereafter in force in Palestine, or with such instructions as may be addressed to the High Commissioner under His Majesty's Sign Manual and Signet, or through a Secretary of State, for the purposes of executing the provisions of the Mandate.
- Appointment of officers. 14. The High Commissioner may, subject to the direction of the Secretary of State, appoint or authorise the appointment of such public officers of the Government of Palestine under such designations as he may think fit, and may prescribe their duties; and all such public officers, unless otherwise provided by law, shall hold their offices during the pleasure of the High Commissioner.
- Suspension of public officers. 15. The High Commissioner may, subject to such instructions as may from time to time be given to him, upon sufficient cause to him appearing, dismiss or suspend from the exercise of his office any person holding any public office within Palestine, or, subject as aforesaid, may take such other disciplinary action as may seem to him desirable.
- Grant of pardon. 16. When any crime or offence has been committed within Palestine, or for which the offender may be tried therein, the High Commissioner may, as he shall see occasion, grant a pardon to any accomplice in such crime or offence who shall give such information and evidence as shall lead to the conviction of the principal offender or of any such offenders if more than one; and further may grant to any offender convicted of any crime or offence in any Court or before any Judge, or Magistrate, within Palestine a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the High Commis-
- Remission of fines.

sioner thinks fit, and may, as he shall see occasion, remit any fines, penalties or forfeitures which may accrue or become payable in virtue of the judgment of any Court or Magistrate in Palestine.

PART III: LEGISLATURE.

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| Legislative Council. | 17. From and after a date to be fixed by the High Commissioner in Executive Council by proclamation in the Gazette, there shall be constituted a Legislative Council in and for Palestine as in this Order provided, which shall replace any Advisory Council then existing.
The powers of the High Commissioner now subsisting to pass Ordinances after consultation with the Advisory Council shall continue in force until the date of the election of members to the legislature hereby constituted. |
| Powers of Legislative Council. | 18. The Legislative Council shall have full power and authority, without prejudice to the powers inherent in, or reserved by this Order to, His Majesty, and subject always to any conditions and limitations prescribed by any Instructions under the Sign Manual and Signet, to establish such Ordinances as may be necessary for the peace, order and good government of Palestine, provided that no Ordinance shall be passed which shall restrict complete freedom of conscience and the free exercise of all forms of worship, save in so far as is required for the maintenance of public order and morals; or which shall tend to discriminate in any way between the inhabitants of Palestine on the ground of race, religion or language.
No Ordinance shall be passed which shall be in any way repugnant to or inconsistent with the provisions of the Mandate. |
| Constitution of Legislative Council. | 19. The Legislative Council shall consist of 22 members in addition to the High Commissioner, of whom 10 shall be official members and 12 shall be unofficial members. |
| Official Members. | 20. The official members of the Council shall be:--
The persons for the time being lawfully exercising the functions of the respective offices of:--
(a) Chief Secretary.
(b) Attorney-General.
(c) Treasurer.
(d) Inspector-General of Police.
(e) Director of Health.
(f) Director of Public Works.
(g) Director of Education.
(h) Director of Agriculture.
(i) Director of Customs.
(j) Director of Commerce and Industry.
provided that if the High Commissioner is satisfied that any of the above persons is unable to attend a meeting of the Council he may summon in his place such other person holding public office in the Government of Palestine as he thinks fit, and such person shall for the purposes of that meeting be deemed to be an official member of the Council. |
| Unofficial Members. | 21. The unofficial members of the Council shall be:--
Twelve persons to be elected in accordance with such Order in Council, Ordinance or other legislative enactment as may from time to time provide for elections to the Council. |
| Prorogation and Dissolution of the Council. | 22. The High Commissioner may at any time by Proclamation prorogue or dissolve the Council. The High Commissioner shall dissolve the Council at the expiration of three years from the date of the first meeting thereof. |
| General Elections to | 23. The first general election of members of the Legislative Council shall be held at such time not more than six months after the publication of this Order in the <i>Pal-</i> |

- be held. *estine Gazette*, and a general election shall be held at such time within three months after the dissolution of the Council as the High Commissioner shall by proclamation appoint.
- No Ordinance to take effect until assented to. Assent to Ordinances. Reserved Ordinances. Disallowance of Ordinances. Financial Measures. President. Quorum. Oath to be taken by Members of Legislature. Questions to be decided by majority of votes. Standing Rules and Orders. Privileges of Members.
24. No Ordinance shall take effect until either the High Commissioner shall have assented thereto and shall have signed the same in token of such assent, or until the assent of His Majesty thereto has been given by Order in Council or through a Secretary of State.
25. Subject to the provisions of the following Article, the High Commissioner may, according to his discretion and subject to any Instructions under the Sign Manual and Signet, declare that he assents to any Ordinance, or refuse his assent to the same.
26. The High Commissioner may reserve for the signification of the pleasure of His Majesty any Ordinance passed by the Legislative Council, and shall in any case so reserve any Ordinance which concerns matters dealt with specifically by the provisions of the Mandate.
An Ordinance so reserved shall take effect so soon as His Majesty has given his assent thereto either by Order in Council or through a Secretary of State, and the High Commissioner shall have signified such assent by notice in the Gazette.
27. His Majesty reserves to himself the right to disallow an Ordinance to which the High Commissioner has assented within one year of the date of the High Commissioner's assent thereto and to signify such disallowance through a Secretary of State. Every such disallowance shall take effect from the time when it shall be promulgated by the High Commissioner by notice in the Gazette.
28. No vote, resolution, or Ordinance for the appropriation of any part of the public revenue, or for the imposition of any tax or impost shall be proposed except by the High Commissioner, or by his direction.
29. The High Commissioner, or in his absence the Chief Secretary, or, in the absence of both the High Commissioner and Chief Secretary, some Member elected by the Council shall preside at the meetings thereof.
30. The Council shall not be disqualified from the transaction of business on account of any vacancies among the Members thereof, but it shall not be competent to proceed to the despatch of business unless ten Members be present.
31. Every Member of the Legislative Council shall, before being permitted to sit or vote therein, take and subscribe the following oath before the President:--
"I, A.B., do swear that I will be faithful and loyal to the Government of Palestine. So help me God."
Provided that any person authorised to make a solemn affirmation or declaration instead of taking an Oath may make such affirmation or declaration in lieu of such Oath.
32. All questions in the Legislative Council shall be determined by a majority of the votes of Members present, including the President or presiding Member, who shall in addition have and exercise a casting vote in case of an equality of votes.
33. The Legislative Council in its first Session, and from time to time afterwards as there shall be occasion, shall adopt Standing Rules and Orders, for the regulation and orderly conduct of its proceedings and the despatch of business, and for the passing, intituling and numbering of Ordinances and for the presentation of the same to the High Commissioner for his assent.
All such rules and Orders shall be laid before the High Commissioner in Council, and being by him approved shall become binding and of force.
34. It shall be lawful for the Council by Ordinance to define the privileges, immunities, and powers to be held, enjoyed, and exercised by the Council and the members thereof.

PART IV - APPLICATION OF CERTAIN BRITISH STATUTES.

- Foreign Jurisdiction Act, 1890
35. The enactments in the First Schedule to the Foreign Jurisdiction Act, 1890, shall apply to Palestine, but subject to the provisions of this Order and to the exceptions, adaptations and modifications following, that is to say:--
- (i) The High Commissioner is hereby substituted for the Governor of a Colony or British Possession and the District Court is hereby substituted for a Superior Court or Supreme Court, and for a Magistrate or Justice of the Peace of a Colony or British Possession.
 - (ii) For the portions of the Merchant Shipping Acts, 1854 and 1867, referred to in the said Schedule, shall be substituted Part XIII of the Merchant Shipping Act, 1894.
 - (iii) In Section 51 of the Conveyancing (Scotland) Act, 1874, and any enactment for the time being in force amending the same the District Court is substituted for a Court of Probate in a Colony.
 - (iv) With respect to the Fugitive Offenders Act, 1881:--
 - (a) So much of the 4th, and 5th, sections of the said Act as relates to sending a report of the issue of a warrant, together with the information, or a copy thereof, or to the sending of a certificate of committal and report of a case, or to the information to be given by a Magistrate to a fugitive, shall be excepted, and in lieu of such information the person acting as the Magistrate shall inform the fugitive that in the British Possession or Protectorate to which he may be conveyed he has the right to apply for a writ of *habeas corpus* or other like process.
 - (b) So much of the 6th section of the said Act as requires the expiration of fifteen days before issue of warrant shall be excepted.
 - (c) The High Commissioner shall not be bound to return a fugitive offender to a British Possession unless satisfied that the proceedings to obtain his return are taken with the consent of the Governor of that Possession.
 - (d) For the purposes of Part II of the said Act, Palestine, Cyprus, Egypt, the Ottoman Dominions, Persia and Iraq shall be treated as one group of British Possessions.
- Provided that nothing in this Article contained shall be taken to extend to Palestine the enactments mentioned in the Schedule to the Foreign Jurisdiction Act, 1913, or any of them.
- Acts done under Merchant Shipping Act, 1894.
- Application of Colonial Prisoners' Removal Act, 1884.
36. Where under the Merchant Shipping Act, 1894, or any amending Act, anything is authorised to be done by, to, or before a British Consular officer, such thing may be done, in any place in Palestine by, to, or before such officer of the Government as the High Commissioner may appoint.
37. The Colonial Prisoners' Removal Act, 1884, shall apply to and take effect within Palestine as if it were part of His Majesty's dominions, subject as follows:--
- The High Commissioner is hereby substituted for the Governor of a British Possession.

PART V - JUDICIARY.

- Civil Courts.
- Class of Courts. Magistrates' Courts.
38. The Civil Courts hereinafter described shall subject to the provisions of this part of the Order exercise jurisdiction in all matters and over all persons in Palestine.
39. Magistrates' Courts shall be established in each District and Sub-District as may be prescribed from time to time by Order under the hand of the High Commissioner. These Courts shall have the jurisdiction assigned to them by the Ottoman Magistrates Law of 1913, as amended by any subsequent law or Ordinance or Rules for the time being in force.

- District Courts. 40. District Courts shall be established in such districts as may be prescribed from time to time by order under the hand of the High Commissioner, and every such court shall exercise jurisdiction:--
- (1) As a Court of First Instance:--
 - (a) In all civil matters not within the jurisdiction of the Magistrates' Courts in and for that District.
 - (b) In all criminal matters which are not within the jurisdiction of the Court of Criminal Assize.
 - (2) As an Appellate Court from the said Magistrates' Courts subject to the provisions of any Ordinances or Rules.
- Court of Criminal Assize. 41. There shall be a Court of Criminal Assize which shall have exclusive jurisdiction with regard to offences punishable with death and such jurisdiction with regard to other offences as may be prescribed by Ordinance.
- Land Courts. 42. The High Commissioner may by order establish Land Courts as may be required from time to time for the hearing of such questions concerning the title to immovable property as may be prescribed.
- Supreme Court. 43. There shall be established a Court to be called the Supreme Court of which the constitution shall be prescribed by Ordinance. The Supreme Court sitting as a Court of Appeal shall have jurisdiction subject to the provisions of any Ordinance to hear appeals from all judgments given by a District Court in first instance or by the Court of Criminal Assize or by a Land Court. The Supreme Court sitting as a High Court of Justice, shall have jurisdiction to hear and determine such matters as are not causes or trials, but petitions or applications not within the jurisdiction of any other Court and necessary to be decided for the administration of justice.
- Appeal to Privy Council. 44. In civil matters when the amount or value in dispute exceeds £E.500 an appeal shall lie from the Supreme Court to His Majesty in Council. Every appeal shall be brought within such time and in such manner as may be prescribed by any rules of procedure made by His Majesty in Council.
- Tribal Courts. 45. The High Commissioner may by order establish such separate Courts for the district of Beersheba and for such other tribal areas as he may think fit. Such courts may apply tribal custom, so far as it is not repugnant to natural justice or morality.
- Law to be applied. 46. The jurisdiction of the Civil Courts shall be exercised in conformity with the Ottoman Law in force in Palestine on November 1st, 1914, and such later Ottoman Laws as have been or may be declared to be in force by Public Notice, and such Orders in Council, Ordinances and regulations as are in force in Palestine at the date of the commencement of this Order, or may hereafter be applied or enacted; and subject thereto and so far as the same shall not extend or apply, shall be exercised in conformity with the substance of the common law, and the doctrines of equity in force in England, and with the powers vested in and according to the procedure and practice observed by or before Courts of Justice and Justices of the Peace in England, according to their respective jurisdictions and authorities at that date, save in so far as the said powers, procedure and practice may have been or may hereafter be modified, amended or replaced by any other provisions. Provided always that the said common law and doctrines of equity shall be in force in Palestine so far only as the circumstances of Palestine and its inhabitants and the limits of His Majesty's jurisdiction permit and subject to such qualification as local circumstances render necessary.
- Jurisdiction in personal status. 47. The Civil Courts shall further have jurisdiction, subject to the provisions contained in this Part of this Order, in matters of personal status as defined in Article 51 of persons in Palestine. Such jurisdiction shall be exercised in conformity with any law, Ordinances or regulations that may here after be applied or enacted and subject thereto according to the personal law applicable.

Where in any civil or criminal cause brought before the Civil Court a question of personal status incidentally arises, the determination of which is necessary for the purposes of the cause, the Civil Court may determine the question, and may to that end take the opinion, by such means as may seem most convenient, of a competent jurist having knowledge of the personal law applicable.

- Confirmation of death sentences. 48. When any person has been sentenced to death, the Chief Justice shall transmit to the High Commissioner a copy of the evidence. The sentence shall not be carried into effect until confirmed by the High Commissioner.
- Rules of Court. 49. The Chief Justice may, with the approval of the High Commissioner, make rules for regulating the practice and procedure of the Supreme Court and of all other Civil Courts which are or may be established in Palestine.
- Actions against Government. 50. No action shall be brought against the Government of Palestine or any Department thereof unless with the written consent of the High Commissioner previously obtained.
The Civil Courts shall not exercise any jurisdiction in any proceeding whatsoever over the High Commissioner or his official or other residence or his official or other property.
- Religious Courts. Jurisdiction of Religious Courts. Definition of Personal Status. Moslem Religious Courts. 51. Subject to the provisions of Articles 64 to 67 inclusive Jurisdiction in Matters of Personal Status Shall Be Exercised in Accordance with the Provisions of this Part by the Courts of the Religious Communities Established and Exercising Jurisdiction at the Date of this Order. For the Purpose of these Provisions Matters of Personal Status Mean Suits Regarding Marriage or Divorce, Alimony, Maintenance, Guardianship, Legitimation and Adoption of Minors, Inhibition from Dealing with Property of Persons who are legally incompetent, Successions, Wills and Legacies, and the Administration of the Property of Absent Persons.
52. Moslem Religious Courts shall have exclusive jurisdiction in matters of personal status of Moslems in accordance with the provisions of the Law of Procedure of the Moslem Religious Courts of the 25th October, 1333, A.H., as amended by any Ordinance or Rules. They shall also have, subject to the provisions of any Ordinance or of the Order of the 20th December, 1921, establishing a Supreme Council for Moslem Religious Affairs, or of any Orders amending the same, exclusive jurisdiction in cases of the constitution or internal administration of a Wakf constituted for the benefit of Moslems before a Moslem Religious Court. There shall be an appeal from the Court of the Qadi to the Moslem Religious Court of Appeal whose decision shall be final.
- Jewish Religious Courts. 53. The Rabbinical Courts of the Jewish Community shall have:--
(i) Exclusive jurisdiction in matters of marriage and divorce, alimony and confirmation of wills of members of their community other than foreigners as defined in Article 59.
(ii) Jurisdiction in any other matter of personal status of such persons, where all the parties to the action consent to their jurisdiction.
(iii) Exclusive jurisdiction over any case as to the constitution or internal administration of a Wakf or religious endowment constituted before the Rabbinical Court according to Jewish Law.
- Christian Religious Courts. 54. The Courts of the several Christian communities shall have:--
(i) Exclusive jurisdiction in matters of marriage and divorce, alimony, and confirmation of wills of members of their community other than foreigners as defined in Article 59.
(ii) Jurisdiction in any other matters of personal status of such persons, where all the parties to the action consent to their jurisdiction.
(iii) Exclusive jurisdiction over any case concerning the constitution or internal administration of a Wakf or religious endowment constituted before the Religious Court according to the religious law of the community, if such exists.

- Conflicts Law and Jurisdiction. 55. Where any action of personal status involves persons of different of religious communities, application may be made by any party to the Chief Justice, who shall, with the assistance, if he thinks fit, of assessors from the communities concerned, decide which Court shall have jurisdiction. Whenever a question arises as to whether or not a case is one of personal status within the exclusive jurisdiction of a Religious Court, the matter shall be referred to a Special Tribunal of which the constitution shall be prescribed by Ordinance.
- Execution of judgments of Religious Courts. 56. The judgments of the Religious Courts shall be executed by the process and offices of the Civil Courts.
- Change in composition of Religious Courts. 57. Subject to the provisions of any Ordinance or Order establishing a Supreme Council for Moslem Religious Affairs, the constitution and jurisdiction of Religious Courts established at the date of this Order may be varied by Ordinance or Order of the High Commissioner.
- Jurisdiction over foreign subjects. 58. The Civil Courts shall exercise jurisdiction over foreigners, subject to the following provisions:--
- Definition of foreigner. 59. For the purpose of this part of the Order the expression "foreigner" means any person who is a national or subject of a European or American State or of Japan, but shall not include:
- (i) Native inhabitants of a territory protected by or administered under a mandate granted to a European State.
 - (ii) Ottoman subjects.
 - (iii) Persons who have lost Ottoman nationality and have not acquired any other nationality.
- The term "subject" or "national" shall include corporations constituted under the law of a foreign State, and religious or charitable bodies or institutions wholly or mainly composed of the subjects or citizens of such a State.
- Right of Foreigners to claim trial by British Magistrate and other privileges. 60. A foreigner accused of an offence punishable by imprisonment for a term exceeding *fifteen days*, or a fine exceeding £E.5 may claim to be tried by a British Magistrate. Any foreigner sentenced to imprisonment by a Palestinian Magistrate for an offence for which he cannot claim to be tried by a British Magistrate, may appeal to the District Court.
61. A foreigner accused of an offence which is not triable by a magistrate may claim that his interrogation during the preliminary investigation shall be undertaken, and the question of his release on bail and committal for trial shall be decided by a British Magistrate.
A warrant of search of the house of a foreigner shall be issued only by a British Magistrate.
62. A foreigner committed by a Magistrate for trial before the District Court or the Court of Criminal Assize may claim that the Court shall contain a majority of British Judges.
63. In a civil case tried whether in first instance or on appeal by the District Court, a foreigner may claim that at least one member of the Court shall be a British Judge. In civil and criminal cases heard by the Supreme Court in its appellate capacity a foreigner may claim that the Court shall contain a majority of British Judges.
- Matters of personal status. 64.-(i) Matters of personal status affecting foreigners other than Moslems shall be decided by the District Courts which shall apply the personal law of the parties concerned in accordance with such regulations as may be made by the High Commissioner, provided always that the Courts shall have no jurisdiction to pronounce a decree of dissolution of marriage until an Ordinance is

passed conferring such jurisdiction.

- (ii) The personal law shall be the law of the nationality of the foreigner concerned unless that law imports the law of his domicile, in which case the latter shall be applied.
- (iii) The District Court, in trying matters of personal status affecting foreigners shall be constituted by the British President sitting alone. In trying matters of personal status affecting foreigners other than British subjects, the President may invite the Consul or a representative of the Consulate of the foreigner concerned to sit as an assessor for the purpose of advising upon the personal law concerned. In case of an appeal from a judgment in such a case the Consul or representative of the Consulate of the foreigner concerned shall be entitled to sit as an assessor in the Court of Appeal.

Right to refer case to Religious Courts.

65. Nothing in the preceding article shall be construed to prevent foreigners from consenting to such matters being tried by the Courts of the Religious Communities having jurisdiction in like matters affecting Palestinian citizens. The Courts of the Religious Communities other than the Moslem Religious Courts shall not, however, have power to grant a decree of dissolution of marriage to a foreign subject.

Claim to be foreigner.

66. Persons claiming to be treated as foreigners who do not in a criminal case make their claim on first appearance and in a civil case either on first appearance or in the first written pleading delivered to the Court, whichever be the earlier, shall forfeit their right so to claim. Nevertheless the claim may be made on appeal notwithstanding that it has not been made on first instance. The burden of proof that they are entitled to be treated as foreigners shall be upon persons claiming the right aforesaid.

67. Notwithstanding anything in this Part of this Order a Consul in Palestine may execute such non-contentious measures in relation to the personal status of nationals of his State as the High Commissioner with the approval of the Secretary of State, may from time to time prescribe by regulation.

PART VI - REMOVAL AND DEPORTATION.

Removal of prisoners.

68. Where an offender convicted before any Court is sentenced to imprisonment, and the High Commissioner, proceeding under Section 7 of the Foreign Jurisdiction Act, 1890, authority in that behalf being hereby given to him, considers it expedient that the sentence should be carried into effect outside of Palestine, the place shall be a place in some part of His Majesty's Dominions out of the United Kingdom. The Government whereof consent that offenders may be sent thither under this Article.

Deportation of political offenders.

- 69.-(i) Where it is shown by evidence on oath to the satisfaction of the High Commissioner, that any person is conducting himself so as to be dangerous to peace and good order in Palestine, or is endeavouring to excite enmity between the people of Palestine and the Mandatory, or is intriguing against the authority of the Mandatory in Palestine, the High Commissioner may, if he thinks fit, by order under his hand and official seal order that person to be deported from Palestine to such place as the High Commissioner may direct.
- (ii) The place shall be a place in some part (if any) of His Majesty's Dominions to which the person belongs, or the Government of (which consents to the reception of persons deported under this Order, or to some place under the protection of His Majesty or in the country out of His Majesty's Dominions to which that person belongs.

Appeal not to lie against deportation order.

70. An appeal shall not lie against an order of deportation made under this Order.

- Penalty upon return, without permission, of deported person. 71.-(i) If any person deported under this Order returns to Palestine without the permission in writing of the High Commissioner (which permission the High Commissioner may give), he shall be deemed guilty of an offence, and liable on conviction to imprisonment for any period not exceeding three months with or without a fine not exceeding £E.50; and he shall also be liable to be again deported forthwith.
- (ii) The High Commissioner, by order under his hand and official seal, may vary or rescind any order of deportation under this Order.
- Proceedings upon deportation. 72.-(i) Where, under this Order, a person is to be removed or deported from Palestine he shall by warrant of the High Commissioner under his hand and seal, be detained, if necessary, in custody or in prison, until a fit opportunity for his removal or deportation occurs, and then, if he is to be deported beyond seas, be put on board one of His Majesty's vessels of war, or, if none be available, then on board some other British or other fit vessel.
- (ii) The warrant of the High Commissioner shall be sufficient authority to the person to whom it is directed or delivered for execution, and to the commander or master of the vessel to receive and detain the person therein named, in the manner therein prescribed, and to remove and carry him to the place therein named, according to the warrant.

PART VII - VALIDATION OF ORDINANCES AND INDEMNIFICATION.

- Validation of Ordinances, &c., issued by Military Administration. 73. The Proclamations, Ordinances, Orders, Rules of Court and other legislative acts made, issued or done by the Commander-in-Chief of the Egyptian Expeditionary Force, or by the Chief Administrator of Occupied Enemy Territory or by Military Governors in Palestine or any other officer of the Administration between October 1st, 1917, and June 30th, 1920, other than those set forth in the Schedule attached to this Order, shall be deemed to be and always to have been valid and of full effect both during the Military Occupation and after the termination thereof until repealed or superseded by the legislature established under this Order, notwithstanding that any such legislative act may have repealed or been inconsistent with the Law previously in force in Palestine; provided that in the future application of all such Proclamations, Ordinances, Orders, Rules of Court and legislative acts the Government of Palestine shall be read for Occupied Enemy Territory Administration, High Commissioner for Chief Administrator, Governor of a District for Military Governor, and a Civil Court of competent jurisdiction for a Military Court or Military Magistrate.
- The Proclamations, Ordinances, Orders and Public Notices of the Military Administration which are set forth in the Schedule hereto are hereby cancelled and repealed, provided that any acts done thereunder before the passing of this Order shall be deemed to be and always to have been valid.
- Validation of Ordinances issued since July, 1920. 74. The Proclamations, Ordinances, Orders, Rules of Court and other legislative acts which have been issued or done by the High Commissioner or by any Department of the Government of Palestine on or after July 1st, 1920, shall be deemed to be and always to have been valid and of full effect and all acts done thereunder and all prohibitions contained therein shall be deemed to be valid.
- Indemnity for acts done under Martial Law. 75. All actions, prosecutions and legal proceedings whatsoever, whether civil or criminal, which might be brought or instituted in any of the Courts of Palestine against the High Commissioner, or the officer for the time being commanding the forces of His Majesty, or any public officer of Palestine, or against any person acting under them, or under their instructions, or under the instructions of any of them respectively in any command or capacity military or civil, for, or on account of, or in respect of, any acts, matters and things whatsoever, in good faith advised, commanded, ordered, directed or done as necessary for the sup-

pression of hostilities, or the establishment and maintenance of good order and government in Palestine, or for the public safety and welfare of Palestine, or for the execution of any regulations issued under Martial Law between the date of the British occupation and the date of the commencement of this Order, shall be discharged and become and be null and void.

Every such person as aforesaid by whom any such act, matter or thing shall have been advised, commanded, ordered, directed, or done for any of the purposes aforesaid shall be freed, acquitted, discharged, released and indemnified against all and every person whomsoever in respect thereof.

- Presumption of good faith. 76. Every such act, matter or thing referred to in the preceding Article shall be presumed to have been advised, commanded, ordered, directed or done as the case may be, in good faith until the contrary shall be proved by the party complaining.
- Confirmation of sentences. 77. Any sentence passed, judgment given or order made by any Court Martial or Military Court constituted and convened by proper authority and under Martial Law, or pronounced by officers authorised to dispose of offences summarily under Martial Law, or passed, given or made by any Court established by the authority administering any part of Palestine in the occupation of His Majesty's Forces for the administration of justice within such territory, whether passed, given or made during such occupation or after such occupation determined prior to the commencement of this Order, shall be deemed to be and always to have been valid, and to be and always to have been within the jurisdiction of the Court; and the sentences of all persons tried by any such Court shall be deemed to be sentences passed by a duly and legally constituted Court of Palestine.
- Confirmation of orders of deportation. 78. All persons in Palestine who have been deported without the limits thereof under and by virtue of any of the foregoing sentences referred to in the last Article, or by virtue of any other order shall be deemed to have been and to be legally deported without the limits of Palestine. Any person who, having been deported as aforesaid, returns to Palestine without the permission in writing of the High Commissioner shall be guilty of an offence and shall on conviction be liable to imprisonment for a term which may extend to two years and shall also be liable to fine and shall further be liable to be again deported.
- Arrests, &c., under Martial Law validated. 79. All persons who have been in good faith, and under proper authority during the existence of Martial Law arrested or detained, and all persons who have been similarly committed to gaol, and are there detained to await their trial, shall be deemed to have been lawfully arrested, committed to, and detained in gaol.
- Interpretation of term "proper authority." 80. In all cases where any doubt arises whether any act, matter or thing alleged to have been commanded, ordered, directed or done under proper authority was done under such authority, it shall be lawful for the Chief Secretary for the time being to declare such act, matter or thing to have been commanded, ordered, directed, or done under such authority, and such declaration, by any writing under the hand of the Chief Secretary shall in all cases be conclusive evidence as to such authority.

PART VIII - GENERAL.

- Officers and others to obey High Commissioner. 81. All His Majesty's officers, Civil and Military, and all other inhabitants of Palestine are hereby required and commanded to be obedient, aiding, and assisting unto the High Commissioner and to such person or persons as may from time to time, under the provisions of this Order, administer the Government of Palestine.
- Official languages. 82. All Ordinances, official notices and official forms of the Government and all official notices of local authorities and municipalities in areas to be prescribed by order of the High Commissioner, shall be published in English, Arabic and Hebrew. The three languages may be used in debates and discussions in the Legislative Council, and, subject to any regulations to be made from time to time, in the Government offices and the Law Courts.

- Freedom of conscience. 83. All persons in Palestine shall enjoy full liberty of conscience, and the free exercise of their forms of worship subject only to the maintenance of public order and morals. Each religious community recognised by the Government shall enjoy autonomy for the internal affairs of the community subject to the provisions of any Ordinance or Order issued by the High Commissioner.
- Immigration. 84.-(i) The High Commissioner shall confer upon all matters relating to the regulation of immigration with a Committee consisting of not less than one-half of the unofficial members of the Legislative Council, and provision shall be made by Order in Council for investing the said Committee with all such powers and authorities and otherwise for the constitution and conduct of the business of the said Committee, as may be necessary to carry this Article into effect.
(ii) In the event of any difference of opinion between the High Commissioner and the said Committee upon any such matter as aforesaid, the High Commissioner shall make a full report on the subject to a Secretary of State, whose decision thereon shall be final.
85. If any religious community or considerable section of the population in Palestine complains that the terms of the Mandate are not being fulfilled by the Government of Palestine, it shall be entitled to present a Memorandum through a member of the Legislative Council to the High Commissioner. Any Memorandum so submitted shall be dealt with in such manner as may be prescribed by His Majesty in conformity with the procedure recommended by the Council of the League of Nations.
- Power to exclude Territories to East of Jordan from application of any part of Order. 86. This Order in Council shall not apply to such parts of the territory comprised in Palestine to the east of the Jordan and the Dead Sea as shall be defined by order of the High Commissioner. Subject to the provisions of Article 25 of the Mandate, the High Commissioner may make such provision for the administration of any territories so defined as aforesaid as with the approval of the Secretary of State may be prescribed.
- Power to vary this Order. 87. The High Commissioner may by Proclamation in the Gazette at any time within one year from the date of the commencement of this Order, and provided he has previously obtained the approval of the Secretary of State, vary, annul or add to any of the provisions of this Order in order to carry out the purposes of the same, and may provide for any other matters necessary in order to carry into effect the provisions thereof.
- Power reserved to His Majesty to revoke, alter or amend present Order. 88. His Majesty, His heirs and successors in Council, may at any time revoke, alter or amend this Order.
- Power of legislation, &c., reserved to the Crown. 89. There shall be reserved to His Majesty, His heirs and successors, the right, with the advice of His or Their Privy Council, from time to time to make all such laws or ordinances as may appear to Him or Them necessary for the peace, order and good government of Palestine in accordance with the Mandate conferred on him.
- Dates of Operation of Order. 90. This Order shall commence and have effect as follows:--
(i) As to the making of any warrant or appointment, and the issue of instructions, and as to any other provisions necessary for bringing this Order into effect, immediately from and after the date of this Order.
(ii) As to all other matters and provisions comprised and contained in this Order, immediately after this Order has been published and proclaimed within Palestine, and the date of such publication shall be deemed to be the date of the commencement of this Order.

ALMERIC FITZROY.

[...]

AT THE COURT AT BUCKINGHAM PALACE,
 The 10th day of August, 1922.
 PRESENT,
 THE KING'S MOST EXCELLENT MAJESTY.
 LORD CHAMBERLAIN.
 LORD STAMFORDHAM.
 MR. SECRETARY SHORTT.
 MR. MCCURDY.

Whereas "The Palestine Order in Council, 1922," provides for the constitution of a Legislative Council in Palestine, and for the election of part of the members of the Council, and it is necessary to prescribe the system of election of such members;

And whereas by treaty, capitulation, grant, usage, sufferance and other lawful means, His Majesty has power and jurisdiction within Palestine:

Now therefore His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased by and with the advice of his Privy Council to order, and it is hereby ordered as follows:--

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|--|--|
| Title. | 1. This Order may be cited as the Palestine Legislative Council Election Order, 1922. |
| Definition. | 2. In this Order, unless the contrary intention appears,
"Secretary of State" means one of His Majesty's Principal Secretaries of State.
"Register of voters" or "register" means the register prepared in accordance with this Order of the persons entitled to vote for the election of a member of the Legislative Council.
"Member" means a member of the Legislative Council.
"District" means one of the administrative divisions into which Palestine may be divided by the High Commissioner.
For the purposes of this Order and pending the introduction of an Order in Council regulating Palestinian citizenship, the following persons shall be deemed to be Palestinian citizens:--
(a) Turkish subjects habitually resident in the territory of Palestine at the date of commencement of this Order.
(b) All persons of other than Turkish nationality habitually resident in the territory of Palestine at the said date, who shall within two calendar months of the said date make application for Palestinian citizenship in such form and before such officer as may be prescribed by the High Commissioner. |
| System of Election. | 3. The election of members shall be conducted by primary and secondary elections. Primary election shall consist of the election by the voters as hereinafter defined of secondary electors and secondary election shall consist of the election of members by colleges of secondary electors. |
| Qualification and Disqualification of Voter. | 4. Every male Palestinian citizen over 25 years of age shall be entitled to vote at the primary elections unless he be a person who:--
(a) Has lost his civil rights.
(b) Claims to be under foreign protection.
(c) Has been declared to be a bankrupt, and has not been discharged.
(d) Has been placed under interdiction by a competent Court, and has not been released.
(e) Has been sentenced to imprisonment for more than a year, and has not received a free pardon for the crime for which he has been sentenced. |
| Definition of Voting Areas. | 5. For the purpose of primary elections every District shall be divided into voting areas, and the voters within such areas shall be entitled to elect a number of secondary electors to be determined in the manner following. The Governor of |

the District in consultation with the President of any Municipal Council or Local Council in the District and the Mukhtars of the villages shall define such voting areas, having regard, as far as possible, to the religious community to which the electors belong, and shall determine the number of secondary electors to be elected in each voting area on the basis that every 200 primary electors shall elect one secondary elector; provided that if any village or quarter has between 150 and 200 primary electors it shall be entitled to vote for one secondary elector; if it has between 350 and 400 primary electors it shall be entitled to vote for two secondary electors, and the same principle will be maintained where the number of primary electors exceeds 400.

6. The limits of each voting area and the number of secondary electors for that area shall be published in the District.
7. The High Commissioner shall appoint for each District one or more registering officers who shall prepare a register of voters for the primary elections; and a revising officer who shall have the functions hereinafter prescribed. The registering officer may summon the President of any Municipal Council or Local Council in the District, the Mukhtars of the villages and quarters of towns, and the Heads of Religious Communities to assist in the preparation of the register. The register shall be arranged according to the villages or quarters in which the voters reside, and the names of the voters in each village or quarter shall be numbered consecutively and arranged alphabetically. The list shall show:--
- (a) The name of each voter in full;
 - (b) The trade or occupation of the voter;
 - (c) His place of abode.

The High Commissioner may by proclamation issue regulations regarding the preparation of the register in any other respect, and for its publication in the Districts, and may from time to time make provision for a revision of the register.

No person, for the purposes of the primary or secondary elections, shall be entitled to exercise more than one vote, and no elector at the primary elections shall exercise a vote in respect of more than one voting area.

- 8.-(1) As soon as the register for each District or Subdistrict is completed the registering officer shall forward it to the revising officer, who shall not later than 14 days from the receipt of the register publish it by causing to be posted in some conspicuous place in every village and quarter within the District a copy of those parts of the register which contain the names of persons resident in such village and quarter, together with a notice specifying the time and place appointed for the revision and final settlement of the register for the District, and calling on all persons who are entitled to vote and whose names are not included in the register, and on all persons who object to the insertion of the name of any voter to attend and make such claim or objection at the time and place appointed.

(2) Every such extract from the register and every such notice shall remain posted for not less than 14 days before the time appointed for the revision of the register.

- 9.-(1) The revising officer shall revise the register of voters, and there shall be an appeal from his decision to the District Court.
- (2) All persons making claims or objections as well as all persons whose names are objected to may appear in person or by an agent or advocate before the revising officer and may give and produce evidence with respect to any such claim or objection.
 - (3) The registering officer for any village or quarter shall be present at the revision, and may likewise give and produce evidence.
 - (4) The revised list of voters for every District shall be kept at the office of the Governor of the District, and shall be open to inspection at all reasonable time.

- Qualification of Secondary Elector. 10. Any person may be elected as a secondary elector provided he is on the register of primary electors for the District.
- Power to issue Regulations for Elections. 11. The High Commissioner may by Proclamation provide for the appointment and duties of returning officers at the primary elections, and for determining the time and place for holding elections, and the manner in which elections shall be conducted and the poll taken when required, and the manner in which the votes shall be given and the result ascertained, and for all other matters necessary to the orderly and impartial conduct of elections.
- Electoral Colleges. 12. The secondary electors shall be formed into twelve electoral colleges according to the religious community to which they belong; that is to say, there shall be separate electoral colleges for Moslems, Christians and Jews. Secondary electors who do not belong to the Moslem, Christians or Jewish community shall opt for any electoral college in their area. The number of colleges to be allotted to each religious community shall be determined by the High Commissioner having regard to the numbers of secondary electors belonging to the several communities, provided that there shall not be less than two Christian and two Jewish colleges. Each electoral college shall elect one member. The High Commissioner shall by Proclamation assign the secondary electors to the several colleges having regard to the areas which they represent.
- Secondary Elections. 13. The High Commissioner shall, by notice in the Gazette, appoint a day on which the electoral colleges shall meet for the purpose of electing members of the Legislative Council.
The election shall be conducted in such manner as may be prescribed by Proclamation of the High Commissioner.
- Nomination of Members. 14. No person shall be eligible as a member who has not been nominated by two duly qualified secondary electors belonging to the religious community, for which the candidate is nominated, as proposer and seconder, and by eight other duly qualified secondary electors of that community as consenting to the nomination. The nomination shall be in writing and shall be delivered at the time appointed for the election to the returning officer by the candidate himself or by his proposer or seconder.
- Qualification and Disqualification of Members. 15. Every male Palestinian citizen who has completed his 30th year shall be eligible for election as a member unless he
(a) claims to be under foreign protection;
(b) has been declared a bankrupt, and has not been discharged;
(c) has been placed under interdiction, and has not been released;
(d) has lost his civil rights;
(e) has been sentenced to imprisonment for more than one year, and has not received a free pardon for the crime for which he was sentenced.
(f) holds any office of profit under the Palestine Government.
(g) has any direct or indirect pecuniary interest in any agreement with the Public Service of Palestine otherwise than as a member, and in common with other members of an incorporated company consisting of more than twenty-five persons.
16. Any person who is guilty of any act in connection with the primary or secondary election of a member of the Legislative Council, which is a corrupt and illegal practice as defined by the law of England relative to Corrupt and Illegal Practices at Parliamentary Elections shall be liable on conviction by the competent Court to the penalties and disabilities provided by that Law, so far as the circumstances of Palestine and of its inhabitants permit.
- Resignation of Seat. 17.-(1) Any Elected Member of the Legislative Council may resign his seat by writing under his hand addressed to the High Commissioner, and upon the receipt of such resignation the seat of such Member shall become vacant:

- Provided that no Member shall, without the permission of the Legislative Council, resign his seat while any proceedings are pending in respect of his election if it is alleged in those proceedings that any corrupt or illegal practices took place at that election, or while any proceedings are contemplated or pending in respect of his conduct in, or as a Member of the Council.
- (2) The electoral college which elected the Member resigning shall be convened by notice in the Gazette, and shall elect a Member in his place.
- Vacation of Seat. 18. If any Member of the Legislative Council--
- (a) Shall be absent, except on the ground of illness, from the sittings of the Legislative Council, for a period of three calendar months during any session without the leave of the Council; or
 - (b) Shall take any oath or make any declaration or acknowledgment of allegiance, obedience or adherence to any foreign State or Power; or
 - (c) Shall do, concur in or adopt any act whereby he may become the subject or citizen of any such State or Power; or,
 - (d) Shall be or become subject to any of the disqualifications mentioned in Article 15, the High Commissioner shall declare his seat to be vacant, and shall direct an election to be held to fill the vacancy in the manner prescribed in the preceding Article. Provided that if the Member is absent from Palestine with the consent of the Council for a period not exceeding six months the High Commissioner may nominate any properly qualified person to act as Member during his absence.
- Power to amend by Proclamation. 19. The High Commissioner may, by Proclamation in the Gazette, at any time within one year from the date of the commencement of this Order, and provided that he has obtained the approval of the Secretary of State, vary, annul or add to any of the provisions of this Order in order to carry out the purposes of the same, and may provide for any other matter necessary in order to carry into effect the provisions thereof.
- Tribal Areas. 20. In the Sub-District of Beersheba, and in any other area which may by Proclamation be declared to be a tribal area, the High Commissioner may make such other arrangements for the conduct of primary elections as he may think fit. Provided that the number of secondary electors for any such areas shall be the same as if the elections had been carried out under the provisions of this Order.
- Commencement of Order. 21. This Order shall come into operation on a day to be fixed by the High Commissioner by Proclamation in the Gazette, and shall regulate the first election of members of the Legislative Council, and thereafter it shall be lawful for the said Council to pass any Ordinance or Ordinances amending or substituted for any of the provisions of this Order, but subject to the provisions of any such Ordinance or Ordinances this Order shall continue in force.

ALMERIC FITZROY.

PALESTINE - INSTRUCTIONS PASSED UNDER THE ROYAL SIGN MANUAL AND SIGNET TO THE HIGH COMMISSIONER AND COMMANDER-IN-CHIEF OF PALESTINE

Dated 14th August, 1922.

GEORGE R.I.

INSTRUCTIONS TO OUR HIGH COMMISSIONER AND COMMANDER-IN-CHIEF IN AND OVER PALESTINE, OR OTHER OFFICER FOR THE TIME BEING ADMINISTERING THE GOVERNMENT OF PALESTINE.

- Preamble. WHEREAS by an Order in Council, bearing date the tenth day of August, 1922, entitled "The Palestine Order in Council, 1922," provision was made for the Government of certain territories, therein and hereinafter referred to as "Palestine", and for the appointment of a fit person to administer the Government of Palestine under the designation of High Commissioner and Commander-in-Chief (therein and hereinafter

ter called the High Commissioner) or such other designation as We think fit:
 And whereas the High Commissioner was thereby authorised, empowered and commanded to do and execute all things that belong to his said office, according to the tenour of any Orders in Council relating to Palestine, and of such Commission as might be issued to him under Our Sign Manual and Signet, and according to such Instructions as might from time to time be given to him under Our Sign Manual and Signet, or by Order in Council or by Us through one of Our Principal Secretaries of State, and to such Laws and Ordinances as were then or should thereafter be in force in Palestine:

Recites
 Commission. And whereas by a Commission passed under the Royal Sign Manual and Signet, bearing even date herewith, the Officer therein mentioned has been appointed to administer the Government of Palestine under the designation of High Commissioner and Commander-in-Chief:

And whereas We are minded to issue these Our Instructions under Our Sign Manual and Signet for the guidance of Our High Commissioner and Commander-in-Chief, or other Officer administering the Government of Palestine:

Now know ye that We do direct and enjoin and declare Our Will and Pleasure as follows:--

High
 Commissioner
 to administer
 oaths. I.- The High Commissioner may, whenever he thinks fit, require any person in the public service of Palestine to take the Oath in the form prescribed by Article 31 of the above recited Order in Council, together with such other Oath or Oaths as may from time to time be prescribed by any laws in force in Palestine. The High Commissioner is to administer such Oaths, or to cause them to be administered by some Public Officer of Palestine.

Instructions to
 be observed by
 Deputies. II.- During the temporary absence of the High Commissioner from the seat of Government or from Palestine, these Instructions so far as they apply to any matter or thing to be done, or any power or authority to be exercised by a Deputy acting for the High Commissioner, shall be deemed to be addressed to and shall be observed by such Deputy.

Deputies may
 correspond
 direct with
 Secretary of
 State in urgent
 cases. III.-If in any emergency arising in Palestine during the temporary absence of the High Commissioner for a short period from the seat of Government or from Palestine it is necessary that instructions should be obtained from Us without delay, the Deputy (if any) acting for the High Commissioner may apply to Us, through one of Our Principal Secretaries of State for instructions in the matter; but every such Deputy shall forthwith transmit to the High Commissioner a copy of every despatch or communication which he has so addressed to Us.

Constitution
 of Executive
 Council. IV.-The Executive Council of Palestine shall consist of the persons for the time being lawfully discharging the functions of Chief Secretary, Attorney-General, and Treasurer, who shall be styled *ex officio* Members of the Executive Council, and such other persons holding office in the Public Service of Palestine as the High Commissioner in pursuance of Instructions from Us through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal of Palestine, who shall be styled Official Members of the Executive Council.

Extraordinary
 Members. Whenever upon any special occasion the High Commissioner desires to obtain the advice of any persons within Palestine, relating to affairs therein, he may, by an Instrument under the Public Seal of Palestine, summon for such special occasion any such persons as Extraordinary Members of the Executive Council.

Suspension. V.- The High Commissioner may, by an Instrument under the Public Seal of Palestine, suspend any person appointed by name from the exercise of his functions as a Member of the Executive Council. Every such suspension shall be forthwith reported by the High Commissioner to Us through one of Our Principal Secretaries of State, and shall remain in force unless and until either it shall be

- removed by the High Commissioner by an Instrument under the said Public Seal, or it shall be disallowed by Us through one of Our Principal Secretaries of State, and such disallowance shall be published in the Official Gazette of Palestine.
- Provisional Appointments. VI.-Whenever any Member, other than an *ex officio* Member, of the said Executive Council shall by writing under his hand resign his seat in the said Executive Council, or shall die, or be suspended from the exercise of his functions as a Member of the Executive Council or be declared by the High Commissioner by an Instrument under the Public Seal to be incapable of exercising his functions as a Member of the Council, or be absent from Palestine or shall be acting in an office the holder of which is an *ex officio* Member of the Council, the High Commissioner may, by an Instrument under the Public Seal, provisionally appoint some person to be temporarily a Member of the Council in the place of the Member so resigning or dying, or being suspended or declared incapable or being absent, or sitting as an *ex officio* Member.
- Such person shall forthwith cease to be a Member of the said Council if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall be released from suspension, or, as the case may be shall be declared by the High Commissioner capable of again discharging his functions in the Council, or shall return to Palestine, or shall cease to sit in the Council as an *ex officio* Member.
- Provided that when any person shall be lawfully discharging the functions of more than one of the offices the holders of which are *ex officio* Members of the said Council, the High Commissioner may, by an Instrument under the Public Seal, appoint any fit person to be provisionally a Member of the Council so long as the functions of the said offices shall continue to be discharged by one person as aforesaid.
- Provisional appointments to be immediately reported. VII.-The High Commissioner shall without delay report to Us, for Our confirmation or disallowance through one of Our Principal Secretaries of State, every provisional appointment of any person as a Member of the Executive Council. Every such person shall hold his place in the Council during Our pleasure, and the High Commissioner may by an Instrument under the Public Seal revoke any such appointment.
- Precedence of Members. VIII.-The Members of the Executive Council shall have seniority and precedence as We may specially assign, and, in default thereof, first the *ex officio* Members in the order in which their offices are abovementioned, then the Official Members according to the priority of their respective appointments, or, if appointed by the same Instrument, according to the order in which they are named therein, and finally Extraordinary Members with like priority.
- High Commissioner to communicate Instructions to Executive Council. IX.-The High Commissioner shall forthwith communicate these Our Instructions to the Executive Council and likewise all such others from time to time, as We may direct, or as he shall find convenient for Our Service to impart to them.
- Executive Council not to proceed to business unless summoned by High Commissioner's authority. Quorum. X.-The Executive Council shall not proceed to the despatch of business unless duly summoned by authority of the High Commissioner, nor unless two Members at least (exclusive of himself or of the Member presiding) be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

- High Commissioner to preside.
- Minutes of Executive Council to be kept.
- Minutes to be sent home twice a year.
- High Commissioner to consult Executive Council.
- Proviso.
- Urgent cases.
- High Commissioner alone entitled to submit questions.
- High Commissioner may act in opposition to Executive Council.
- Reporting the grounds for so doing.
- Members may require their adverse opinions to be recorded on the Minutes.
- No submission to the Legislative Council of Ordinances inconsistent with the Mandate.
- Rules under which laws are to be enacted.
- Style of Ordinances.
- XI.-The High Commissioner shall attend and preside at all meetings of the Executive Council unless prevented by illness or other grave cause, and in his absence such Member as the High Commissioner may appoint, or, in the absence of such Member, the senior Member of the Council actually present shall preside.
- XII.- Minutes shall be regularly kept of all the proceedings of the Executive Council; and at each meeting of the Council the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.
- Twice in each year a full and exact copy of all Minutes for the preceding half year shall be transmitted to Us through one of Our Principal Secretaries of State.
- XIII.- In the execution of the powers and authorities granted to the High Commissioner by the above recited Order in Council he shall in all cases consult with the Executive Council, excepting only in cases which may be of such a nature that, in his judgment, Our service would sustain material prejudice by consulting the Council thereupon, or when the matters to be decided shall be too unimportant to require their advice or too urgent to admit of their advice being given by the time within which it may be necessary for him to act in respect of any such matters. In all such urgent cases he shall at the earliest practicable period, communicate to the Executive Council the measures which he may so have adopted, with the reasons thereof.
- XIV.- The High Commissioner alone shall be entitled to submit questions to the Executive Council for their advice or decision; but if the High Commissioner decline to submit any question to the Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the High Commissioner to the same.
- XV.- The High Commissioner may act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case deem it right to do so; but in any such case he shall fully report the matter to Us by the first convenient opportunity, with the grounds and reasons of his action. In every such case it shall be competent to any Member of the Council to require that there be recorded at length on the Minutes the grounds of any advice or opinion he may give upon the question.
- XVI. No proposed Ordinance which shall be in any way repugnant to, or inconsistent with, the provisions of the Mandate shall be submitted to the Legislative Council.
- XVII.-In the enactment of Ordinances the High Commissioner shall observe, as far as practicable, the following Rules:--
- (1) All laws shall be styled "Ordinance," and the enacting words shall be, "Enacted by the High Commissioner of Palestine with the advice and consent of

- Arrangement of Ordinances.
- Different subjects not to be mixed in the same Ordinance.
- No clause to be introduced foreign to what the title of the Ordinance imports.
- Temporary Ordinances.
- Description of Ordinances not to be enacted without previous instructions.
- the Legislative Council thereof."
- (2) All Ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs, consecutively numbered, and to every such clause there shall be annexed in the margin a short summary of its contents. The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one. All Ordinances passed in any one year shall, unless they require to be reserved for the signification of Our pleasure, be assented to by the High Commissioner in that year, and shall be dated as of the day on which the assent of the High Commissioner is given and shall be numbered as of the year in which they are passed. Ordinances not so assented to by the High Commissioner, but reserved by him for the signification of Our pleasure, shall be dated as of the day and numbered as of the year on and in which they are brought into operation.
- (3) Each different matter shall be provided for by a different Ordinance, without intermixing in one and the same Ordinance such things as have no proper relation to each other; and no clause is to be inserted in or annexed to an Ordinance which shall be foreign to what the title of such Ordinance imports; and no perpetual clause shall be part of any temporary Ordinance.
- XVIII.-The High Commissioner shall not, unless he shall have previously obtained instructions thereupon from one of Our Principal Secretaries of State, or unless the Ordinance shall contain a clause suspending its operation until the signification of Our pleasure thereupon, assent to any Ordinance of any of the following classes, namely:--
- (1) Any Ordinance relating to immigration;
- (2) Any Ordinance for the divorce of persons joined together in holy matrimony;
- (3) Any Ordinance whereby any grant of land or money, or other donation or gratuity, may be made to himself;
- (4) Any Ordinance affecting the currency of Palestine or relating to the issue of Bank notes;
- (5) Any Ordinance imposing differential duties;
- (6) Any Ordinance the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty or by the Mandate conferred on Us for the Government of Palestine;
- (7) Any Ordinance interfering with the discipline or control of Our Forces by land, sea, or air;
- (8) Any Ordinance of an extraordinary nature and importance, whereby Our prerogative, or the rights and property of Our subjects not residing in Palestine, or the trade and shipping of the United Kingdom and its Dependencies, may be prejudiced;
- (9) Any Ordinance whereby persons who are nationals of any States Members of the League of Nations may be subjected or made liable to any disabilities to which persons who are British subjects or nationals of any foreign State are not also subjected or made liable;
- (10) Any Ordinance containing provisions which are repugnant to any Order in Council in force in Palestine or which have been disallowed by one of Our Principal Secretaries of State.

- Ordinances to be sent home duly authenticated.
- XIX-(1) When any Ordinance shall have been enacted, the High Commissioner shall forthwith transmit to one of Our Principal Secretaries of State a full and exact copy in duplicate of the same, together with a marginal summary thereof, duly authenticated under the Public Seal of Palestine, and by his own signature. Such copy shall be accompanied by such explanatory observations as may be required to exhibit the reasons and occasion for making such Ordinance.
- (2) An authenticated copy of any Rules of Court or any Regulations issued in Palestine shall likewise be transmitted to Us at the first available opportunity after these Rules and Regulations are made.
- Collection of Ordinances to be published every year.
- XX-(1) All Ordinances, Proclamations, Rules of Court and Regulations shall be published in the Official Gazette of Palestine.
- (2) At the earliest practicable period at the commencement of each year, the High Commissioner shall cause a complete collection to be published, for general information, of all Ordinances, Proclamations, Rules of Court and Regulations enacted during the preceding year.
- Minutes of proceedings of the Legislative Council to be kept. Minutes to be sent home after every meeting.
- XXI.-Minutes shall be regularly kept of all the proceedings of the Legislative Council, and at each meeting of the Council the Minutes of the last preceding meeting shall be confirmed or amended as the case may require, before proceeding to the despatch of any other business. The High Commissioner shall transmit to Us through one of Our Principal Secretaries of State as soon as possible after every meeting a full and exact copy of the Minutes thereof
- Surveys and reservations to be made before waste lands are disposed. High Commissioner not to purchase lands without permission.
- XXII.-Before disposing of any vacant or waste lands to the Government of Palestine belonging, the High Commissioner shall cause the same to be surveyed and such reservations to be made thereout as he may think necessary for roads or other public purposes. The High Commissioner shall not directly or indirectly purchase for himself any of such lands without Our special permission given through one of Our Principal Secretaries of State.
- Appointments to be during pleasure, and in some cases provisional.
- XXIII.-All Commissions to be granted by the High Commissioner to any person or persons for exercising any office or employment shall, unless otherwise provided by law, be granted during pleasure only; and whenever the High Commissioner shall appoint to any vacant office or employment, of which the initial emoluments exceed three hundred pounds sterling a year, any person not by Us or on Our behalf specially directed to be appointed thereto, he shall, at the same time, distinctly inform such person that such appointment is to be considered only as temporary and provisional until confirmed or superseded under directions from one of Our Principal Secretaries of State. Provided that the High Commissioner shall not make such a temporary or provisional appointment of a person not resident in Palestine.
- The High Commissioner shall not appoint any person to any vacant office or employment of which the initial emoluments exceed six hundred pounds a year except with the approval of a Principal Secretary of State.
- Suspension of Officers.
- XXIV.-Before suspending from the exercise of his office any Public Officer, whose annual pensionable emoluments exceed three hundred pounds sterling, the High Commissioner shall signify to such Officer, by a statement in writing, the grounds of the intended suspension, and shall call upon him to state in writing the grounds upon which he desires to exculpate himself, and if the Officer does not furnish such a statement within the time fixed by the High Commissioner, or fails to exculpate himself to the satisfaction of the High Commissioner, the

- High Commissioner shall appoint a Committee of the Executive Council to investigate the charges made and to make a full report to the Executive Council. The High Commissioner shall forthwith cause such report to be considered by the Council and shall cause to be recorded in the Minutes whether the Council, or the majority thereof, does or does not assent to the suspension, and if the High Commissioner thereupon proceed to such suspension, he shall transmit the report of the Committee and the evidence taken by it, together with the Minutes of the proceedings of the Council, to Us through one of Our Principal Secretaries of State at the earliest opportunity. But if in any case the interests of Our service shall appear to the High Commissioner to demand that a person shall cease to exercise the powers and functions of his office instantly or before there shall be time to take the proceedings hereinbefore directed, he shall then interdict such person from the exercise of the powers and functions of his office.
- High Commissioner to report deportations. XXV.-Wherever any person shall have been deported from Palestine by order of the High Commissioner in accordance with the provisions of the above recited Order in Council, the High Commissioner shall forthwith report to us through a Principal Secretary of State the order made by him and the grounds thereof and the proceedings thereunder.
- Regulation of power of pardon in capital cases. Judge's reports to be laid before Executive Council. High Commissioner to consult Executive Council in such cases. To exercise his own judgment: entering his reasons on Council Minutes if unable to accept the advice of the majority. British policy in Palestine. XXVI.-Whenever any offender shall have been condemned to suffer death by the sentence of any Court in Palestine, the High Commissioner shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at the first meeting thereafter which may be conveniently held of the Executive Council, and he may cause the said Judge to be specially summoned to attend at such meeting and to produce his notes thereat. The High Commissioner shall not pardon or reprieve any such offender unless it shall appear to him expedient so to do, upon receiving the advice of the Executive Council thereon: but in all such cases he is to decide either to extend or to withhold a pardon or reprieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise; entering, nevertheless on the Minutes of the Executive Council a Minute of his reasons at length in case he should decide any such question in opposition to the judgment of the majority of the Members thereof.
- Blue Book. XXVII.-The High Commissioner shall be guided by the statement of British policy in Palestine presented to Parliament by Our Command on the 1st day of July, 1922. While ensuring that the rights and position of other sections of the population are not prejudiced, he shall facilitate Jewish immigration under suitable conditions and shall encourage close settlement by Jews on the land, including State lands and waste lands not required for public purposes.
- XXVIII. -The High Commissioner shall punctually forward to Us from year to year, through one of Our Principal Secretaries of State, the annual book of returns or reports, commonly called the Blue Book relating to the Revenue and Expenditure, Defence, Public Works, Legislation, Civil Establishment, Pensions, Population, Schools, Holy Sites and Antiquities, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, the immigration of Jews and the welfare of the Arab population, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of Palestine, and having regard to the obligations of Our Government as the Mandatory of Palestine in accord with Article XXII of the Covenant of the League of Nations.

- High Commissioner's absence. XXIX.-Except in the cases provided for in the above recited Order in Council, the High Commissioner shall not upon any pretence whatever quit Palestine without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.
- Term "High Commissioner" explained. XXX-In these Our Instructions the term "High Commissioner" shall, unless inconsistent with the context, include every person for the time being administering the Government of Palestine.

Given at Our Court at Saint James's this Fourteenth day of August, 1922, in the Thirteenth Year of Our Reign.



SUMMARY OF A MEETING BETWEEN THE SYRO-PALESTINE DELEGATION AND ASHER SAPHIR ON A GENERAL UNDERSTANDING BETWEEN ARABS AND JEWS, 7-8 SEPTEMBER 1922

[Saphir was a Jew from Jerusalem who had been a delegate to the Zionist Congress 1920 and served as representative of the World Zionist Organization for League of Nations matters, in 1922]

As a result of the two conversations which took place on Thursday and Friday, 7th and 8th September, 1922, between the Syro-Palestine Delegation on the one hand and Mr. A. Saphir on the other, the following succinct summary was drawn up in common accord.

The Conversations are to constitute in principle the basis and the general lines of a Draft Agreement between Arabs and Jews. The said conversations resulted in the following:

- 1) Arabs and Jews consider themselves mutually as a force which must be taken into consideration. These forces have the possibility of siding with one another in an effective way with a view to realizing their aspirations. By working together rather than apart or one against the other, they could achieve very satisfactory results for both parties.
- 2) To facilitate the negotiations of detail to reach this understanding, and to avoid dissatisfaction, it would be convenient that the Jewish organization which would negotiate that accord should not use as an argument, in the course of negotiations, either the Balfour Declaration of the 2nd November, 1917, or the terms of the Mandate approved by the Council of the League of Nations. During these negotiations, the Arabs would also refrain from using as an argument the Treaty between Great Britain and the Hejaz of 1915.
- 3) The two parties shall discuss the conditions of an accord basing themselves on the reciprocal aid of united collaboration for the welfare of all the Arab countries, Syria, Mesopotamia, as well as Palestine.
- 4) Arabs and Jews shall devise the modus of a declaration to be made concerning the particular links of the Jews with Palestine. Such declaration shall be drawn up in a form which, while making clear the attachments of the Jews to Palestine, shall equally establish the rights of the Arab inhabitants of the country and shall be based on the complete equality of all the inhabitants without any distinction of race and religion.
- 5) The Jews, for their part, shall help the Arabs of the said countries, economically and politically and by such other means in their power as will be deemed useful to employ, to obtain by legal and constitutional means the realization of the final aspirations of these countries.
- 6) The two parties shall find a common ground of understanding which will unite them in the mutual cause of the union of the two peoples, Arabs and Jews, who belong to one race and speak nearly the same language and who both carry the banners of the same civilization, viz., the civilization of the East. The goal of the two parties must be to restore to its ancient splendour that Semitic and Oriental civilization which has given everything to the world in the interest of that

same civilization, for the specific happiness of these countries which have been abandoned, neglected and ruined during so many centuries. The two parties shall employ all possible and conceivable means to avoid dissatisfaction and dissensions in the course of the negotiations, and to arrive once and for all at a definite and cordial accord between the two peoples, the interests of whom - common as well as individual - moral as well as material - are so closely bound.

- 7) The two parties shall use all the means at their disposal to find a way to regulate and limit the question of immigration into Palestine or into any other neighbouring Arab country in a manner that will satisfy the two parties concerned.
- 8) In order to achieve this end and to facilitate the negotiations and the enforcement of the agreement, it is proposed to take immediately into consideration:
 - (a) a truce as regards the cessation of anti-Jewish agitation in Palestine must immediately be proclaimed. The intrigues and political antagonism and the machinations of one side against the other, Arabs and Jews in different countries outside Palestine, must cease;
 - (b) There shall be constituted forthwith a Joint Committee consisting of representatives of the delegation or of the Syro-Palestine Congress as well as authoritative representatives of Palestine (Moslems and Christians) on the one hand, and of representatives of the Zionist Organization which may, if it deems necessary, co-opt other influential personalities in the Jewish world, on the other side. This Joint Committee shall work out all the details of a Draft Agreement on the basis of the principles enunciated above;
 - (c) When the text of the Draft Agreement has been definitely settled in all its details and accepted by both parties, a new Joint Committee representing the two parties shall be constituted and shall be responsible for the enforcement of that Agreement. When agreement has been reached, the form and the constitution of this Joint Committee, to be known as the Executive Committee, shall be prescribed in detail by the Joint Committee charged with the preparation of the Draft Agreement referred to above;
 - (d) It is well understood and agreed that in order to make it possible for the Delegations to reach a satisfactory conclusion, all negotiations and conversations between the two parties shall be kept secret, except insofar as concerns the persons directly interested, until such time as the text of the Agreement has been definitely settled and accepted.



**US CONGRESS, ENDORSEMENT OF THE BALFOUR DECLARATION:
PUBLIC RESOLUTION NO. 73, 67TH CONGRESS, 2ND SESSION, 21 SEPTEMBER 1922**

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled.

That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.



**CHAIRMAN OF THE PALESTINE ZIONIST EXECUTIVE COLONEL FREDERICK H.
KISCH, LETTER TO ZIONIST EXECUTIVE SECRETARY LEONARD STEIN, LONDON,
12 DECEMBER 1922 [EXCERPTS]**

Arab Negotiations: Immediately upon arrival at Cairo, Dr. Weizmann entered into negotiations with the Group of Arabs who will hereafter be referred to as the "Amour Group", with a view to reaching an understanding on the following basis:

The Zionist Organisation to recognise and support the Arab desire for a confederation of Arab States comprising in the first instance Palestine, Iraq, Transjordan and the Hejaz.

The Arabs to allow the Zionist Organisation a free hand in Palestine and in its dealings with the British Government in regard to Palestine, with the ultimate aim in view that Palestine should become quantitatively and qualitatively Jewish.

A number of interviews took place in Cairo with regard to the above proposition, in the course of which Dr. Weizmann was asked whether it would be possible for him in regard to Arab aspirations outside Palestine to cooperate with the Arabs in political action directed against England and France. Dr. Weizmann made it clear that such a course would be impossible, which declaration was understood and accepted.

Dr. Weizmann explained, however, that he would, in the event of a complete understanding being arrived at, be able to assist the Arabs materially in their political negotiations with England and France.

The negotiations have been continued in Palestine and have reached a stage which justifies the hope that definite cooperation with the Arabs in question, on the above lines, is assured.

To make such cooperation effective as regards our own interests, it is necessary to do everything possible to strengthen the position of the Representatives of the Amour Group in Palestine. This needs money which is at present not available, but without any assistance from us the Amour Groups has already made considerable progress in the country within the last few months. Four members of the Group have been elected as Palestinian Representatives at the forthcoming Arab Congress to be convened the 15th of this month at Cairo, and the leaders of the Group hope to be able to command a preponderant voting power at the Congress. The Congress will sit about ten days and Dr. Weizmann will be present at Cairo during the later sessions, the results of which will be communicated to you in due course.



UNITED KINGDOM: REPORT ON PALESTINE ADMINISTRATION 1922 TO THE LEAGUE OF NATIONS, 31 DECEMBER 1922

FOREWORD.

For Palestine, the principal event of the year 1922 has been the approval by the Council of the League of Nations on July 24th, 1922, of the British Mandate for the administration of the territory. The promulgation, however, of the Mandate, as well as of the French Mandate for the neighbouring territory of Syria, was conditional on certain agreements being reached between the Governments of France and Italy relating to Italian interests in Syria.

His Majesty the King in Council enacted, on August 10th, 1922, the Palestine Order in Council, which defined the powers of the High Commissioner, prescribed the formation of an Executive Council and of a Legislative Council, and regulated the constitution and powers of the Palestine Judiciary, with special provisions for religious and for tribal Courts. The constitution and method of election of the Legislative Council were further defined in the Palestine Legislative Council Election Order, which was enacted at the same time. Both were promulgated in Palestine on the 1st of September, 1922. The formal Commission of His Majesty, appointing as High Commissioner and Commander in Chief for Palestine the Right Honourable Sir Herbert Samuel, G.B.E., who had been acting in that capacity since July 1st, 1920, was issued on August 14th. The oaths of office were administered at Jerusalem on September 11th by the Chief Justice. In July, 1922, His Majesty's Government published a White Paper* (Cmd. 1700) which embodied a statement of its policy in relation to Palestine. The statement, while reiterating the purpose of His Majesty's Government enunciated in the Balfour Declaration relating to the establishment in Palestine of a Jewish National Home, defined that

purpose and the manner of its execution in terms which left no doubt of the determination of His Majesty's Government to preserve the rights and interests of the non-Jewish population.

Following a memorandum presented by His Majesty's Government in September to the League of Nations, a resolution was passed by the Council of the League to exclude Transjordan from the Articles of the Mandate which concern the Holy Places and the measures to be taken in concert with the Jewish Agency for the establishment of a Jewish National Home.

The Order in Council also contains a provision that it shall not apply to the Transjordan territory.

There was much political discussion in Palestine during the year, but on constitutional lines, and no disturbances of the peace occurred. The revenue of the year 1921-22 amounted to £E.2,312,243, and the expenditure to £E.1,881,108. The surplus of revenue over expenditure was thus £E.431,135; against it will, however, be chargeable any liability of Palestine to pay such annuity to the Ottoman Pre-war Public Debt as may be imposed under the Treaty of Peace with Turkey, when finally ratified.

The general economic depression has not had an appreciably adverse effect upon the trade of Palestine. Imports as well as exports, in the aggregate, increased in quantity, so that although values have greatly fallen, the figures of exports and imports remained approximately at the level of the previous year. In internal commerce, there has been continuous expansion. Twenty new companies were incorporated with a total capital of £E.525,000, and more than 60 partnerships were formed. There have been no bankruptcies or compulsory windings-up of companies. Industrial activity has been manifest mainly in the building trade in the principal towns; several new suburbs were completed or are in course of construction. To this activity is due the absence of any considerable unemployment.

It is gratifying to record a measure also of agricultural recovery. The area of cultivation has increased, and particularly the area of rotation and feeding crops and of vegetables and fruit trees; cereal cultivation in recent years has been little remunerative. The tobacco-growing industry is making rapid strides, fostered by favourable taxation, by purchase of the local leaf by local manufacturers, and by effective checks on smuggling. The orange season in the beginning of the year, following improved methods of irrigation, was unusually profitable.

The afforestation programme of the Government is being furthered by the keen interest and active cooperation of the people themselves, to which a general celebration of "Arbor Day," a festival of tree-planting by schoolchildren, bears testimony.

On the railways, many improvements have been introduced in rolling-stock, in traffic control, in the timing of trains and in technical efficiency. There was, nevertheless, a marked decline in revenue to be attributed partly to the competition of motor transport. Measures are being taken to deal with the situation so created.

An Arbitral Tribunal, appointed by the British and French Governments, has fixed the sum payable by the Palestine Government for the purchase of the Jaffa-Jerusalem Railway at £E.565,000, of which a proportion is recoverable from other sources.

The Post Office dealt with an increased amount of business of all kinds. Many additional postal and telegraphic facilities have been provided, and the telephone service shows a steady expansion.

The very large increase in motor traffic testifies to the improvement of road communications which has been effected and which continued during 1922.

There was a welcome increase in the number of tourists who visited Palestine during the year; it is estimated that the average of pre-war years was doubled. The Tourist Agencies have re-established

themselves, and local societies have been organized to encourage the movement of tourists to Palestine and to advertise the country's attractions. Special passport and quarantine conveniences are arranged for tourists.

In 1922, 8,128 immigrants entered the country. Of these 7,844 were Jews, of whom the great majority were from the countries of Eastern Europe. There was some movement of emigration amounting to 2,939, of whom 1,418 were immigrants who found it impossible, for various reasons, to settle permanently in Palestine.

A census was taken in the month of October. It showed a total population of 757,182, of whom 78 per cent. were Moslems, 11 per cent. Jews and 9.6 per cent. Christians. This was probably the first census ever taken in Palestine on a scientific basis.

During the year, the organization of the Palestine Gendarmerie forces was completed, the British section of the Gendarmerie having a strength of 762, and the Native Section of the Gendarmerie, a mixed force of Arabs, Jews, Druzes, and Circassians, a strength of 467 of all ranks. The presence of these forces has resulted in a greater measure of public security, for which credit is due in part also to the Civil Police, in whose organization a considerable improvement was effected. Four bands of highwaymen which infested parts of Palestine have one by one been suppressed and all their leaders imprisoned.

The programme for the opening of new elementary schools was further realized. Seventy-five of these schools were opened in the year; 265 in all have now been established since the British Occupation.

The activities of the Public Health Department against malaria, in which it is assisted by American units whose services are rendered gratuitously, are beginning to yield substantial benefits; in the towns particularly malaria has largely decreased. The lessened incidence of the disease among British Troops, from 6.9 per cent. in 1920 to 0.9 per cent. in 1922, illustrates this. The birth-rate is steadily advancing. Except for an outbreak of bubonic plague at Jaffa in the summer, the country was free from serious epidemics.

The Religious Courts of the various communities have begun to exercise the enlarged jurisdiction which was conferred upon them by the Palestine Order in Council. An important change in the Judiciary is marked by the severance of the administration of the Courts from the Department of the Attorney-General; it is now vested in the Chief Justice.

I.--FINANCE.

The following is a summary of the annual revenue and expenditure from July 1st, 1920 (the date of the formation of the Civil Government), to March 31st, 1922:--

	£E.	£E.
Revenue to March 31st, 1921	1,108,528	3,420,771
Revenue to 1921-22	2,312,243	
	<hr/>	
Expenditure to March 31st, 1921 ...	1,228,097	3,109,205
Expenditure to 1921-22	1,881,108	
	<hr/>	<u>£E.311,566</u>
Excess of assets over liabilities (surplus balance at March 31st, 1922)		

XVI.--CENSUS.

A Proclamation of 1st September, 1922, provided the authority for the taking of a census, and by an Order of the same date a Superintendent of Census was appointed.

Enumerators and Revising Officers were recruited from the Administrative and Departmental staffs of districts. The taking of the census, the first of its kind in Palestine, met with the general co-operation of the population, with the exception of the Beduin of the Southern District, who have a traditional objection to being numbered. Their numbers were estimated by reference to tithes payments.

The census results were:--

Moslems	590,890
Jews	83,794
Christians	73,024
Druzes	7,028
Samaritans	163
Bahais	265
Metawallis	156
Hindoos	1,454
Sikhs	408

Total	757,182

A detailed report on the census will be published.



2. British Mandate Era and the UN Partition Plan (1923-1947)

CHAIRMAN OF THE PALESTINE ZIONIST EXECUTIVE COLONEL FREDERICK H. KISCH, NOTE OF A CONVERSATION WITH MUSA KAZIM AL-HUSSEINI, JERUSALEM, 23 OCTOBER 1923

The conversation took place at the residence of Dr. Helen Kagan. Mahmud Effendi Husseini acted as interpreter. It should be mentioned that this is the first occasion on which I have met Musa Kazim, who has in the past declined the attempts of friends to arrange a meeting, while I would not risk a rebuff by calling on him or inviting him to see me.

I brought the conversation to the question of Palestine by venturing the remark, after a medical discussion, that when a patient is sick it is necessary for all the doctors who are treating him for different ailments should consult together. Musa Kazim replied that when a patient has been reduced to his death agonies, the doctors should leave him alone. I disputed of course his appreciation of the state of the patient in question. Subsequently the conversation was developed in more direct terms and Musa Kazim stated that our program and his (which he claimed to be representative of the views of the country) were so widely different that consultation would be useless. He stated that the Government was aware of the country we were so widely that the Government was aware of the two programs, and it was for the Government to decide between one or the other.

He asked on what our claims to Palestine were based. I gave him the reasons on which our claims *to return to Palestine* were based. I explained to him the spirit in which our people return to Palestine, how it is the desire in which our people return to Palestine, how it is the desire to give to the country all we can and to take nothing from it. He replied we had given nothing, that we had taken the bread out of the mouths of the Arabs. I asked him to explain and he only referred to the employment of Jewish workmen on the roads whereas Arab workmen should have been workmen on the roads whereas Arab workmen should have been employed. I told him that in the first place only a small proportion of Jewish workmen were employed by the Government, while the Government paid for the roads out of taxes collected from both communities. I emphasized that the roads were used by the whole population, and that whoever built roads in a country, the opening up of the country invariably tended to increase general economic activities and prosperity.

In connection with my views on the historical biblical argument as constituting one factor in the basis of Jewish claims in Palestine, Musa Kazim stated that if God had placed the children of Israel in Palestine, he had also driven them out and given the country to the children of Ishmael. I pointed out that if he had driven them out, he had also promised that they should return, and that the statement that he had given the country to the children of Ishmael was not in accordance with the Scriptures.

Musa Kazim asked what money we had brought to the country. I told him that in the last four years some eight million pounds of Jewish money had been spent in Palestine, of which he feared the greater proportion was by now undoubtedly in Arab hands. If large sums had been taken out of the country it was mainly by absent Arab landlords, but in any case Jewish activities had tended vastly to enrich the Arab population. I also said that I was surprised at [sic] Musa Kazim, who is a Moslem, should measure sacrifice by gifts of money.

However it was on the subject of money that the conversation finished with Musa Kazim stating that the money had mostly gone into the pockets of certain Zionist leaders. To this I replied with some violence stating that I refused to continue the conversation with him if he intended to use such arguments which he knew perfectly well to be false. I told him that such arguments were unworthy of a man who claims to speak on behalf of the Arabs of Palestine. He did not withdraw his remark, but stated that he had merely quoted from some newspaper which he had seen and that he supposed it was true.

Note: In this conversation Musa Kazim showed what the Americans call “a one-track mind” and I would add, a mind of a very narrow track, also much pettiness: somewhat the temperament of Poincare without any of his ability. I do not think that any further discussions are likely to arise from this conversation, or that discussion with such a man can produce any useful result.

Before leaving the room Musa Kazim asked that the conversation should be treated as absolutely secret and that this secretary should be maintained even as regards the fact that he had met me privately. He is evidently afraid of his entourage.

[Extract from cover letter to Dr. Weizmann, 24 October 1923:]

I have nothing to add to what I have recorded in the note, except that Musa Kazim gave the impression of a man who feels that he is slipping from power and that I think it was this feeling that prompted him to see what would transpire at a conversation with me. The conversation once launched however, his temperament took control with the result that the discussion never showed any signs of producing any useful results.



**RABBI YOSEF CHAIM SONNENFELD AND DR. YA'AKOV YISRAEL DEHAAN,
LETTER TO KING HUSSEIN OF TRANSJORDAN, 20 FEBRUARY 1924**

[The letter - originally in Arabic - was submitted to King Hussein, great-grandfather of King Hussein, father of the current Jordanian King Abdullah II. Rabbi Sonnenfeld - an outspoken anti-Zionist - was the Chief Rabbi of the Ashkenazi Haredi Jews of Jerusalem during the British Mandate; DeHaan was an Anti-Zionist advocate of good relations with the Arabs, who had coordinated the meeting between Sonnenfeld and the King and who was later assassinated by Zionist Jews.]

His Majesty:

In the name of G-d, the High Lord, Creator of Heaven and Earth. We feel honored to stand before His Majesty as representatives of the world Jewish organization "Agudas Yisroel", and the "Eida Hachareidis", in the Holy City of Jerusalem, organized under the leadership of the "Vaad Hair" (National Comm.) of the Ashkenazic Jewish Community, "Agudas Yisroel" is an organization of the world's orthodox Jewry which counts approximately one million registered members and it speaks for an even greater number of Orthodox Jews who although not registered with our organization, are wholeheartedly sympathetic with its goal to guard and preserve the traditional character of the Jewish People and its Torah, which was handed ever to us in its Holiness and entirety, and to interpret in its Spirit all questions in Jewish life. Agudas Yisroel is an independent organization, according to the resolutions of the latest "Kenesia Hagdola" (meeting) which was held recently in Vienna in which the great Jewish leaders and Sages participated and which did not authorize any other organization, to speak its name or in the name of the entire Jewish People.

In the name of this organization, and in the name of the "Eida Hachreidis" of Jerusalem we welcome with a blessing from the depths of our hearts the appearance of His Royal Highness in the Holy Land. May G-d, King of all Kings exalt his kingdom and in his days shall flourish justice for the benefit of those who find protection in his shadow.

We assure His Majesty that the Jewish population relates to their neighbors with brotherly harmony wherever they exist, and also in the Holy Land we will adhere to that tradition and in the future will cooperate with all the inhabitants in the building and prospering of the land for a blessing and peace with all ethnic groups.

We respectfully request from His Majesty that whenever any expression of Jewish opinion on matters concerning the Jewish population, or the Holy Land, will be brought to his attention, he shall also grant permission to the representative of "Agudas Yisroel" to appear, representing Orthodox Jewry, for Which the Holy Land is the center of their yearning and who pray for its peace and rebuilding three times a day.

We also express our hope that His Majesty will do the utmost to use his huge influence for the benefit of the Jewish People which live in all Arab countries.

May the L-rd of the universe bless him and his descendants, and many more years shall he see the well being of his people. In his and in our days shall "Judah" be redeemed and Israel rest in tranquility.

AMEN



**PRESIDENT OF THE WORLD ZIONIST ORGANIZATION CHAIM WEIZMANN,
REPORT ON MEETINGS WITH KING FAISAL OF IRAQ, 6 OCTOBER 1925**

Conversations with Faisal (strictly confidential)

I have had two conversations with Faisal, lasting altogether 6 to 7 hours. The subject of these conversations was as follows:

Faisal said to me: You would be astonished if I told you how many Arabs from Palestine have come to me with the wish that I mediate between Zionism and the Arabs.

I replied to Faisal that we do not know who really represents the Arabs in Palestine, and asked him to tell me on what basis, in his opinion, we could come to an agreement with the Arabs.

Faisal replied that at present the Arabs were much more capable of negotiating than they had been three years ago. The sole fear of the Arabs is that they will be dominated by a Jewish majority. He gave as an example the speeches that were made at [the Zionist] Congress, which made the Arabs extremely uneasy, and demanded a limitation on immigration.

I replied that, as far as we were concerned, this condition was not negotiable. I then explained to him quite frankly that we desired a Jewish majority in the country, but that we were at the same time ready to guarantee that such a Jewish majority would not oppress the Arabs. This was the platform on which we could negotiate. I asked Faisal not to answer Yes or No right away, but to think it over.

Whereupon we had a further conversation with Faisal, who declared that I should come to Palestine; he would then announce the platform on which we could negotiate.

Faisal asked why Jewish capital was not coming to Baghdad as well [as Palestine]. I answered that the reason for this was that the Jews always feared difficulties from the Arabs. Faisal then declared that the Jews who came to Baghdad would be under his personal protection.



GOVERNMENT OF PALESTINE, IMMIGRATION ORDINANCE, 1925

IMMIGRATION ORDINANCE

ARTICLE 2

- (2) No person shall be granted an immigration certificate unless he belongs to one of the following categories: *Categories of Immigrants*
- (A) Persons of independent means, which term shall be deemed to include: *Category A.*
- (a) Any person who is in bona fide possession, and freely disposes, of a capital of not less than £E 500, and is qualified in a profession or intends to engage in commerce or agriculture: and
 - (b) Any person who is in bona fide possession, and freely disposes, of a capital of not less than £E 250 and is skilled in a trade or craft; and
 - (c) Any person who has a secure income of not less than £E 60 per annum, exclusive of earned income; and
 - (d) Any orphan of less than 16 years of age whose maintenance is assured until such time as he is able to support himself; and
 - (e) Any person of religious occupation whose maintenance is assured; and
 - (f) Any student whose maintenance is assured until such time as he is able to support himself.
- (B) Persons who are not in bona fide possession, or do not freely dispose, of a capital of the full amount of £E 500, but would otherwise have belonged to Category A (I). *Category B.*
- (C) Persons who have a definite prospect of employment in Palestine. *Category C.*
- (D) Dependents of permanent residents or of immigrants belonging to Categories A, B and C other than Categories A (iv) and (vi): *Category D.*
- Provided that an immigration certificate may be granted by the Chief Immigration Officer, at his discretion, to any near relative of a permanent resident who is wholly and directly dependent upon such permanent resident, notwithstanding that he may not fall within the definition of 'Dependent' in the Ordinance.



**EXECUTIVE COMMITTEE OF THE PALESTINE ARAB CONGRESS,
LETTER TO THE PERMANENT MANDATES COMMISSION, JERUSALEM, 9 MAY 1926**

The Executive Committee of the Palestine Arab Congress, representing the overwhelming majority of the inhabitants of Palestine, have repeatedly appealed to the Permanent Mandates Commission against injustices inflicted upon the Arabs of Palestine by the Mandatory, who, to our strong belief, perverted the true spirit underlying Article 22 of the Covenant of the League of Nations. The members of this Commission have patiently considered most of the complaints raised by our Committee, together with comments and refutations submitted therewith by the Mandatory. But when these complaints and comments thereupon were laid down for discussion by your venerable Commission, it was found that the Commission has allowed an accredited representative of the Mandatory to appear before it, defend the policy of his Government, condemn complaints and refute accusations brought against it by statements' that were either equivocal or inconsistent with facts. This procedure, which gave one party to the controversy the invaluable privilege to appear before the tribunal to defend his case during the obligatory absence of the other party, is rather a degraded novelty in the history of legal procedure.

This one-sided procedure, insisted upon by the Permanent Mandates Commission, gave this Committee an opportunity to invite the Commission to visit Palestine for the purpose of studying this case of

worldwide interest on the spot and thus sift and consolidate its information and evidence on the case in general; for it was perceived that it would be at last impossible for the Commission to give a final decision on a case by a one-sided enquiry. Although rejecting this sincere and just request, on the ground that it affects the dignity of the Mandatory, the Commission arrived at our conclusion by declaring, as a consequence of its discussions on our complaints with the accredited representative of the Mandatory in October 1925, that it was unable to give a decision based on documentary information that was refuted by one party or the other. This reasonable decision gave this Committee another opportunity to renew its request that the Permanent Mandates Commission would visit Palestine for the following purposes:

1. To ascertain the general complaints of this Committee submitted to it in 1924 and 1925.
2. To examine the complaint that the present economic conditions of Palestine are exceedingly unfavourable to Jewish immigration.

This Committee believes that such a visit and an exhaustive enquiry on the spot will not only be of immense help to the Commission in giving a final effective decision but would also be of great assistance to the Palestine Administration itself, which is now drifting amidst stagnation and corruption.

Meanwhile, this Committee would reduce its complaints to one general question pertaining to the application of the Covenant of the League of Nations and the mandate, with the hope that in this question the Commission would be able to give a just decision.

*Application of Article 22 of the Covenant of the League of Nations
and Article 3 of the Palestine Mandate.*

Article 3 of the Mandate for Palestine runs as follows: "The Mandatory shall, as far as circumstances permit, encourage local autonomy."

In accordance with Article 22 of the Covenant of the League of Nations, the mandate system was applied to Palestine, as to other countries "formerly belonging to the Turkish Empire which have reached a stage of development where their existence as independent nations can provisionally be recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone", in order to conduct its inhabitants to such political freedom as they have been deprived of under the Turkish regime. Thus it is clear, from both Article 22 of the Covenant of the League of Nations and Article 3 of the Mandate, that it is the foremost duty of the Mandatory to enlarge the sphere of political freedom in Palestine with the view of finally establishing an independent Government.

These fundamental provisions have been totally violated by the Mandatory of Palestine; for, instead of augmenting the political freedom enjoyed by Palestinians under the Turks, it had reduced them to the point of nullity. The Palestinian under the Turk elected his village representative, called Mukhtar, his Mayor and Municipal Council in town, the members of the Administrative Council, who administered the district under the presidency of the Governor, the members of the Common Council, who legislated for all questions relating to local affairs of the district, and finally his member of Parliament at Constantinople, where the general affairs of the Empire were freely discussed. Under the British mandate, the village representative is in practice appointed by the District Governor, the Mayor and the Municipal Council are appointed by the High Commissioner, the Administrative and Common Councils do not exist, and the Parliament is out of the question.

In order to cover these unanticipated actions, the Mandatory offered to Palestine the establishment of a Legislative Council, constituted of ten official British nominated members, two elected Jewish members and ten elected Arabs, under the presidency of the High Commissioner, who possessed a casting vote. Thus the Government officials in the Council together with the two elected Jewish members who form one party to the controversy form a majority of thirteen members against an Arab

minority of ten members. Moreover, the High Commissioner was given the power to veto any decision of the Council, the sphere of jurisdiction of which was very limited.

The inhabitants who have already enjoyed the privileges of a democratic system of government found this offer a very meagre substitution for all that they enjoyed under the Turks and so they rejected to co-operate with the Government on the basis of that proffered sham Constitution.

The Mandatory clings to the plea that an elected Legislative Council would lay the overwhelming majority of the members in the hands of anti-Zionist Arabs, who would oppose the Administration in applying such terms of the mandate that effect the establishment of a Jewish National Home. Although this Committee declares that, now and forever, any Arab of reason and love to his country in any territory of the Arabic-speaking countries is bound to oppose Zionism as being most detrimental to the Arab national cause, yet it does not find any weight in that plea of the Mandatory as long as it realises that fundamental questions underlying the general policy of the mandated territory fall within the jurisdiction of the League of Nations alone.

The unfounded fears of the Mandatory for the Zionist experiment are alienating the co-operation of the majority of the inhabitants and owners of the country and enhancing opposition, thus creating an inflammable political and poisoned economic atmosphere.

The Executive of the Palestine Arab Congress desire to urge that a national independent democratic government, in which Arabs and Jews would be represented in proportion to their numbers, should be established in Palestine.

The General Secretary, Executive Committee, Palestine Arab Congress: (Signed) Jamal HUSSEINI.



BRITISH GOVERNMENT, WHITE PAPER, NOVEMBER 1928 [EXCERPTS]

The Western or Wailing Wall formed part of the western exterior of the ancient Jewish Temple; as such it is holy to the Jewish community and their custom of praying there extends back to the Middle Ages and possibly further. The Wall is also part of the Haram al-Sharif; as such it is holy to Moslems. Moreover, it is legally the absolute property of the Moslem community and the strip of pavement facing it is Waqf property as is shown by documents preserved by the Guardian of the Waqf. The Jewish Community have established an undoubted right of access to the pavement for the purposes of their devotions but, whenever protests were made by the Moslem authorities, the Turkish authorities repeatedly ruled that they would not permit such departures from the existing practice as the bringing of chairs and benches to the pavement. It is understood that a ruling prohibiting the bringing of screens to the pavements was given in 1912.

The Palestine Government and His Majesty's Government, having in mind the terms of Article 13 of the Mandate for Palestine, have taken the view that the matter is one in which they are bound to maintain *status quo*, which they have regarded as being, in general terms, that the Jewish community have a right of access to the pavement for the purposes of their devotions, but may bring to the Wall only those appurtenances of worship which were permitted under the Turkish regime. Whenever the Moslem authorities have preferred complaints that innovations have been made in the established practice, and the Palestine Government on enquiry have satisfied themselves that the complaints were well-founded, they have felt it their duty to insist that the departures from practice which gave rise to the complaints should be discontinued.



**LETTER FROM BRITISH ARABIST JOHN PHILBY TO COLONIAL
SECRETARY LORD PASSFIELD, DAMASCUS, 21 OCTOBER 1929**

I arrived here two days ago and have been in close touch with certain leaders of the Nationalist Party, whose attention is a present focussed on developments in Palestine. I think therefore that it may interest you to have a private appreciation of the situation and I am taking advantage of your kind permission to write to you.

As you will doubtless have heard from official sources the Nationalists here had arranged a master demonstration for yesterday in protest against the latest regulations issued by the HC in respect of the Wailing Wall. The French disallowed the projected processions to the various Consulates and the demonstration was confined to a meeting in the great mosque, a minor procession which was broken up by the police, and an almost complete closing of all shops. There was no disturbance, but in the evening there was an important private meeting of the leaders of the Nationalists to discuss the policy to be pursued in view of the Arab congress arranged for the 27th. This meeting was attended by delegates from the Palestine Supreme Moslem Committee and may therefore be considered representative of all important elements.

Before these occurrences I had met some of the leaders and had impressed on them firstly the necessity of conducting their case peacefully and constitutionally and, secondly, the inadvisability in their own interests of making demands which the British Govt. could not possibly consider. I put it to them that the British Govt. was perfectly sympathetic towards the Arab and suggested that their best policy now would be to frame their demands with due regard to the other commitments of H.M.G. Their demands should represent a *quid pro quo* minimum and not a mere bargaining position; and I assured them that, if their demands were practical and reasonable, H.M.G. would never refuse to discuss them.

This morning a small deputation of leaders, including the chief delegate from the Palestine Committee, came to see me as the result of their discussions of last night. They explained to me that the coming Congress at Jerusalem could scarcely do otherwise than adopt certain resolutions of an extremist character if only as a sop to the multitude; and it would probably demand the abrogation of the Balfour Declaration, the abolition of the Zionist Agency and the modification of the Mandate, etc. They assured me however that such demands need not be taken too seriously if the British Govt. is prepared to discuss a reasonable settlement in the future interests of general peace and prosperity. They then handed me a written draft of what they consider a reasonable settlement might be. They had considered it very carefully and had excluded everything possible in their desire for a swift and permanent settlement. I cannot do better therefore than give you a literal translation of the document and I think you will agree that it provides a basis for serious consideration and it certainly represents the opinion of the best elements among the Arab leaders. An offer by the British Govt. to discuss a settlement on this basis can safely be guaranteed a favorable reception. The document runs as follows (it must not of course be treated as an official proposal by the Arab leaders):

- (1) Palestine to be ruled by a constitutional, republican Govt.
- (2) Legislative power shall vest in a representative assembly elected by direct or indirect voting and comprising Arabs and Jews in proportion to their numbers residing in the country, excluding absentees both from reckoning in the population and from the right of voting.
- (3) The executive administration shall vest in a Govt. responsible to the representative assembly and comprising Jews and Arabs in proportion as above.
- (4) The British High Commissioner shall watch all acts of the Legislature and Executive, and shall have a right of veto in respect of any decision inconsistent with the undertakings assumed by the British Govt. in the Mandate for Palestine relating to the rights of minorities and of foreigners and contrary to the interests of the country.
- (5) The High Commissioner shall have the right to maintain a staff of officials to assist him in the carrying out of his mandatory duties and functions.

- (6) The immigration of foreigners (particularly Arabs and Jews) shall not be forbidden, though the Palestine Govt. may limit the numbers of immigrants to the capacity of the country to absorb them in agriculture and industry.
- (7) There shall be no objection to the continuance of the Zionist Agency acting in an advisory capacity to the Palestine Government in matters affecting the interests of the Jews; and the Arabs shall have the right to set up a similar agency to protect the rights of the Arabs.
- (8) The High Commissioner shall remain responsible for the administration of public security until the national Govt. becomes fit to assume that responsibility; and he may transfer such responsibility to the national government in installments from time to time at his discretion.
- (9) The organic law shall be subject to revision and modification once every five years.

Such is the document. I hope it may help you in the problem, which confronts you, and you may be sure of Arab goodwill towards any proposal on such lines.



**ARAB DRAFT OF POINTS ON PALESTINE, PRESENTED TO JOHN PHILBY,
DAMASCUS, 21 OCTOBER 1929**

1. Palestine to be ruled by a republican, constitutional government.
2. At elected representative assembly, composed of Arabs and Jews in proportion to the numbers of Palestinian residents, will enact legislation and will approve the constitution.
3. A national government, responsible to the representative assembly and composed of Palestinian Arabs and Jews, shall exercise executive power.
4. The High Commissioner has the right to veto any regulation or law which conflicts with Britain's international obligations concerning the rights of minorities and foreigners and religious and civil matters. In case of disagreement, the whole matter will be submitted to the League of Nations.
5. The High Commissioner has the right to hire assistants to help him in his functions.
6. Foreigners, especially Arabs and Jews, will not be forbidden to immigrate to Palestine. However, the Palestine government has the right to limit the number which can be admitted annually and [to define] qualifications in accordance with the social and economic possibilities of the country.
7. There is no objection to the continuation of the Jewish Agency as a consultative authority for the interests which affect the Jews. The other groups have the right to establish agencies equal to it in their rights.
8. The High Commissioner will continue to be responsible for public security until the national government becomes capable of bearing responsibility for public security. The army will be under the control of the High Commissioner and its expenses will be [borne] by it. The police force will be under the control of the national government and its expenses will be [borne] by it.
9. The Hejaz Railway running through Palestinian land will be handed over to the Islamic *waqf* administration of Palestine; however, it must find an equitable settlement for the existing equipment among the other areas. The [Supreme] Muslim Council agrees to amalgamate its administration.
10. The national government pledges itself to freedom of religion.
11. The national government is bound by the public debts, expenses and agreements signed between the Palestine government and the neighboring countries.
12. These articles shall be revised once every five years.



**DR. JUDAH L. MAGNES. PRESIDENT OF THE HEBREW UNIVERSITY, PROPOSAL
FOR AN ARAB-JEWISH UNDERSTANDING IN PALESTINE, OCTOBER 1929**

- (1) Palestine is a land where both Arabs and Jews live of right and not of sufferance.
- (2) Palestine is to be recognised as an independent government as in Transjordan. The government of Palestine is to be democratic and representative. The British High Commissioner occupies the po-

sition of head of the State in a manner similar to the Governors General of the Dominions. He appoints and dismisses the Cabinet of Ministers who are responsible to the Legislative Assembly. The Cabinet includes Ministers for Agriculture, Education, Health, Commerce and Industry, Transport, Finance, Justice, Interior, and for Jewish Affairs. The last named is to cooperate with the Jewish Agency and to represent the interests of the Jewish National Home in the Cabinet.

- (3) Before Palestine's independence is to be declared, a treaty is to be made with Great Britain and a constitution is to be worked out. Both are to be ratified by the Palestine Legislative Assembly by a three quarter majority and by the League of Nations. The constitution can be amended only through a vote of three quarter of the Assembly and with the concurrence of Great Britain and the Council of the League of Nations.
- (4) The Assembly is to be elected by secret and equal vote of the citizens of Palestine over 20 years of age. All questions of the law of election are to be decided by a special commission. Palestine citizens above the age of 30 who can read and write can be voted for. One representative is to be chosen for each 15,000 of the settled population. A suitable representation of minorities is to be guaranteed in the electoral law as it is in the law of Transjordan. The High Commissioner is to appoint the representatives of the non-settled Bedouin population according to their numbers.
- (5) In the British Palestine Treaty and in the Constitution it is to be laid down that free immigration to Palestine of Jews and Arabs is to be granted dependent upon the economic capacity of the country. The regulation of Immigration is to be in the hands of a commission composed of 4 Arab and 2 Jewish members of the Assembly together with 3 non-Palestinian immigration experts to be appointed by the League of Nations.
- (6) Every immigrant has the right after a residence of two years within the last three years to acquire Palestinian citizenship. The granting of citizenship is not to be dependent upon the arbitrary decision of the authorities, but is a legal right of the applicant. In case of refusal he has a right of recourse to the courts and then to the High Commissioner.
- (7) The Arabic and Hebrew languages are the official languages of Palestine. Both languages have equal rights in the Assembly and in all Departments of the Central Government. In the District and local administration both languages are to be used, if there be in the district or community a minority of at least ten per cent. Both languages are to be used by government bureaus, for transactions by public bodies and in the courts and as a language of legislation and of all public declaration.
- (8) The Arabic and Jewish people in Palestine are to have cultural autonomy which extends over the whole school system and cultural life. The school system of each people is administered by a national Education Board. The Ministry of Education having only the right of coordination and technical supervision. Local communal School Boards are to maintain the elementary schools, while secondary schools are to be maintained by the National Education Boards. The State makes the necessary financial grants in aid. The object of the school system is to give free compulsory education to all boys and girls between the ages of 6 and 14.
- (9) Arabic and Jewish Palestinians are to be employed in all grades of the Government Service in proportion to their numbers in the population. Due regard being had to their qualifications. Non-Palestinians are to be employed on contract for only a given period and preference is to be given to British subjects. Every Minister and every District Administrator is to have a British Advisor who is to have a five years contract which can be renewed for periods of five years thereafter.
- (10) The conduct of foreign affairs, the representation of Palestinian interests abroad, public security within the country and at its frontiers are to be under the absolute and direct control of the British High Commissioner without the right of interference by the Legislative.
- (11) The British Palestine Treaty is to define the additional rights of Great Britain. They concern among other things the exclusive control of the Airways, the control of transport by rail and road and their proper repair, the control of harbours, the control of financial policy and the granting of concessions.
- (12) All laws require the signature of the High Commissioner before they become effective. This signature must be withheld if the law contravenes the letter or the spirit of the Constitution or the British Palestine Treaty. The Palestine Legislative has the right of appeal to the British Cabinet and from there to the League of Nations.

- (13) Similar to the Lebanon Palestine has no State religion. There is to be full religious freedom. All religious and all citizens have equal rights before the law and enjoy equal protection in all their legal transactions.
- (14) The sacred places of Christians, Mohammedans and Jews in Palestine are to be extraterritorialized. They are to be exclusively under the High Commissioner who is to be responsible for their administration to the League of Nations with the aid of definite religious bodies created for this purpose.
- (15) The entrance of Palestine into the League of Nations or its union with neighboring States are to be determined by a 3/4 vote of the Legislative with the consent of Great Britain and the League of Nations. In case of the Union the above mentioned constitutional principles will continue to remain in force as a constitution of the autonomous Palestinians Administration.



**LETTER FROM JOHN PHILBY TO COLONIAL SECRETARY LORD PASSFIELD,
CAIRO, 1 NOVEMBER 1929**

Since writing you my letter of October 21st from Damascus I have had a busy and interesting time at Jerusalem where I arrived on the 25th. It may be of interest to you if I give you the results of my sojourn there and I may say that I am the more encouraged to do so by the tenour of Mr. Lunn's recent statement on your behalf in the House of Commons to the effect that you are contemplating the calling of a round table conference of Arabs and Jews for the purpose of working out an agreed settlement. That seems to me to be the only method which holds any promise of success, and it seems essential that as a preparation for such a conference both parties should be induced by their friends to shed the extreme features of their respective claims. It is at any rate on those lines I have tackled my Arab friends, and an accident has intervened which bids fair to make my sowing perhaps more fruitful than I could have dared to hope.

On October 26th I spent the whole morning at the offices of the supreme Moslem Council in conversation with Haj Amin al Husaini, the Grand Mufti of Jerusalem, and a number of his chief lieutenants. I spoke to them on the lines of the draft proposals I sent you from Damascus, and the result was very encouraging. I found them fully disposed to meet the British Government half way by whittling down their extreme public demands (which of course for the time being they dare not publicly withdraw) to a practicable minimum. And in effect I found them quite prepared to consider something on the lines of the Damascus draft. That was all to the good and, as Jamal Bey al Husaini was on the point of going to England to represent the Arab Executive there in case of need, I gave him a letter of introduction to you and other friends in England and impressed upon him and the Grand Mufti the urgent necessity of adopting a moderate and reasonable attitude in discussing matters in England. Furthermore the Damascus draft was discussed in detail and certain modifications proposed, which I would have sent to you had it not been for the accident above referred to.

That same evening at my hotel I have the pleasure of making the acquaintance of the Near East correspondent of the New York Times, Mr. Joseph Levy, and of discussing the Palestine situation with him. We found ourselves substantially in agreement as to the practical steps now necessary for the permanent solution of the Palestine problem; and as a result of our talk he asked me to prepare a statement of my considered views for publication in his paper. To this I agreed and, as I was leaving next morning for Cairo, I sat down to the task at once and had completed my statement in the early hours of the morning. I handed it to him at 8 p.m. before leaving for the station, and the same evening I reached Cairo with no further thought of the matter and fully intending to leave for Jidda at the first opportunity. I merely assumed that my article would duly appear in the NY Times in a day or two.

Mr. Levy however was apparently so impressed with the possibilities of my scheme for a settlement that, without my consent and indeed without consulting me in any way, he showed my article to Dr. J.L. Magnes, the Principal of the Hebrew University; and he in turn showed it without disclosing its

authorship to various friends of his among the leading Jews of Jerusalem. The result was apparently sufficiently satisfactory to encourage Dr. Magnes to take up the matter seriously; and on the night of the 28th I was called up on the telephone from Jerusalem by Mr. Levy, who suggested that if possible I should at once return to Jerusalem for a discussion with Dr. Magnes. To this I agreed, and I left Cairo the following day, arriving at Jerusalem on the 30th and leaving again the day after.

The whole if [sic] the 30th I spent in vigorous discussion of a possible solution by agreement, partly with Dr. Magnes and Mr. Levy and partly with Haj Amin al Husaini and his friends. The result of discussion with Dr. Magnes was a draft scheme; and this I later submitted to Haj Amin for consideration and revision. The result is a final draft which I enclose herewith for your perusal in the conviction that an offer by the British Government on these or similar lines has a very good chance of acceptance by all concerned. I have no time at present to develop the matter further but am anxious that you should have our proposals without delay. I am leaving Cairo for Jidda in half an hour's time.

Hoping that some practical result may ensue [...]

Enclosure: Final Draft, dated 31 October:

- (1) Palestine shall henceforth be administered on a democratic constitutional republican basis.
- (2) Immigration to Palestine shall be free, especially to Arabs and Jews, subject to due regard for the interests of the country and its economic capacity to absorb such immigrants.
- (3) All legislative authority shall vest in a representative assembly elected by persons of Palestinian nationality resident in Palestine and comprising Arabs (Muslims and Christians) and Jews in proportion to their numbers in the population.
- (4) Any persons who has resided continuously for a period of not less than two years in Palestine is entitled to adopt Palestinian citizenship.
- (5) Executive authority shall vest in a Palestinian council of ministers comprising Arabs (Muslims and Christians) and Jews in the same proportions as above and responsible to the representative assembly for the administration of the country and adequate provision shall be made for the enlistment of Arabs and Jews for both senior and junior grades of the administrative services with due regard to their numbers and qualifications.
- (6) The High Commissioner shall remain responsible for the public security of the country until such time as in the opinion of the League of Nations the Palestine Government shall be capable of discharging such responsibility; and the armed forces in the country shall be under his direct control provided that the Palestinian Government may raise police forces for the purpose of the local administration, and such forces shall be composed of Arabs and Jews in proportion to their numbers and qualifications.
- (7) The High Commissioner, on behalf of the League of Nations, shall have a right of veto over any executive or legislative act of the Palestinian Government or representative assembly which is inconsistent with the proper exercise of its international obligations of the British Government or detrimental to the rights of minorities and foreigners or injurious to the peace and prosperity of the country; provided that the representative assembly or Government shall have a right of appeal to the Council of the League of Nations for the solution of any dispute.
- (8) The Jewish Agency shall continue to be recognised as a public body competent to advise and cooperate with the Palestinian Government in all matters affecting the interests of the Jews in the country; and the Muslim and Christian communities shall have the right to set up similar agencies with similar status and functions.
- (9) The Palestinian Government shall assume full responsibility for all debts and international treaties heretofore contracted.
- (10) These arrangements shall be subject to review and revision by the Council of the League of Nations at intervals of five years; and no basic alteration shall be made in them otherwise than by an unanimous vote of the Council of the League.



**KING FAISAL OF IRAQ, LETTER TO THE ACTING HIGH COMMISSIONER
FOR IRAQ PROPOSING A SOLUTION TO THE PALESTINE PROBLEM,
BAGHDAD, 8 DECEMBER 1929 [EXCERPTS]**

I wish first of all to express my sincere thanks to His Majesty's Government for their having so kindly asked for any observations that I may have regarding Palestine, in view on the one hand of the strong friendly relations which bind me with His Majesty and His Government and people and the considerable interest which we hold in common, and on the other hand of the racial and religious tradition and relations which bind me with the Arabs of Palestine. [...]

4. It appears to me that any possible solution should be sought for in the actual pledges made, or more correctly in a definition of these pledges, the determination of the extent and limit of their application, and the manner and possibility of giving effect thereto.

I believe that, but for the pledge made to the Zionists, there would have been no need for a discussion of the pledges given to the Arabs, because the latter are natives of the land and the Declaration of 1918 can bear no misconstruction or argument. In this question, there is no difference between the people of Palestine and those of Syria and Iraq where the Arabs are urging England and the Allies to give effect to that declaration which was the last pledge made to them, and reject any other action.

As regards the Zionists, they claim that the Balfour Pledge makes Palestine a national home for them. While claiming this the Zionists declare, notwithstanding their being a minority, that the object of that (pledge) is the establishment of a purely Jewish Government in which nobody else shall participate. We find that they take no account of any other race even a race which possess a crushing majority, and has been settled in the country for hundreds of years and holds the same sacred promises and pledges as they themselves claim to hold.

In short, the Arabs deny that which the Jews possess and the Jews deny that which the Arabs possess, and each party gives the widest interpretation possible to what it has received, and His Majesty's Government find themselves confronted with two conflicting claims. Extrication from this impasse can be effected only by reversion to the pledges responsible for the creation of this troubled situation and by interpreting it [sic] in such manner as will enable the determination of its [sic] scope and of the manner of giving effect to it [sic].

5. His Majesty's Government have on many occasions declared that by using the expression "National Home", they did not intend to expel the Arabs, at once or gradually, from their home and replace them by the Jews, with the object of establishing a purely Jewish Government in Palestine, but that they only intended to find a place of refuge for the Jews who were despised in the various countries of the world, in order that if any Jew wished to emigrate he might find for himself a place in which he could take shelter and reside.

If the object of the Declaration, both in spirit and letter, be as indicated above, I can see no great obstacle to prevent an understanding.

6. Assuming the case to be as above, what are the solutions that may occur to the mind for dealing with this new situation?

In the first place, the Arabs should not call upon His Majesty's Government to cancel the Balfour Pledge, as this is not easy for His Majesty's Government to do. Similarly His Majesty's Government should not call upon the Arabs to recognise the Balfour Pledge, as this is likewise not easy for the Arabs to do. The Arabs believe that such recognition will doom their future to destruction. Therefore, Britain should give the Jews plainly to understand that they should not claim more than

is contained in the British declaration together with the interpretation to be appended to that declaration; and the Jews should accept this whether they are satisfied or not.

7. I may now set forth the solutions which occur to my mind. They are three in number, viz.:

First. Syria, Palestine and 'Iraq to be unified and made a national home for the Semitic race, both Arab and Jews, with due regard, from the international political point of view, to the Sykes-Picot Agreement, as far as circumstances will permit. I admit that this solution is very far reaching and complicated (or difficult) but it is based on a lofty principle which may prove very beneficial for humanity if minds and efforts, coupled with good intention, cooperate in preparing the way for it and in its realisation.

Second. Transjordan and Palestine to be unified and a treaty concluded on the basis mentioned in the third solution. This is less difficult than the first.

Third. A National Government to be set up within the present boundaries of Palestine. This I think is the nearest approach to an ideal solution and the most easy of accomplishment. It should not prove difficult to bring about an understanding in this way; provided that an Anglo-Palestine Treaty is concluded on the following lines:

- (a) A national government to be set up in accordance with the wishes of the inhabitants.
- (b) Both parties to be silent as regards the Balfour Pledge.
- (c) Immigration to be restricted and a maximum fixed thereto subject to the extent to which economic conditions may permit.
- (d) The nationality of immigrants not to be stated. Acquisition of Palestinian nationality and the enjoyment of "public rights" to be made conditional on residence for a period of one or two years as necessary.
- (e) Following naturalization an immigrant should sever relations with the country from which he has emigrated.
- (f) The Holy Places of the various religions to remain under the control of the representative of His Majesty's Government.
- (g) Certain reservations (or safeguards) to be provided for on the lines of those contained in the Anglo-'Iraq Treaty.

8. The foregoing is a summary of my views regarding future policy in Palestine. As regards the remedying of the present situation arising from the Wailing Wall question, I consider it advisable that His Majesty's Government should create an opportunity for directly interested Moslem nations, especially the Arabs, to send representative to give their opinions on the solution of this question. In any case, I myself would not fail to render any service for the purpose of facilitating what has been mentioned above, should His Majesty's Government find that agreeable.



REPORT OF THE COMMISSION ON THE PALESTINE DISTURBANCES OF AUGUST 1929 (SHAW COMMISSION), MARCH 1930 [EXCERPTS]

(The British-appointed commission - led by Sir Walter Shaw (hence the name) - was to investigate the Hebron and Al-Buraq/Wailing Wall disturbances. The Shaw Report, published in March 1930, concluded that Palestinian violence was a result of their fear of the Zionist immigration and land purchases and recommended limitation to both. (The subsequent Hope-Simpson Commission came to the same conclusion and both led to the issuing of the 1930 'Passfield' White Paper recommending the restriction of Jewish immigration - see below for both documents). The following are quotes from the Shaw Commission Report).

There can, in our view, be no doubt that racial animosity on the part of the Arabs, consequent upon the disappointment of their national political aspirations and fear for their economic future, was the fundamental cause of the outbreak of August last. [...]

A National Home for the Jews, in the sense in which it was widely understood, was inconsistent with the demands of Arab Nationalists while the claims of Arab Nationalism, if admitted, would have rendered impossible the fulfillment of the pledge to the Jews. [...]

To the Arabs it must appear improbable that such competitors will, in years to come, be content to share the country with them. These fears have been intensified by the more extreme statements of Zionist policy and the Arabs have come to see in the Jewish immigrant not only a menace to their livelihood but a possible overlord of the future. [...]

Their position is now acute. There is no alternative land to which persons evicted can move. In consequence a landless and discontented class is being created. [...]

We consider that the political and economic grievances of the Arabs, as explained to us in evidence, must be regarded as having been immediate causes of the disturbances of August last.

But even if this were not our view [they added] we should have been bound to examine those grievances in the light of the second part of our task, since it is clear that recommendations, even when most carefully considered and most thoroughly applied, could not, unless they went to the root of the matter, succeed in avoiding a recurrence of the recent unfortunate disturbances. [...]

[Arab opposition to Jewish immigration was] well-founded in that it has its origin in the known results of excessive immigration in the past and that, given other and more immediate causes for disturbance, that feeling undoubtedly would be a factor which would contribute to an outbreak. [...]

We are only concerned with the land-problem is so far as an examination of it was necessary to enable us to estimate the extent to which the difficulties involved in it were either a contributory cause to the recent disturbances or are likely to be a cause of disturbance in the future. But for this purpose such an examination was clearly essential. We think that a continuation, or still more an acceleration, of a process which results in the creation of a large discontented and landless class is fraught with serious danger to the country. If it be accepted that the conversion of large sections of those who are now cultivators of the soil into a landless class be, as we think, not only undesirable in itself, but also a potential source of disturbance, it is clear that further protection of the present cultivators' position and some restriction on the alienation of land are inevitable. The "Protection of Cultivators" Ordinance of 1929 does nothing to check the tendency to which we have referred. The mere provision of compensation in money may even encourage it. [...]

The Arabs argue that if these proclamations and appeals did not constitute a pledge, they were a deception practiced in the moment of her need by a great nation upon the credulity of a trusting and confiding people. They aver that if they had suspected that the policy of Great Britain was, or would be, to create a National Home for those whom they regard as an alien race in the country in which they have lived for 1,300 years, they would not have taken the action they did or have incurred the risks inseparable from it. [...]

As late as June 1918 active recruiting was carried out in Palestine for the Shereefian army, our allies, the recruits being given to understand that they were fighting in a national cause and to liberate their country from the Turks. These men, it is believed, actually took part in the offensive against the Turks. The tendency of the evidence is to show that in spite of the fact that nothing had been said about Palestine being included in the Hedjaz Empire and the fact that the Balfour Declaration had

been published in 1917, the real impression left upon the Arabs generally was that the British were going to set up an independent Arab State which would include Palestine. [...]

It has been argued before us that the Arab *fellah* takes no personal interest in politics and that the present state of popular feeling, which in every village and in most country districts finds its expression in such cries as "Down with the Balfour declaration" and in demands for a national government, is the result of propaganda promoted artificially and for personal ends by men who wish to exploit what may be, as far as they are concerned, quite genuine grievances.

The contention that the *fellah* takes no personal interest in politics is not supported by our experience in Palestine. No one who has been about the country as we have been and has listened to the applause which greeted many passages in the addresses read to us by village heads and *sheikhs* could doubt that villagers and peasants alike are taking a very real and personal interest both in the effect of the policy of establishing a National Home and in the question of the development of self-governing institutions in Palestine. No less than 14 Arabic newspapers are published in Palestine, and in almost every village there is someone who reads from the papers to gatherings of those villagers who are illiterate. During the long season of the year when the soil cannot be tilled the villagers, having no alternative occupation, discuss politics, and it is not unusual for part of the address in the mosques on Friday to be devoted to political affairs. The Arab *fellaheen* and villagers are therefore probably more politically minded than many of the people of Europe.

We are not prepared to say that there is no truth in the argument that the increased interest which the *fellaheen* of today are unquestionably taking in political and constitutional issues is the result of propaganda. Opposition to the present policy is the very foundation of the political creed of the Palestine Arab Executive; the members of that body have made no secret of their beliefs and it would not be unnatural were they to seek to convince fellow-countrymen of their own race that the present policy is inimical to Arab interests. We have no reason to doubt that in the prosecution of their demand for self-government the Arab leaders, as a whole, have been inspired by a genuine feeling of patriotism; some few may desire a return to the days of a corrupt regime, but of that there is no evidence. We are therefore unable to accept the contention that propaganda on the constitutional issue has been fostered by the leading Arab politicians with the motive of gratifying personal ambitions or of attaining personal ends.

The position today is that the Arab people of Palestine in their demand for representative government. This unity of purpose may weaken but it is liable to be revived in full force by any large issues which involve racial interests. It is our belief that a feeling of resentment among the Arab people of Palestine consequent upon their disappointment at the continued failure to obtain any measure of self-government ... was a contributory cause to the recent outbreak and is a factor which cannot be ignored in the consideration of the steps to be taken to avoid such outbreaks in the future. [...]

It is not possibly by summary or by quotation to indicate either the purport of the statement or the extent to which Mr. Churchill denied the meaning of the Balfour Declaration. We therefore reproduce his statement in Appendix V to this Report.

Within its limits the statement is clear and explicit but, as we read it, it was designed as a corrective to the aspirations entertained among certain sections of Jewry rather than as a definition of the rights of the non-Jewish sections of the community in Palestine.

In our view it would be of great advantage if His Majesty's Government were to issue some more positive declaration of the meaning which they attach to the second part of the Balfour Declaration, and to those provisions in the Mandate which, being based upon that part of the Declaration, provide for the safeguarding of the rights of the non-Jewish communities in Palestine.

We should further urge that in the interests alike of all sections of the people of Palestine and of the local Administration, His Majesty's Government should define with unequivocal clearness the meaning which they attach to the Balfour Declaration as a whole, and should state with equal clarity the course of policy which they intend to be pursued in that country in the future. [...]

Recommendations

- (a) The issue of a clear statement of the policy which His Majesty's Government intend to be pursued in Palestine...with the least possible delay," including a definition of the meaning of the passages in the Mandate which purported to safeguard the interests of the "non-Jewish communities.
- (b) A revision of the methods of regulating immigration to prevent a repetition of the excessive immigration of 1925 and 1926 and to provide for consultation with non-Jewish representatives with regard to it.
- (c) The initiation of a scientific expert inquiry into the prospects of introducing improved methods of cultivation in Palestine and the regulation of land policy in accordance with the results.
- (d) A re-affirmation of the statement made in 1922 that the special position assigned to the Zionist Organization by the Mandate does not entitle it to share, in any degree, in the government of Palestine. [...]



**SUGGESTIONS BY H.M. KALVARYSKI OF THE JEWISH COLONIZATION
ASSOCIATION FOR A PLATFORM FOR A JUDAEO-ARAB ACCORD, 4 AUGUST 1930**
[EXCERPTS]

I therefore propose a general Judaeo-Arab Covenant on the following foundations:

- 1) The two Semitic races, Jews and Arabs, undertake to help one another in all spheres of human endeavour, economic, social and cultural.
- 2) The Arabs welcome their Jewish brethren returning to the East, their ancient Homeland, and throw open the gates of their extensive territories to Jewish immigration.
- 3) In consideration of this Jews will do their utmost in giving their resources, energy and experience towards the development of the Semitic East, and towards its progress to a great future.
- 4) In all the Oriental lands where Jews will reside, they will have the same rights accorded to national minorities in the more advanced European [countries], e.g. Czechoslovakia, etc.
- 5) In view of its past and its association to the two Semitic peoples and to the three faiths, Palestine will form an autonomous unit with a special Constitution. That Constitution will postulate the formation of Palestine into a uni-racial but not uni-national Territory, which will belong not to one or another of the Semitic races, but to both of them jointly and equally irrespective of which of them forms the majority and which forms the minority at any given time.
- 6) Within the boundaries of this Territory the Hebrew language shall have equal rights with the Arab[ic] language. Jewish culture and Arab culture shall develop side by side in perfect and undisturbed harmony.
- 7) The Jews shall declare that they have no intention of dominating anyone in Palestine nor of hampering the development of Palestinians other than Jews, but they will desire that no one shall dominate them or hamper their own development.
- 8) The Jews shall undertake not to dispossess their Arab Fellah nor prejudice the rights of the Arab workman. So far from their entertaining any such intentions, the[re] will be a great cultural effort, [an] endeavour to improve the deplorable conditions of the Fellah and [they] will offer the Arab workman employment where he has had none before. So far, the country at large and the Arabs in particular have benefitted directly or indirectly from Jewish Immigration. In future, Jewish organizations will have to be established with a view to enhancing the indirect of the Arabs in Jewish activity.

- 9) The Jews undertake not to oppose [the] National aspirations of the Arabs. Should a Federation of Arab States be formed in the Near East, Palestine could form part of this Federation because nothing will add more happiness to the Jew than the glory and regeneration of the Semitic race.

The above are the main clauses of an Accord upon which the Judeo-Arab Covenant must be based. They form only a nucleus Covenant to which other clauses may be added but from which nothing may be deducted.

The dangers to which the Arabs are allegedly exposed as a result of Jewish work is imaginary, not real. The penetration into Semitic countries in general and into the Palestine in particular of a Semitic race will result in no danger to the Arabs. On the contrary, it will contribute to its vigour and add to its inherent strength. We Jews shall not thrust ourselves an alien growth upon the body politic of the Arabs, as many extreme nationalists believe, but we shall form a beautiful ring in the chain of the United Arab Confederation. The Arab Confederation does not alarm us. Therefore, the sooner the Covenant is signed between us, the better for all of us, for us Jews as well as for you Arabs.

The present fraternal strife now [r]aging between us is ruinous to us as well as to you. Our heart goes out to the many innocent victims [who] fell last year on both sides. Will there be an abatement of this bloody strife? In my view the time is ripe for a truce to be declared, for a hand of peace to be extended by one side to the other. Some of the friends of the Arabs protest that the Jews stand in the way of Arab Constitutional development and prevent them from securing a Legislative Assembly, a handicap which is prejudicial to the interests of the people. To these protestations I shall counter by saying that time was when we Jews were anxious to have a Legislative Assembly and you the Arabs refused to have it for various reasons. Now the tables have been turned. Is it any wonder? I think that in the present circumstances there is little wonder that the Jews have grown apprehensive. But I believe that even on this issue an agreement may be reached provided there is mutual understanding. I admit that a Legislative Council may prove of considerable benefit to the country if it conducts its work in a manner beneficial to all the people of this country, to its present as well as to its future population, but it can be a dangerous instrument if it conducts its work in a manner beneficial to one section only of the population. It can prove of invaluable benefit if it admits a full equality in the rights of the two races, but it will result in considerable injury if its promoters live up to the statement of one of their leaders before the Shaw Commission: "We have not protested at the Seventh Congress (1928) at the Balfour Declaration, neither have we asked for its cancellation, because we have insisted on the establishment of a Parliament, which amounts to the same thing." The Arabs had better know that no Jews could concur in a Parliament which would invalidate the Balfour Declaration. But the truth is that those who have recommended at the Seventh Congress that the Arabs should neither protest against the Balfour Declaration nor ask for its cancellation have not sought to deceive anyone. I know them well as [men] of honesty and integrity. They have deplored and bemoaned the internecine strife that has been going on between the two parties and are anxious to form a bridge between the two Semitic races. It is with regret that I have to state that neither party was quick to seize the extended hand of peace, and meanwhile we have had the Wailing Wall issue which has resulted in many innocent casualties on both sides. The time has come for a proper appreciation [of] the situation and for each party to declare openly [what] it believes. I say: Jews are not opposed to a Legislative Council. In our present situations as a minority in the country, we are not unmindful of the many handicaps of such an Institution to the Jews. Nevertheless, we should not oppose it if we are given adequate guarantees that it will not be abused with a view to hampering the Development of the National Home in Palestine. That is - for the time being. And if after the lapse of a certain period of co-operation in the legislative Forum and in the political life of the country we are satisfied that you have no intention of restricting our development and we are convinced that the Legislative Assembly will prove of benefit to the two races alike, I am confident that we shall aim at an even greater measure of political cooperation with a view to widening the platform of joint political endeavour in the country.



**PALESTINE - REPORT ON IMMIGRATION, LAND SETTLEMENT AND DEVELOPMENT
BY SIR JOHN HOPE SIMPSON, PRESENTED BY THE SECRETARY OF STATE FOR THE
COLONIES TO PARLIAMENT BY COMMAND OF HIS MAJESTY, 1 OCTOBER 1930
(PUBLICIZED 21 OCTOBER 1930) [EXCERPTS]**

*[The Commission was formed by British PM MacDonald in Oct. 1930 as a second commission (after the **Shaw Commission**, see above) to investigate the Palestinian 1929 uprisings and the question of Zionist immigration and settlement. Led by Sir John Hope-Simpson, it focused on the economic absorptive capacity of Palestine and recommended that Jewish immigration and land purchase should be restricted as it caused a growing population of landless Arabs and threatened their (agricultural) development. The recommendations were adopted by the **Passfield White Paper** (see below).]*

To The Secretary of State for the Colonies,

MY LORD

In accordance with Your Lordship's instructions I proceeded to Palestine in order to examine on the spot the questions of immigration, land settlement and development on which you desired that I should report.

I reached Jerusalem on 20th May, 1930, and at once commenced my enquiry. I was in constant consultation with the High Commissioner, who was thereafter kept in touch with the enquiry as it proceeded.

2. Much information has been obtained from official sources, and, in addition, both Arab and Jewish authorities and organisations have been consulted. Material has been obtained from the most varied sources, and has often been volunteered. In addition, as many tracts and villages of Palestine have been visited as the time available permitted. On Map No. 1, attached to the Report, both the tours and inspection of the villages visited are marked.*⁶
3. In addition to local enquiry in Palestine itself a visit was paid to TransJordan, where the British Resident, Lieutenant Colonel C. H. F. Cox, C.M.G., D.S.O., very kindly arranged a tour throughout the northern part of the territory. His Highness the Emir of TransJordan also accorded to me the favour of an interview.
4. I desire to acknowledge invaluable assistance received in many quarters. The High Commissioner, Sir John Chancellor, G.C.M.G., G.C.V.O., D.S.O., and Sir Spenser Davis, C.M.G., Officer Administering the Government after the departure of Sir John Chancellor, afforded me every possible help, and in consultation the benefit of their knowledge and experience. I had access to the records of all Departments of the Government. The enquiry inevitably entailed upon them heavy additional work, and I express my sense of the obligation under which the Heads and staffs of those Departments have placed me by the information which they collected and supplied.

The Supreme Moslem Council and the Arab Executive gave valued aid in the enquiry. Specially I am indebted to Jamal Effendi Husseini, who accompanied me on tours in some of the Arab villages.

The Jewish Agency supplied a very large amount of information on every subject investigated. I record my gratitude specially to Dr. Kuppin, whose aid was invaluable, and to Mr. Victor Kohn, of the P.I.C.A. These gentlemen arranged my tours through the Jewish settlements.

Dr. Wilkansky, of the Agricultural Experimental Station at Tel Aviv, not only placed his large technical knowledge of agricultural matters at my disposal and accompanied me on some of my tours, but has placed me under a particular obligation by allowing me to use the proofsheets of his book, which is about to appear, on "The Fellah's Farm".

⁶ * See Note on page 3.

Air Commodore Playfair, M.C., very kindly arranged for an aerial test survey of the Hill Districts for the purposes of my enquiry. It has been a deciding element in the conclusions which have been reached. To him and the members of the Air Force who carried out the survey, my very sincere thanks are due.

Special recognition is also due to Mr. C. H. Ley, O.B.E., Director of Surveys, and his staff, who not only did a large amount of work in determining the areas but also prepared special maps which are attached to this report.

It is impossible to acknowledge in detail the innumerable sources from which help was drawn. It may be said generally that all concerned united to make my enquiry as complete as was possible in the time at my disposal.

I acknowledge with thanks the courtesy of the "Geographical Review", published by the American Geographical Society of New York, and of Dr. Strahorn, in generously permitting me to use the soil map appended as Map No. 4*⁷ to the report.

Finally, I desire to record my deep obligation to Mr. Maurice C. Bennett, who served throughout as my secretary and accompanied me to Athens, where the report was written, and to Mr. C. L. Horton, my assistant secretary. Had it not been for the devoted service and untiring labours of these two gentlemen, the report could not possibly have been prepared by this date.

I now forward for your Lordship's information the Report on the matters included in the terms of reference.

I have, etc.,

J. HOPE SIMPSON. 22nd August, 1930.

NOTE. The maps referred to in this Report, with the exception of No. 3 (not reproduced), will be published later in the form of an Appendix to this Command Paper. [...]

CHAPTER I. PALESTINE: THE COUNTRY AND THE CLIMATE.

The total area of Palestine.

Palestine is a small country generally stated to be about the size of Wales. There have been many estimates of its size and varied statements and arguments based thereon. The size of Palestine, and especially the cultivable area of the country, are so highly relevant to the matters under enquiry and to the deductions which must be made, that it is necessary to examine the more important of the statements and the estimates with some care.

The "Handbook of Palestine" prepared by Messrs. Luke and Keith Roach, puts the total area at 10,000 sq. miles, practically 26,000,000 metric dunams. The Report of the Experts submitted to the Joint Palestine Survey Commission (p. 18) recorded 8,800 sq. miles. They do not offer any information as to the authority for this figure.

On May 20th, 1925, a statement was made by Lord Stanhope in the House of Lords, which has frequently been quoted as authoritative. In that statement he said that the total area of Palestine was approximately 27,000,000 Turkish dunams; this is equal to 8,528 sq. miles.

On July 4th, 1927, the Chief Secretary of the Palestine Government wrote a letter (No. 10,56627) to the address of Dr. Ruppin, Head of the Colonisation Department of the Zionist Organisation, in which he said that the total area of Palestine was 9,570 sq. miles.

* See Note on this page.

The Statistical Abstract for 1929 published at Jerusalem by the KerenHayesod (Palestine Foundation Fund) records the area as 10,170 sq. miles.

Finally, the Director of Surveys in Palestine reported to the Commissioner of Lands in July, 1929, that, excluding the BeerSheba subdistrict and the southern desert, the area of the rest of Palestine was 13,760,000 dunams, and that the area of Beersheba subdistrict and the southern desert was 12,398,000 dunams, making the total area of Palestine 26,158,000 dunams or 10,100 sq. miles.

In forwarding this estimate to the Chief Secretary the Commissioner of Lands wrote:

"... I would emphasise in the first place that pending completion of the topographical cadastral survey, any estimates submitted of the cultivable and uncultivable areas of Palestine can be little more than guesswork based on insufficient data."

On the 20th July, 1930, the Director of Surveys forwarded to me the revised area estimate, and wrote in his letter:

"...The estimate for Beersheba is quite unreliable, and any figures must be misleading, since we have no sufficient data and what can be done there in cultivation is entirely dependent on a most unreliable rainfall."

It may be accepted that the total area of Palestine is in the neighbourhood of 10,000 sq. miles. The question of the cultivable area of the country will be discussed later in this Report.

The Natural divisions of Palestine. The natural divisions of the country are:

- (a) The hill country of Galilee and Judea.
- (b) The five plains, including that lying in the rift which contains the Jordan Valley and which, from the north of Lake Tiberias to the Dead Sea, is actually below the level of the Mediterranean.
- (c) The Beersheba area, different in character and population from the rest of the country.
- (d) The desert areas.

The Survey Department has prepared a map showing these divisions of the country. It is appended to this Report as Map No. 2.*⁸

(a) THE HILL COUNTRY.

Area.

The area of this tract is estimated by the Commissioner of Lands at 8,064,000 dunams, of which 5,376,000 dunams are cultivable. The area classified as cultivable was admittedly guesswork, the Commissioner of Lands having accepted that of the total area, two-thirds only were cultivable and one-third uncultivable. By the courtesy of the Officer Commanding the Air Force, a test photographic survey of the Hill country was made for the purpose of this enquiry. The area so surveyed, which covered about one-tenth of the Hill country, is shown in blue lines on Map No. 2 attached to this report. This survey established that the cultivable area of the hills was not, as had been assumed, 66.6 per cent., but only 40 per cent. The photographs of the aerial survey have been very carefully examined by the Director of Surveys in the latest estimate submitted, which is by far the most reliable estimate hitherto prepared of the hill country in Palestine. It records the total area, including the Hill Wilderness, as 8,862,000 dunams, of which nearly 2,450,000 dunams are cultivable. Excluding the Hill Wilderness the inhabited Hills are estimated at 6,124,000 dunams. The difference between the figures quoted by the Commissioner of Lands and those of the Director of Surveys, whether the Wilderness is included or omitted, is very large.

⁸ * See Note on page 3.

The estimate of the Director of Surveys, based as it is in part on results obtained by aerial survey, will be accepted for the purpose of this Report.

Soil and Agriculture.

The cultivated land in the Hills varies very largely both in depth and quality of the soil. In the valleys there are stretches of fertile land, which will grow sesame as a summer crop. On the hillsides the soil is shallow and infertile, and the extent of land hunger is evident from the fact that every available plot of soil is cultivated, even when it is so small that the plough cannot be employed. There cultivation is carried on with the mattock and the hoe. The harvest of such plots, even in a favourable year, is exceedingly small in general it seems doubtful whether such cultivation can pay. On the other hand, even the most rocky hillsides support trees, especially olives, and if capital were available, many of the cultivators of these exiguous and infertile plots would be able to gain a livelihood by cultivation of fruit trees and of olives. These cultivators have, However, no capital, and cannot afford to forgo even the meagre crops obtained, for the four or five years which are required before fruit trees render a return. In the case of the olive, the period before a return may be expected is much longer.

Irrigation.

There is little irrigation in the hill country. Here and there are springs which afford a supply for the irrigation of a small area, but, taken as a whole, the country is arid and the crops depend on rain. It is possible that a hydrographic survey might disclose further water supplies, and scientific treatment might also improve the yield from existing springs. It is stated that during the War the Engineers of the Army of Occupation were able very largely to increase the supply from springs in certain places.

Development.

In the best case, however, it is impossible that the general character of the cultivation in the Hill country can be radically changed, except in so far as fruit can be made to replace grain. Something might be done to improve the soil and to reform agricultural methods, were capital available. The use of manures and provision of better seed would doubtless result in some improvement of the yield. But from the point of view of agriculture, the Hill country will always remain an unsatisfactory proposition.

(b) THE FIVE PLAINS.

1. THE MARITIME PLAIN.

Character.

A reference to Map No. 2 will show that the Maritime Plain is taken to be the area between the coast and the hills up to the 150 metre contour, running from Eafa in the south up to Haifa in the north. Ordinarily the Maritime Plain is treated as running from Rafa to RasenNaqura, on the Syrian border. The reason for the present division lies in the difference in the class of soil of the plains north and south of Haifa. The latter portion of the plain is the tract which contains the great mass of windblown sand, so suitable for orange cultivation. The former is in the main a heavy black soil quite unsuited for oranges.

The Maritime Plain as shown in Map No. 2 is estimated by the Director of Surveys to extend to 3,218,000 dunams, of which 2,663,000 dunams are cultivable. This estimate agrees very closely with that made by the Experts and printed on p. 22 of their Report to the Joint Palestine Survey Commission. They record the cultivable areas:

- Irrigable 2,251,500 dunams
- Nonirrigable 410,000 dunams

giving a total of 2,661,500 dunams. It is true that they estimate the noncultivable area at a higher figure than that adopted by the Director of Surveys. It is not clear how they calculated this area. In any case the difference has no great importance, for in the uncultivable area no question of development arises.

2. THE ACRE PLAIN.

Area.

This is the coastal plain lying north of Haifa and running up between the sea and the hills as far as the Syrian border. Its total area is given by the Director of Surveys as 550,000 metric dunams, 379,000 of which are judged cultivable.

These figures differ materially from the analogous figures recorded by the Experts. In the Report of the Experts on p. 22, this plain is divided into the plain north of Acre and the Haifa-Acre plain. The total area of the two amounts to 183,000 Turkish dunams, i.e., 168,000 metric dunams. The cultivable area is shown as 103,000 Turkish dunams, i.e., 94,500 metric dunams. The cultivable area is also shown as all irrigable. It is not known whence the Experts obtained the estimate included in their Report.

Character.

This plain is in the main composed of an alluvial deposit, rather heavy in character. There is a small area of windblown sand suitable for plantations, but, generally, the type of developed cultivation will be mixed farming with irrigation. There is ample water from springs and streams. A large area in this plain is held by the Bayside Land Corporation a Jewish corporation.

Haifa Harbour.

The future of this tract will be advantageously affected by the construction of the Haifa Harbour. Work is already in progress and is advancing rapidly. The harbour will greatly assist the development of the export trade in oranges, and perhaps other agricultural products. It is understood that the question of the pipeline from Iraq is not yet decided, and that there are hopes that it may be constructed to Haifa. If this development occurs the Acre Plain will of course benefit still further.

3. THE VALE OF ESDRAELON.

Area.

In the division of the plans made by the Director of Surveys and included in Map No. 2, the Vale of Esdraelon has been separated from the Valley of Jezreel, the latter being included with the lands of the plain of the Jordan. The total area of the Vale is reported as being 400,000 metric dunams, of which 372,000 metric dunams are cultivable. Dr. Strahom, in his report on soils, printed in the Experts' Report, records, on p. 151, that the Plain of Esdraelon has an area of 475,800 Turkish dunams, i.e., 437,400 metric dunams. This is not very far removed from the estimate made by the Director of Surveys.

Fertility.

The evidence as to the fertility of the Vale of Esdraelon and the state of its prosperity in the hands of the Arabs, before the extensive purchases made by the Jews, is conflicting. In his report⁹ on the administration of Palestine, 1920/25, at p. 35, Sir Herbert Samuel wrote:

"...The whole aspect of the valley has been changed. The wooden fauts of the villages, gradually giving place to redroofed cottages, are dotted along the slopes; the plantations of rapidly growing eucalyptus trees already begin to give a new character to the landscape; in the spring the fields of vegetables or of cereals cover many miles of the land, and what five years ago was little better than a wilderness is being transformed before our eyes into a smiling countryside..."

On the other hand, Dr. Strahorn writes in his report, p. 152:

"...Up to within recent years the land was cultivated from the Arab villages, located round the rim of the Plain. Cereals together with minor garden areas around the villages constituted the Arab cropping system. In very recent years considerable areas of land have passed under the

⁹ * NonParliamentary Publication (Colonial No. 15, 1925).

control of Jewish colonies and villages; gardens and orchards are now dotting the former expanse of grainfields..."

Results of Jewish Settlement.

The results of Jewish colonisation of the Vale of Esdraelon are varied. In some villages there are clear signs of success; in others, the opposite is the case. The village of Afuleh, which the American Zionist Commonwealth boomed as the Chicago of Palestine, is a sea of thistles through which one travels for long distances. A plague of field mice, which has done extensive damage to both Jewish and Arab cultivation in the Vale during the present year was officially stated to be due to the fact that 30,000 dunams of the land held by the Jews are derelict and covered with weeds. It is also a fact that in a number of villages the tithes paid by the Jews are considerably below those paid by the Arabs who formerly cultivated those villages.

Its Past. It is a mistake to assume that the Vale of Esdraelon was a wilderness before the arrival of the Jewish settlers and that it is now a paradise. A very large amount of money has been spent by the various Jewish agencies, and great improvements have been made. The work that has been done, especially in the direction of drainage and the introduction of new and improved methods of agriculture is highly valuable. There can be little doubt that in time, the application of capital, science, and labour will result in general success. It is, however, unjust to the povertystricken fellah' who has been removed from these lands that the suggestion should continually be made that he was *a* useless cumberer of the ground and produced nothing from it. It should be quite obvious that this is not the fact.

In ancient times Esdraelon was the granary, and by the Arabs is still regarded as the most fertile tract of Palestine. The soreness felt owing to the sale of large areas by the absentee Sursock family to the Jews and the displacement of the Arab tenants is still acute. It was evident on every occasion of discussion with the Arabs, both effendi and fellahin.

Soils.

The soil of the valley is generally an alluvial clay, highly suitable to cereal cultivation. Across the Vale at one place there is a belt of residual soil, even heavier than the alluvial of the rest of the valley. Both in the cultivation of cereals and in that of fodder crops the soil responds to high farming.

4. THE HULEH PLAIN.

Area.

The Huleh Plain is the most northerly part of Palestine, to the east of the country, and lies to the north of the Lake of Tiberias. Its area is reported by the Director of Surveys as 191,000 metric dunams; of this extent 126,000 dunams are cultivable. As in the case of other tracts there are wide variations in the estimates of area. The Experts, in their Report, p. 22, put the area at 150,000 Turkish dunams, i.e., 138,000 metric dunams, and the cultivable area at 120,000 Turkish dunams, i.e., 110,300 metric dunams. Dr. Ruppin has submitted on behalf of the Jewish Agency for Palestine a memorandum relating to the land and agricultural development. In the course of that memorandum he says that the area of the Huleh district is approximately as follows:

- Government land... .. 47,000 dunams
- Private land.. ... 110,000 do.
- Lake Merom 18,000 do.

but does not specify whether the dunams used are the Turkish or metric dunams. As in the rest of the memorandum the Turkish dunam is habitually used, it is fair to assume that he has also employed it here. In that case the estimate, which totals 175,000 (Turkish) dunams, would represent 161,000 metric dunams.

Character.

The Huleh Plain may be divided into three parts. In the north there is rich alluvial cultivable land; south of this there is a large marshy area covered with papyrus reeds, the haunt of the wild boar and the graz-

ingground of numerous water buffaloes which are the property of the Bedu tribes of the neighbourhood. South of this again is the Lake of Merom, through which the Jordan flows southwards to Lake Tiberias. The Lake and marsh are caused by a ridge of basalt across the Jordan Valley. If this ridge were cleared away or the river deepened, the whole valley could be drained and considerable areas of land made available for irrigated cultivation.

Marsh Area.

There are widely varying estimates of the extent of the marsh and of the extent of the lake. Possibly one of the best is that recorded on a French plan dated 1321 Hijra (1903 a.d.) which is attached to this Report as Map. No. 3.*¹⁰ According to that map, the areas of the concession are:

- Marsh 36,844 dunams
- Lake 11,921 do.
- Cultivated land 1,824 do.
- Cultivable land 353 do.

The figures are all Turkish dunams, and, reduced to metric dunams, the areas are:

- Marsh 33,871 metric dunams
- Lake 10,958 do.
- Cultivated land 1,677 do.
- Cultivable land 325 do.

The concessionaire estimates the marsh at 41,400 metric dunams and the Lake at 13,800 metric dunams. Of the former some 9,200 metric dunams are, he says, cultivated by Arabs. In the Experts' report (p. 154) Dr. Strahorn says that the area of the marsh north of the Lake is not less than 52,000 Turkish dunams, i.e., 47,800 metric dunams.

No survey of the marsh area has been made, nor is one possible, except by air, until the marsh is drained. It will be safe to assume that, excluding the cultivation of the Arabs in that area, there is still an area of some 25,000 to 30,000 metric dunams of marsh land available for reclamation. Were the Lake also drained a further 9,000 or 10,000 metric dunams would be rendered cultivable. The soil of the whole Huleh Plain is exceedingly fertile. It is indeed said to be the most fertile soil in Palestine.

5. THE PLAIN OF THE JORDAN.

Area.

The Director of Surveys estimates the area of the Valley of the Jordan, in which he includes the Vale of Jezreel (*vide* Map No. 2 attached to this Report) at 1,065,000 metric dunams, of which 554,000 are cultivable. It is very difficult to obtain any comparable figures from other sources. Such as are available are examined in Appendix I.

For the purposes of the present enquiry a committee, consisting of the Government Geologist, the chief Agricultural Officer, the Irrigation Officer and an agricultural chemist, was appointed to enquire into and report upon the extent of irrigable lands in the southern part of the Jordan Valley. They report that there is an area of roughly 100,000 dunams which may profitably be irrigated, in addition to the present irrigated area, between the Dead Sea and the southern boundary of the Beisan area. Of this 28,500 dunams is land included in the Beisan chiftlik. The balance is 71,500. Already some 54,000 metric dunams are under irrigation in the lower Jordan Valley. Adding to this latter area the 71,500 dunams of the Committee's report and the 388,517 dunams of the Beisan Agreement areas, the total cultivable area of the whole Jordan Valley reaches 514,017 dunams.

¹⁰

Character.

The land in the north of the Jordan Valley is very fertile; in the south, with irrigation, it will grow all kinds of tropical fruits, and early vegetables. Properly developed the Jordan Valley might prove a great source of wealth to the country. In ancient times it undoubtedly supported a large population.

(c) THE BEERSHEBA REGION.

Area

This is estimated at 3,200,000 dunams, of which 1,500,000 are cultivable. The figures are in fact pure guesswork, as is admitted by the Director of Surveys.

Possibilities.

Given the possibility of irrigation there is practically an inexhaustible supply of cultivable land in the Beersheba, area. Without irrigation, the country cannot be developed. Up to the present time there has been no organised attempt to ascertain whether there is or is not an artesian supply of water. If there prove to be such a supply the problem of providing agricultural land for the Palestine population and, indeed, for a large number of immigrant settlers, will be easy of solution.

RAINFALL.

The rainfall varies largely from district to district in Palestine. In the Beersheba area it averages six inches and provides an exciting gamble for the cultivators. On the coast from Gaza to Acre its average is from fifteen inches in Gaza rising to about thirty inches at Acre. In the hills of Galilee thirty to forty inches may be expected, in the upper Jordan Valley twelve to sixteen inches, while at Jericho the average is five inches. On the map appended to this Report as Map No. 5*¹¹ the average fall for the last ten years is shown graphically.

CHAPTER II. PALESTINE: THE AGRICULTURAL LAND.*Total Area of Agricultural Land.*

In the previous chapter an attempt has been made to provide an estimate of the extent of the Hill country, the areas of the Five Plains and of the Beersheba Tract. It remains to offer an estimate of the total area of agricultural land, cultivable and uncultivable, in Palestine. The whole question of the immigration of agricultural settlers depends of course on the amount of land which can be made available for them. This again depends on the difference between the total area and the area required for the existing agricultural population, Arab, Jewish and other. No exact statement as to these areas is possible until the cadastral survey now in progress has been completed. It is, however, essential to the present enquiry that a definite figure, as reliable as possible, should be adopted for this purpose.

Mr. Jabotinsky's Estimate. Many estimates have been made of the total agricultural cultivable area of Palestine, of which some have been rather in the nature of guesswork than of estimations. Mr. Jabotinsky has stated that the cultivable area is from 16,000,000 to 18,000,000 dunams. It is not known on what facts this suggestion is based nor whether the dunams mentioned are metric or Turkish. It is perhaps founded on a statement published in the Review of the Agricultural situation in Palestine, 1922, in which Colonel Sawyer writes: " We are dealing with a total exploitable land surface not exceeding 4,500,000 acres." Colonel Sawyer pointed out, however, that half of this area had been "written off as uncultivable."

Dr. Ruppin's Estimate. In his evidence before the Commission on the Disturbances, Dr. Ruppin, head of the Colonisation Service of the Zionist Organisation, gave an estimate of the total area of Palestine as from 25,000 to 27,000 sq. kms., of which 12,500 kms. are cultivable. Of this latter area he described 20 per cent, as entirely uncultivated, that is to say, that in his opinion there are 2,500 sq. kms., or 2,500,000

¹¹ * See Note on page 3.

metric dunams available for settlement. As an annex to his statement he filed a paper showing the total of cultivated and uncultivated land in Palestine. Here again the area described as "tillable but uncultivated" is given as 2,500,000 dunams. The statement was based on the figures quoted by Lord Stanhope in the House of Lords of May 28th, 1925. These dunams were Turkish dunams, and the area was therefore not 2,500 sq. kms. as stated in the body of the statement, but 2,298.4 sq. kms.

Lord Stanhope's Statement in the House of Lords. Lord Stanhope's statement in the House of Lords, on which Dr. Ruggpin relied, was in its turn based on figures submitted by the Palestine Government. It is unfortunate that these figures have been widely quoted and frequently accepted as accurate. They are in fact far from accurate, as there were no statistics available at that time from which anything in the nature of an exact estimate could have been framed.

Estimate of Commissioner of Lands. Two recent estimates, have been made in an attempt to determine more accurately the cultivable area of Palestine. Of these, one was submitted on April 30th, 1930, by the Commissioner of Lands, and in his letter forwarding the estimate, he discusses the question of the meaning of the term "cultivable land." He includes in that term land which is actually cultivated or which can be brought under cultivation "by the application of the labour and financial resources of the average individual Palestinian cultivator. This definition would therefore exclude marshes, the coastal sanddunes between Eafa and Acre, the rocky hills, the wilderness of Judea and extensive areas in the larger part of the Beersheba subdistrict south of Beersheba town." It appears to include the windblown sands in the maritime plains which are suitable for orange plantations. On this basis the Commissioner of Lands estimates the cultivable area of Palestine as follows:

	m.d
Plain of Beersheba subdistrict	1,641,000
Five principal Plains north of Beersheba subdistrict	5,216,000
Hill country	5,376,000
	12,233,000

Estimate of Director of Surveys. The cadastral survey of Palestine is now in progress and the Director of that survey has submitted a careful estimate of the total cultivable area of the country, based in part on the area already surveyed and in part on the results of the aerial survey to which reference has already been made. He arrives at the following conclusions:

Type of Country	Cultivable	Uncultivable
	Metric Dunams	Metric Dunams
Inhabited hills	2,450,000	3,674,000
Hill wilderness		2,738,000
Five Plains:		
(a) The Maritime Plain	2663,000	555,000
(b) The Acre Plain	379,000	171,000
(c) The Plain of Esdraelon	372,000	28,000
(d) The Huleh Plain	126,000	65,000
(e) The Plain of the Jordan	554,000	511,000
	4,094,000	1,330,000
Beersheba area	1,500,000	1,700,000
Southern desert		8,672,000
Total M.D.	8,044,000	18,114,000

Further details of the above areas are given in Appendix 3. The Director of Surveys states that this estimate is based on actual results so far as these have been reached, namely, in an area of 4,047,000 dunams, chiefly in the Maritime Plain. The Director of Surveys has applied to whole cartographic areas as

measured on smallscale maps, the same percentage as has been found by largescale survey in the large fractions of those areas already surveyed.

He also states that the cultivable area in the Hills, which has not yet been surveyed, has been calculated from the percentages obtained by close detailed examination of aeroplane photographs specially made by the Royal Air Force on crosscountry flights over a number of tracts selected as representative. The results have given an average percentage of cultivable land in the tracts photographed which has been applied to the whole area of the inhabited hills as measured on a small scale cartographically. The cartographical measurements of whole areas have necessarily in each case been made upon previously existing maps and the figure so obtained is of course far from exact; nevertheless, it is probably much nearer to the actual than the figures hitherto suggested, which were in fact based on guesswork more or less intelligent.

Dr. Strahorn's figures in the Report of the Experts to the Joint Palestine Survey Commission.

During the enquiry of the Experts who reported to the Joint Palestine Survey Commission, a soil survey of nearly the whole of the area included in the Five Plains was made by Dr. A. T. Strahorn, whose report is found on pages 143236 of the volume of Reports of the Experts. On page 231 he gives the areas of the Plains, excluding the Huleh and the Beersheba areas and a small portion of the Jordan Valley, viz., that portion lying between "WadiesSherar and JisredDamieh. The total area which Dr. Strahorn gives for the plains included in his soil examination is 4,873,354 dunams, of which 490,387 dunams are uncultivable. He uses Turkish dunams. Converting into metric dunams, the cultivable area according to his measurements is 4,029,262 metric dunams. The Huleh area, which is accepted as 80,000 Turkish dunams of which 52,000 dunams are marsh, would give 25,740 metric dunams of cultivable land. The total estimate for the Five Plains, excluding a small area in the narrowest part of the Jordan Valley, would thus be 4,055,002 metric dunams of cultivable land. This compares with the figure of 4,094,000 calculated by the Director of Surveys for the same area, including the portion of the Jordan Valley omitted by Dr. Strahorn.

The estimate of the Director of Surveys to be accepted for purposes of this Report.

For the purpose of this report the estimate of the Director of Surveys will be accepted. The important areas are those of the cultivable land of the Hills and of the Five Plains. The Beersheba region need not enter into consideration for the present. It is not an area in which settlement is possible at the present time. The total area in which settlement might be possible, if there be land to spare, amounts to 6,544,000 dunams in the Hills and in the Five Plains.

Area of Agricultural Land held by Jews.

According to Dr. Ruppin's statement before the Commission on the Disturbances, the total area held by the Jews was at that time 1,200,000 Turkish dunams, of which 1,000,000 was cultivable. Of the cultivable area of Palestine, excluding Beersheba, the Jews therefore held at that time 14.04 per cent. Since Dr. Euppin made his statement a further 50,000 metric dunams have been purchased on Jewish account, and, in addition, some 80,000 to 85,000 dunams are under option of purchase. Thus the total percentage either in Jewish possession or under option amounts to over 16 per cent, of the whole cultivable area in these two regions.

Area available for nonJewish cultivators.

Of this total, which is not less than 1,300,000 Turkish dunams, 20 per cent, may be deducted to allow for areas possibly uncultivable. The balance will be 1,040,000 Turkish dunams equal to 956,000 metric dunams. Deducting from the estimated cultivable area of 6,544,000 metric dunams a round figure of 900,000 metric dunams on account of Jewish holdings, an area of 5,644,000 metric dunams remains available for nonJewish cultivators at the present time.

Soil Map.

By the courtesy of the "Geographical Review published by the American Geographical Society of New York, and with permission kindly accorded by Dr. Strahorn, a map showing the distribution of the soils of Palestine is attached to this report as Map No. 4.*

CHAPTER III. PALESTINE: THE POPULATION.

Census of 1922. The last census was taken in 1922, and showed the total population as being 757,182, of whom 590,890 were Mohammedans, 83,794 Jews and 82,498 Christians and others. The division between the town and agricultural population was as follows:

Town areas	
Mohammedans	139,074
Jews	68,622
Christians and others	56,621
Rural areas:	
Mohammedans	451,816
Jews	15,172
Christians and others	25,877

Population in 1930. There has been a very considerable increase of the population since that census was taken. In Appendix 4 are given the figures of population year by year, taken from the records of the Department of Health of the Government. The totals for mid 1930 may be accepted as approximately the following:

Mohammedans	692,195
Jews	162,069
Christians and others	91,727
	945,991

Distribution of population. In this estimate the Bedu population has been taken at the same figure as in 1922. The local distribution of this population is as follows:

Urban population	340,962
Rural population	501,968
Tribal population	103,331

The total gives an average population of 94 per sq. mile, and, omitting Beersheba and the Southern Desert, about 155 per sq. mile. In Appendix 2 the figures of Jewish and Arab population have been examined, and it has been calculated that the rural Arab population of the Hills and the Five Plains is 478,390.

Vital Statistics. The following figures give the average birth, death, and infantile mortality ratios according to religion during the period 1923 to 1929 inclusive:

	Moslems	Jews	Christians	Others	Whole country
Births	56.59	35.54	38.57	49.42	50.97
Deaths	31.24	13.10	18.03	25.51	26.52
Infantile Mortality	199.49	110.25	157.99	137.59	185.06

Appendix 5 gives the detail for each year. The figures are interesting and important and that from more than one aspect. In the first place it is noticeable that the excess of births over deaths is most marked (25.35) among the most numerous section of the population, namely the Moslems. The corresponding figure for the Jewish population is, 22.44. The next noticeable point is the very low death rate among the Jewish population. This is without doubt in part due to the vigorous and young immigrants, of whom that population is composed to a material extent. Finally the figures of infantile mortality are interesting. The Jewish average for the past seven years is 110.25 per thousand, but during the years 1928 and 1929 the figures were 95.8 and 89.78. In England the corresponding figure for the year 1929 was 74, in Germany 97.

Comparative Infantile Mortality figures. The following table gives some comparative figures:

Year.	Country	Infantile Mortality Ratio.
1926	New Zealand	39.76
1926	Netherlands	61.1
1925	U.S.A.	71.7
1927	Egypt	152.00
1926	Poland	174.75

Size of average, family of fellah. Enquiry has been made as to the size of the average family of the fellah. A return from the various district authorities and the Director of Health indicates that this average is 5.5. Applying this figure, the number of families resident in the Hills and the Five Plains is 86,980 this year.

Fellah families cultivating. An enquiry has been made by a Commission appointed by the Palestine Government into the economic condition of agriculturists in 104 representative villages. In these villages there reside 23,573 families, of whom 16,633 have holdings and 6,940 have not, that is to say, that there are in these villages 29.4 per cent, of families who live, not directly by cultivation, but by labour either in the village or outside and in other ways. Everywhere there is the complaint that many of the cultivators have lost their land. Doubtless this 29.4 per cent, includes these landless men who previously were cultivators. If a deduction of 29.4 per cent, is made from the total of 86,980 families reached above, the balance is 61,408 families actually cultivating the land in the Hills and the Five Plains. In addition, there are a large number of families which should be, but are not, cultivating the land.

HEALTH.

At the time of the Occupation Palestine was a country saturated with malaria. Since that time much good work has been done, not only by agencies of the country, but also with the help of outside scientific enquirers. The Rockefeller Foundation, the League of Nations, the Jewish Joint Distribution Committee have all rendered invaluable assistance in investigation, in research and in advice. Very much has been done in the drainage of swamps and marshes, in great part by Jewish agency and in great part by the Government. The Supreme Moslem Council has also taken a share, and its work in the drainage of the extensive and very malarial swamp at Wadi Rubin, under the advice of representatives of the Rockefeller Foundation, has been a complete success. A similar work of even greater magnitude which is now nearing completion is the drainage of the Kabbara Swamp by the P.I.C.A. The Zionist Agency was responsible, among other works, for the drainage of considerable areas in the Vale of Esdraelon. The Government Department of Health revolutionised certain areas of the Jordan Valley at comparatively small cost, by draining of marshes.

Much, however, still remains to be done. Huleh is a plague spot. The malaria of that part of Palestine will not be finally overcome until the Huleh Lake is drained and there is a free flow of water out of the Basin into the Jordan River. There are wide areas in the neighbourhood of Acre where drainage is necessary. There are still swampy areas in the Maritime Plain.

The second of the preventable diseases which are common in Palestine is trachoma. This disease is being combated with great vigour all through the Jewish Settlements and in the towns. In the village schools of the Government the eyes of the children are examined periodically by competent physicians. The work of the hospital of the Order of St. John at Jerusalem is famous even beyond the boundaries of Palestine.

Generally speaking, the health of the population of Palestine is the object of more attention than is the case in the great majority of Oriental countries. Once the malarial swamps are drained, and when the Arab villages become more accustomed to demand medical care than is the case at present, the position will be completely satisfactory.

It is the good fortune of the Government that Jewish organisations provide such an effective service for their own people. It would be impracticable for the Government to supply anything on a similar scale with the funds at its disposal. In its report*¹² for the year 1928 on the administration of Palestine, submitted to the Council of the League, His Majesty's Government wrote the following: "It has been the policy of Government to rely as far as possible on private and Municipal Hospitals and Dispensaries to furnish general medical relief to the population, and to devote Government funds to such services as isolation hospitals for serious infectious diseases, special clinics for trachoma and epidemic ophthalmia, the treatment of the endemic syphilis which exists in many of the villages and of malaria in rural areas. For certain sections of the population, however, such as the Beduin tribes, which would otherwise lack medical attention altogether, Government establish special clinics, and circumstances arise from time to time in which assistance to voluntary organisation for general assistance is necessary."

The country is fortunate that there is so much of voluntary help in Palestine. It is questionable whether with the large growth of the Jewish population, which is proceeding by natural increase, apart altogether from immigration, it will be possible for the Jewish agencies indefinitely to maintain expenditure on its present scale. It will be impossible for the Government ever to undertake medical services to the Jewish population on a scale more liberal than that applied to the rest of the population, but a time will surely come when the services of the Government will be compelled to extend their radius of action, so as to include Jewish settlements as well as Arab villages.

Meanwhile such funds as can be made available will doubtless be applied to the drainage of the malarial swamps which still remain. There is a distinct relation between the economic efficiency of a people and its health. Its vigour is seriously affected by malaria. If the country's agriculture is to be developed, that development will be easier and more efficient if the rural population can be freed from the scourge of malaria.

The following is an extract from the report of the Department of Health for 1929, an advance copy of which has been furnished by the Director. It is interesting apart from considerations of health:

"The Village and Colony population both Arabs and Jews was clearly in financial difficulty. The Arab, though not starving, is beginning to feel the effects of the normal increase in population, which has been so remarkable a feature in Palestine during the last few years. He has no money to spend on his Tillage, and there has been little public health development. The situation in the Jewish Colonies continues to show a certain stagnation, and the sanitary conditions in the Colonies, particularly those in which the old huts have not given place to masonry buildings, have clearly deteriorated on account of the poverty of the colonists. More especially is this marked in the newer colonies in the Haifa Plain and in the Emek..."

In considering the figures for the Jewish population, it should be borne in mind that this section of the population of Palestine enjoys the services of a highly efficient Jewish medical and Health Service in addition to the normal services afforded by the Government. It is served by the Kupath Cholim, a branch of the Jewish Labour Organisation, which maintains dispensaries, a hospital and a convalescent home for the working classes. It is served by the Jewish Hadassah Medical Organisation, which not only maintains five hospitals at various centres staffed by 34 doctors and surgeons, male and female, but also has a very efficient service which takes care of the child from its infancy and follows it through the kindergarten into the school and from the school into the home. The activities of the Organisation are widespread and highly laudable. But some of the credit for the remarkable figures dealing with the health of the Jewish population must be accorded to the children's houses in the Kvutza, the communal colonies, where the care of the child is entrusted to the hands of competent trained nurses. Whatever view may be taken of the principles which govern communal societies such as the Kvutza represent, no two opinions can be held as to the efficiency with which the children are treated in these colonies. In inspecting them one could not but be struck with the obvious vigour and health of the rising generation.

¹² * NonParliamentary Publication (Colonial No. 40, 1929).

The Health Department of the Government is staffed by a Director, a Deputy Director, an Assistant Director, six Senior Medical Officers, a specialist surgeon, a Government analyst, 40 junior Medical Officers. There are Government Hospitals at Jerusalem and Haifa, and Municipal Hospitals, assisted and administered by the Government, at Nablus, Gaza, Beersheba and Acre.

In all, including the hospitals administered by the Hadassah and the Government, there are 38 hospitals in Palestine. Of these, five are special hospitals (two mental hospitals, 117 beds; one tuberculous diseases hospital, 53 beds; one ophthalmic hospital, 45 beds; one leper hospital, 60 beds) and the remaining 33, with 1,692 beds, are available for the general needs of the population. This gives one bed for 559 persons.

It is noticeable that the main concentration of medical assistance of all kinds is in the towns. Private medical practice does not extend to the Arab villages. These are chiefly dependent on the services of the Government Medical Officers. The Jewish settlements are, however, well provided for in this respect, and that population, probably more than in any other country, has ample medical assistance at its door.

Among the complaints made by Arabs one had reference to the enormous influx of Jewish doctors into the country, an influx which "was stated to have deprived a number of Arab qualified practitioners of their practices. The population of Jaffa is about 33,000; of TelAviv, the Jewish suburb of Jaffa, which is now a separate Municipal area, 40,000. In 1922 there were registered 25 medical practitioners in Jaffa and 24 in TelAviv. In 1929 the respective numbers were 32 and 147. That is to say, that for 73,000 people there are 179 medical practitioners, or one to every 408 inhabitants. It is clear that the number of new practitioners cannot but have affected the practice of the existing Arab doctors, the more so as it is very rare for a Jewish family to call in an Arab doctor. On the other hand, it is said that the Arabs have no aversion to the employment of Jewish medical men.

For the whole of Palestine there are 631 registered medical practitioners; of these there are 147 in Tel-Aviv, 140 in Jerusalem and 75 in Haifa.

CHAPTER IV - LAND TENURE IN PALESTINE.

Categories of land. Agricultural land in Palestine falls into "one of five main categories, namely:

- (1) Mulk.
- (2) Miri.
- (3) Waqf.
- (4) Metrake.
- (5) Mewat.

1. *Mulk.*

Mulk represents English freehold. The absolute ownership rests in the private individual, who can dispose of it as he likes, except for a restriction on disposition by will. The amount of agricultural land held as Mulk is small and for the purposes of this enquiry is negligible.

2. *Miri.*

Agricultural property is commonly held by Miri title. Miri is property over which the right of occupation or of tenure can be enjoyed by a private person, provided that such right has been granted by the State. The absolute ownership remains vested in the Government, but the grant is in perpetuity, subject to certain conditions. Of these, the chief is continuous cultivation. If the land remains unproductive for three consecutive years it may revert to the State. In that case it may be redeemed by the possessor on payment of the unimproved capital value. If not so redeemed it is sold at auction to the highest bidder (Land Code, Article 68). It is not thought that the area of *Mahlul**¹³ land is material. Freedom of disposition is allowed in the case of Miri land, with the exception that land of this character may not be bequeathed by will or constituted as Waqf.

¹³ * *i.e.*, Miri land which has reverted to the Government.

3. *Waqf*.

The following is abstracted from a note furnished by Mr. Justice E. C. Tute:

"...Both mulk and miri lands gave rise to dedications known as Wakfs. A wakf is a transfer of ownership to the Deity for a purpose which is, or may become, charitable or religious. Some Wakfs were charitable or religious foundations from the start. The majority however were, and are, made as a means of securing the use of the land to the founder and his heirs along a line of inheritance laid down in the Wakfiah or instrument of dedication. In these Wakfs the charitable or religious object does not materialise till the founder's line becomes extinct.

"Wakfs are broadly classified into Sahih, or true Wakfs, and Ghairsahih, or imperfect. The former arise from the dedication of mulk property; the latter from the dedication of miri. As miri property is owned by the State, dedication can only be made by its head. It took the form of setting aside some benefit attaching to the land, generally the tithe, for the use of the object of the dedication. The mulk owner had of course the power to dedicate as and when he pleased, and he still retains that power ..."

The area of agricultural land dedicated as "true Waqf" is comparatively insignificant. In the whole of Palestine it is not claimed to extend to 100,000 dunams, and, in fact, the extent is probably much smaller. The revenue from over one hundred villages, in addition to shares in many others, had prior to the occupation been dedicated by or on the Sultan's authority. These fall under the category Waqf GhairSahih (imperfect) and the result is that a sum in the neighbourhood of £30,000, representing the Tithe in respect of these village lands, though collected by the Government, is diverted from the Treasury to the Waqf administration of the Supreme Moslem Council. The land itself in all cases remains Miri and is subject to all Miri dispositions.

4. *Metruke*.

Land left for roads, or assigned as the common land of the village, as, for instance, for pasture, is known as Metruke. Such land cannot be sold by an individual nor is any disposition possible.

5. *Mewat*.

Mewat has a certain importance in that its area, which is not yet determined, may be considerable. It is the waste land (which has not been left or assigned to the inhabitants or held by Kushan) at such a distance from the village site, that the voice of a man shouting there cannot be heard. This has been interpreted by judicial decision as one and a half miles. The land is vested in the Government. Cultivation with permission entitles to the issue of a titledeed (Kushan) free of charge. Cultivation without permission under the old Mohammedan law entailed payment of the unimproved value. Now, under the provisions of the Mewat Land Ordinance of 1921, any person breaking up Mewat land without permission is treated as a trespasser.

The area of Mewat will only be finally determined when the settlement operations now in progress are completed.

MESHA'A.

A common feature of the proprietary right in agricultural land is the existence of the system known as Mesh'a'a. In villages where this system prevails, the whole of the property held in the village is held in common. Each shareholder owns a fractional share in the village, but has no separate parcel of land allotted to him in proprietary right. The village as a whole belongs to the body of the proprietors as a whole. The individual's share is usually expressed in terms of various measures; a sharer may own a fedan (an area so large that a pair of cattle can plough it in one day), or a karat, that is 1/24th of the whole, or a fraction of the whole, called a sehem. But none of these represent defined plots or parcels of the village; they represent an undivided share of the total.

In the Mesha'a villages there is usually a permanent distribution among the Hamulahs the tribal divisions of the village. Within these large areas individual shares are as a rule divided every two years, with the result that no development is at all possible. No cultivator will proceed to manure or improve his holding, which he knows will pass to some other cultivator in the course of the next two years.

This Mesha'a system is a constant cause of complaint among the fellahin. *Its partition.* Partition can be made in one of two ways, either by agreement among the parties and acceptance of that agreement by the Courts, or by the Courts themselves. In the former case there has to be unanimous agreement of all the shareholders. In the latter case the Courts act on the petition of the individual shareholder, but the cost to him is exceedingly heavy, for several reasons. In the first place, it has never been the custom to register changes of title upon transfer of property or succession. Most of the titles now held by proprietors are not actually in their name. Very frequently they are in the name of a father, or a grandfather, or other relation who is long dead. Before partition can be effected it is necessary that the title should be clear.

Expense of partition. Apart from the difficulty in establishing the title, the registration of the amended title costs 3 per cent, of the value of the property by way of registration fees. Again, before the Courts will proceed to a partition they demand a map prepared by a qualified surveyor. This map has to be furnished by the applicant for the partition. In addition, there are the Court fees for the partition, which are themselves not negligible. In sum, the applicant for partition by action of the Courts is put to very serious expense as a preliminary, and is quite uncertain how long the proceedings may last and what the ultimate result will be.

Unofficial partition. There are a large number of villages in which *de facto* partition has been carried out, although no official sanction has yet been given. In the majority of cases these partitions are unsatisfactory from the agricultural point of view. As in all Oriental countries there is in Palestine a universal desire that each shareholder should have a share, however small, of each distinctive class of land. The result is that the plots of individuals are scattered here and there throughout the village, and are frequently either of ridiculous shape or too small for effective exploitation. Cases are known of fields being so divided that a share is 2,000 metres long and 41 metres broad. There are cases of this kind even where partition has been made by Government officers, as, for instance, in the Beisan area. This is exceedingly unfortunate.

Partition by agreement. It is desirable that partitions should be made by agreement, in which case the procedure is simple and inexpensive, and the cost of the Courts is avoided. As a preliminary a survey of the area to be partitioned is necessary. In sanctioning these partitions it is essential that the influence of the sanctioning officer should be used to correct the tendency to diffuse and uneconomic partition. It is said that this is difficult. One case has been cited in which the fellahin were persuaded to redistribute the land so as to amalgamate the holdings, thus constituting economic blocks. It was a long and tedious process, and the officer concerned was of opinion that it had taken three times as long as an ordinary partition case. The matter is of such extreme importance that it is well worth while to spend a large amount of trouble to ensure satisfactory partitions.

Its extent and effect. A return of the year 1923 showed that of the villages in Palestine at that time 56 per cent, were Mesha'a and 44 per cent. Mafruz (i.e., divided). A return of the present year shows 46 per cent. Mesha'a and 54 per cent. Mafruz. This is an indication of the number of cases in which private partition has been carried out. The majority of these partitions are not final. They will doubtless become so by prescription, after a lapse of a considerable interval of time. This is not a satisfactory position.

Mesha'a is described by the Committee on the Economic Condition of Agriculturists as "perhaps the greatest obstacle to agricultural progress in Palestine." They record that the system misses alike the advantages of individualism and of cooperation; while it remains, they say, it is useless to expect that land will be weeded or fertilised, that trees will be planted, or, in a word, that any development will take place. These opinions are held generally by the Area Officers and District Officers of the Palestine Government and by the fellahin concerned.

Government action in regard to partition. In the year 1923, a Commission was appointed by the Government to consider the whole question of Mesha'a. It made certain radical proposals, including the recommendation that legislation should be introduced empowering the executive authorities to enforce partition. It suggested the appointment of local committees to carry out partitions, and a reduction of taxation in respect of fees of registration and of survey in partitioned lands. It also suggested that the Werko tax should not be increased on newly partitioned lands until a general assessment of the tax is undertaken.

Nothing appears to have been done as a result of the enquiry and report of this Commission. This is to be regretted, as it is essential that every possible step should be taken to encourage the development of Arab holdings.

Partition under land settlement. At present there is a settlement in progress, but its proceedings are complicated and difficult and many years will pass before they are completed. The Settlement Officers have power to deal with these cases. It would be advantageous to put on a special staff of selected officers to deal with Mesha'a and partitions, or to empower the Area and District Officers to deal with these cases on the spot. One of the essential preconditions of development is that the land shall be partitioned and that partitions shall be effected on reasonable principles.

Acceleration of partition. The matter should form the subject of immediate and serious consideration by the Palestine Government. In passing legislation it would be well, if at all feasible, to avoid the nomination of committees. These are notoriously ineffective, both as executive or as quasijudicial bodies. It would be preferable to grant to Area Officers, and, under their supervision and control, to District Officers, the power to enable them to deal with partition cases. Some right of appeal will be necessary in case of parties who feel themselves aggrieved, but resort to the civil courts should be discouraged as far as possible. It is preferable, if feasible, that appeals in partition cases from decisions of Area Officers should lie to the District Commissioner, from District Officers to the Area Officers.

THE LAW GOVERNING AGRICULTURAL TENANCIES.

Landlords. Though it is known that very large areas are held by resident and nonresident landlords, the total area cultivated by tenants has not yet been ascertained. It will only be known when the survey and settlement at present in progress have been completed, and if the proposals on this subject contained in this report are accepted.

Tenants. No occupancy right exists in favour of the Arab tenant in Palestine. As a rule he holds his land on a yearly tenancy, terminable by his landlord at will.

Land Transfer Ordinance, 1920. Several attempts have been made to improve the position of the agricultural tenant in this respect. In September, 1920, soon after the establishment of the Civil Government, the Land Transfer Ordinance, 1920, was issued. The Preamble of that Ordinance recites:

- (a) in order to meet the needs of the people it is desirable that transactions having in view the immediate use and cultivation of land be permitted;
- (b) it is necessary to take measures to prevent speculative dealings in land and to protect the present occupants;
- (c) a Land Settlement Court is shortly to be established, which will adjudicate all titles, and in the meantime no guarantee of title can be given by the Administration;
- (d) it is intended to introduce legislation to secure orderly planning of the towns and the erection of buildings, subject to the control of the Administration;
- (e) the Administration is taking measures to facilitate the establishment of Credit Banks in Palestine, which shall have power to grant loans on the security on immovable property; pending the consideration of the establishment of such Banks, it is desirable to continue the prohibition of the sale of land in satisfaction of a mortgage or in execution of a judgment.

Restriction on transfer of land. The Ordinance then proceeded to provide for the control of all land transactions. To all such transactions the consent of the Administration must be obtained; this consent was given through the District Governor, where he was satisfied that the person about to acquire the property (1) was resident in Palestine, (2) would not obtain property exceeding in value £3,000 or in area 300 dunams, (3) intended himself to cultivate the land immediately. It was also a condition (4) that the transferor, if in possession, or the tenant in occupation of the property leased, would retain sufficient land in the district or elsewhere for the maintenance of himself and his family.

If an application were rejected by the District Governor, an appeal lay to the High Commissioner, whose decision was final.

The High Commissioner also had the power to consent to the sale of large areas of land, if he were satisfied that the transfer was in the public interest, or he might refer an application for any such disposition to a Commission which existed at that time, and whose duty it was to report upon closer settlement of the land.

Complaints against restrictions. From the beginning there was general protest on the part of the Arabs against these restrictions on the sale of the land. They alleged that they were designed to impoverish the Arab population and to compel the sale of their land to the Jews at an inadequate price. These complaints were formulated before the Commission of Enquiry which reported on the riots of 1921. That Commission wrote as follows:

"The Arabs have regarded with suspicion measures taken by the Government with the best intentions. The transfer of Land Ordinance, 1920, which requires that the consent of the Government must be obtained to all dispositions of immovable property, and forbids transfer to other than residents in Palestine, they regard as having been introduced to keep down the price of land and to throw land which is in the market into the hands of the Jews at a low price..."¹⁴

Transfer of Land Ordinance, 1920/21. The Ordinance was amended, and was replaced by the Transfer of Land Ordinance, 1920/21. The Director of Lands was constituted as the authority to grant permission for dispositions of land, and he was bound to grant that consent if satisfied that the transferor had a title, "provided that, in the case of agricultural land which is leased, he shall also satisfy himself that any tenant in occupation will retain sufficient land in the district or elsewhere for the maintenance of himself and his family..."

This Ordinance in fact remained a dead letter. It was circumvented in one of two ways; either the landlord, who desired to dispose of his land, ejected his tenants as a preliminary operation, and so sold the land with vacant possession to the purchaser, or the landlord or the purchaser induced the tenant to withdraw on payment of compensation. In both of these cases there was no tenant in occupation, and the conditions of the Ordinance consequently failed to operate.

Protection of Cultivators Ordinance, 1929. The latest attempt to protect the tenant in cases of sale by the landlord is the Protection of Cultivators Ordinance, 1929. This cancelled the provision of the Ordinance of 1921, which required that, on sale, arrangements should be made to provide a tenant in occupation with land in lieu of the holding from which he was dispossessed.

It aims at protecting the cultivator who has been at least two years in a holding, by requiring the landlord to give him a full year's notice before the tenancy can be terminated or before the rent may be increased, and by providing for compensation for the tenant for disturbance and for improvements, which he has carried out himself. It provides further that where the tenant has cultivated a holding for five years or more, the landlord shall pay him as additional compensation a sum equal to one year's average rent.

¹⁴ * Cmd. 1540, page 51.

Its practical effect. This Ordinance is of little value in preventing the displacement of tenants from the soil. There is no record of tenancies in Palestine, as there is, for instance, of agricultural tenancies in India. It would be extremely difficult for any tenant to establish a tenancy of five years on the same holding. In any case, at its best, the ordinance would only provide money compensation, while what is eminently required is, not compensation for disturbance, but a provision against disturbance.

AGRICULTURAL TENANCIES.

Occupancy right. One of the requirements of agricultural Palestine at the present time is an effective provision for occupancy right in favour of the tenant. The pressure on the soil is so great that, as will be shown later, rents are rising to a height which threatens to preclude the tenant from producing sufficient from a holding to pay the charges thereon and at the same time to maintain a standard of life that is even tolerable. Under these conditions any provision short of occupancy right is of little value. And if occupancy right be granted it must be secured by a provision preventing the increase of rents except with the sanction of the Courts, otherwise the right of occupancy will prove nugatory.

Occupancy right: Position of Jewish agricultural tenants. In the case of Jewish tenants conditions are much better than in that of the Arabs. The Jewish tenant of the Keren Kayemeth (Jewish National Fund) has not yet got any document authorising his holding or specifying its conditions, but it is certain that he will ultimately be furnished with a lease, of which it is intended that the term will be 49 years renewable. There is no question of uncertainty of tenure in this case.

The P.I.C.A. either sells land to the occupant, payment being made by instalments over a long term of years, or provides him with a longterm lease. In fact, the Jewish settlement is in the interest of the occupant of the soil, while the Arab enjoys no such advantage. There is thus no necessity for legislation for conferring the occupancy right on the Jewish tenant. At the same time, legislation providing for the creation of such occupancy right generally would not in any way interfere either with the policy of the Jewish landlord or with the amenities of the Jewish tenant. It is true that the creation of occupancy right will effect a very radical change in the position of the Arab tenant vis-à-vis his landlord. It will also reduce the market value of land occupied by tenants. It is, however, the only measure likely to arrest the present tendency to divorce the fellahin from the soil.

Register of tenants. The creation of occupancy right will entail not only the preparation of a register of existing tenants but also the necessary machinery for keeping that register up to date. It is in any case desirable that such information should be available, as it will enable the Government to watch the movement of the agricultural population from the soil to the village or the town. It will provide information as to the course of rents, and so will facilitate periodical revision of any tax on land which may be imposed. It is an essential of any efficient policy of agricultural development. It is desirable that this register of tenants should be prepared by the Settlement staff in the case of settlements now in progress, and I advise that this should be done.

Palestine: Survey. At the present time a survey of Palestine is in progress, which will afford information, of which the want has always been felt seriously with regard to the areas of the country.

Land Settlement. The main objects of the Settlement are two; the first is to obtain an exact record of the rights of all proprietors of agricultural land, the second, to provide a basis on which a reasonable system of land taxation can be founded, in order that the antiquated systems of Tithe and of Werko may be abolished.

Land registration fees. As to the first of the above objects it may be said that the settlement results will prove of strictly temporary utility if the existing fees on registration of transfers and dispositions of land remain in force. One of the chief reasons for the avoidance of registration of title in the past has been the

expense which that registration entailed on the applicant. In Appendix 6 the rates of fee for registration of various kinds are detailed. It will be seen that they are in fact very onerous.

Land registers. It is highly desirable that, once the record of rights prepared by the settlement officers is complete, its maintenance as an accurate record shall be easy. Otherwise the record will very rapidly again become inaccurate. For this reason, the fees to be charged on the registration of changes in the record should be so light that they will not prove to be a serious burden on the person to whom a property has been transferred.

Maintenance of record of occupancy right. It has been suggested above that the village records should include a record of tenants as well as one of the proprietors. If this proposal is accepted, it will be necessary to have a machinery to keep the tenants' register up to date. The same agency might deal with the register of owners. Responsibility for application for amendment of the register should not be removed from the shoulders of the proprietor or the tenant, but the official who is charged with the maintenance of the records will be in a position to bring to notice those cases in which that responsibility is not in fact discharged. If a penalty were to attach to failure in this matter of application for amendment of the register, and at the same time there existed an official in a position to know the facts, there should be little difficulty in keeping the registers accurately up to date. An accurate record of this kind will be of great value, not only to the authorities but, and perhaps even more importantly so, to the proprietors and to the tenants of the village.

CHAPTER V - JEWISH SETTLEMENT ON THE LAND.

Agencies of Jewish Settlement. Areas, being Jewish property either of the various colonisation agencies or of private individuals, are shown on map No. 6.*¹⁵

The two chief agencies of Jewish settlement on the land are the Palestine Jewish Colonisation Association, commonly known as the P.I.C.A., and the Colonisation Department of the Zionist Organisation, which is financed by the Keren Hayesod. The former buys land and installs settlers; the latter is purely a settlement agency, the land being purchased by the Palestine Land Development Company for the Jewish National Fund, which places it as required at the disposal of the Keren Hayesod. Before being handed over for settlement, the land is improved by the Jewish National Fund (Keren Kayemeth).

In addition to these two major agencies of settlement, there are a large number of land or settlement companies which either dispose of land in small lots to wouldbe settlers, or prepare and plant the land and sell it, either when planted, or when mature and bearing, to immigrants.

Private agencies: The BeneiBenjamin. There is also a number of private agencies which prepare land for settlement, as for instance the BeneiBenjamin. This is a society of young Jews, having members both in Palestine and abroad. It has borrowed money and has purchased a tract of 9,000 dunams of land, which it is preparing and planting, for settlement of other members of the Society who hope in time to come to Palestine. It is interesting to observe the difference in policy between a society of this kind and an ordinary commercial society, such as Palestine Plantations, Limited, which has acquired a large area and is developing it as orange plantations for sale to immigrant Jews. The former society has its plantations in the village of Nataniya, in the Maritime Plain. It charges its members £85 per dunam for developed orange groves at the end of the fifth year, when the trees are coming into bearing. The trees are all grafted. Tel Mond is the colony where the plantations of Palestine Plantations, Ltd., are situated. It was ascertained from the Company's local manager that for similar groves of the same age the price is £110 per dunam.

¹⁵ * See Note on page 3.

Amount of land held by Jewish organizations. From information received from the Jewish agency in Palestine and from the Palestine Land Development Co., Ltd. (a purchasing agency not only for the Jewish National Fund but for many of the public and private companies), it appears that in June, 1930, Jewish land in Palestine amounted to 1,250,000 dunams. The Statistical Abstract of 1929 gave an area of 1,200,000 dunams. Though this fact is not stated in the Statistical Abstract or in the Memorandum submitted by the Jewish Agency, it has been ascertained that the dunams referred to are not metric dunams, but Turkish dunams.

In addition to this land so held, the various Jewish agencies hold options over a further area of between 80,000 and 85,000 metric dunams.

(1) THE P.I.C.A. SETTLEMENTS.

Of the various Jewish settlement agencies the largest and most important is the P.I.C.A., whose colonies number 34. This association commenced work in 1882, under the designation of the Jewish Colonisation Association (I.C.A.), and its operations since that date have been supported by generous expenditure on the part of Baron Edmond de Rothschild. The P.I.C.A. now owns 454,840 metric dunams of land. To the activities of this organisation are due the foundation of the wellknown colonies of Petach Tikvah and Eehovoth, which have recently developed with rapid strides. The former was in origin a colony of 28 families settled on 2,000 dunams of land. It has grown into a country town of some 10,000 inhabitants and comprises 25,000 dunams of land, of which considerable areas are owned by private individuals. Eehovoth is also extending rapidly. At the start 20 families were settled on 10,600 dunams; the population of the village is now estimated at 2,800 and the area attached to the colony is 22,600 dunams, also owned in large part by private individuals. This colony was famous for its almond plantations, and still exports large quantities of almonds through its Cooperative Society of Almond Growers. The almond industry is now overshadowed in all this region by the orange, and the area under orange groves is increasing with great rapidity.

Richon leZion, with its famous cellars, and Zichron Jacob are other wellknown P.I.C.A. colonies.

The Kabbara concession. The P.I.C.A. has two important projects in course of completion, both in the Maritime Plain. In 1921 the Association obtained a concession for the manufacture of salt at Athlit, for the drainage of the Kabbara swamp and for the development of the Caesarea sanddunes. The first of these projects has been transferred to a company which is producing salt in considerable quantities. The drainage of the Kabbara swamp and the irrigation canals which will cover this area are now approaching completion. The total extent of land included in the Kabbara concession was 5,170 dunams, and in addition the P.I.C.A. already owned 2,300 dunams adjoining. The whole area has been reclaimed and rendered cultivable. At the time of my visit a large part of the area was carrying rich crops of linseed. The drainage work has proved particularly difficult, owing to the existence of springs in the bed of the swamp for whose drainage subsidiary arrangements are necessary. At one place 126 of these springs were discovered in three and a half dunams of land, less than an acre. The drainage of all these springs has added much to the cost of reclamation, and £92,000 has already been spent on the work.

Pardessana. The second project is the development of the Pardessana colony, south of the Kabbara swamp, and lying among the undulating sandy hillocks of the Maritime Plain which are so favourable to the growth of the orange. The preparation of the land for that colony, which will provide holdings for 450 families, besides 1,000 families of workmen, has almost been completed. Wells have been and are being sunk, electric current has already been provided, both for power and light, and the town site has been laid out. The individual lots have been marked on the map, and in the case of the few colonists who have already arrived, also on the ground. The work reflects the greatest credit on those responsible for it, and, given the possibility of creating a sufficient market for the largelyincreasing supply of Jaffa oranges, the future of this colony is most promising.

A feature of Pardessana is the provision of small lots for families of the labouring class. An area of 5 dunams, with cowhouse and poultryhouse, is attached to each of the workmen's dwellings, which are composed of two rooms and a kitchen.

Benjamina. Similar provision is made for the labouring class, in this case Jews from Georgia, in the colony of Benjamina, lying south of Pardessana. In that colony a perfume factory has been started successfully, and both the colonists and the labourers have been encouraged to reserve a small area for jasmine, and have been instructed in the method of cultivation and in that of plucking the flower. The produce of the factory is stated to be of good quality, and to sell for high prices in France or in England. The actual profits to the grower are not large, as cultivation and plucking absorb much labour and occupy much time. The industry is, however, well suited for allotment holdings such as those with which the labourers are provided.

Colonies in Galilee. Apart from its colonies in the Maritime Plain the P.I.C.A. has established a number of settlements in Upper and Lower Galilee. These are chiefly of the old-fashioned kind, with somewhat extensive holdings, and grow principally cereals and other country crops. In some of the colonies the settlers are acquiring crossbred cattle of a superior type, which provide an income from dairy produce. In most of these colonies Arab labour is employed.

Bitania. One of the P.I.C.A. settlements, named Bitania, in the Upper Jordan Valley, deserves special mention. It contains an experimental area in which fruit of various kinds, and the more valuable vegetablestomatoes, cucumbers, eggplantare beingcultivated. It has been found that the land of this colony, which lies to the north of the Jordan Valley and not far from the Lake of Tiberias, is specially suitable for the cultivation of grapefruit and bananas. The grapefruit of Bitania is firstclass in quality, almost seedless, with the minimum of pulp, of fair size and thinskinnd. Its flavour is excellent. It has been ascertained by experiment that the fruit can be stored and kept in good condition at least until the month of June. These results of the experimental cultivation of the grapefruit are most important, for the soil is unsuited to the orange and the grapefruit provides an even more valuable crop.

Relations of P.I.C.A. Colonists with Arabs. The relations of the old P.I.C.A. colonists with their Arab neighbours and with their Arab workmen were excellenta mutual advantage to both communities. Had the P.I.C.A. policy of friendship and conciliation with the Arab been permitted to continue, there is no doubt that in the neighbourhood of their colonies none of that bitterness which is now so prevalent need have arisen.

(II) THE ZIONIST SETTLEMENTS.

The Jewish National Fund. The Jewish National Fund holds approximately 270,000 metric dunams. According to a statement submitted by the Jewish Agency and reproduced as Appendix 7 to this Report, there are 20 cooperative groups, 16 smallholders' settlements, 5 girls' groups, 4 Yemenite settlements, 2 agricultural settlement stations and 2 experimental stations. In addition, there are 9 settlements described as "supported". On the other hand, the statement submitted by the Jewish National Fund (Keren Kayemeth) records the following:

"The types of settlement on the land are as follows: 18 smallholders' settlements; 27 cooperative group settlements; 7 Yemenite settlements; Agricultural experimental station and its branches."

Zionist settlements. The settlements of the Zionist organisation have not been in existence for as long a time as those of the P.I.C.A., and they work on different principles. The outstanding principle is "selflabour", which implies that no settler shall have more land than the area he is able to cultivate by the unaided labour of himself and his family. In the case of the cooperative group, the area is determined by the amount which the group is able to cultivate without assistance. Notwithstanding the fact that the settlers receive a certain agricultural training as chalutzim (i.e., pioneers) before arrival in Palestine, they are not

by early training agriculturists. They are drawn from all walks of life. There is no lack of ardour or enthusiasm, and there can be no doubt that in time the settlements will be able to support the cultivators, especially in those districts where plantation is possible. Meanwhile, there are few if any, of the settlements which are truly selfsupporting, and there appear to be none in which any payment has been made in respect of the outlay by the Jewish National Fund or the KerenHayesod.

Expenditure by KerenKayemeth and KerenHayesod. The amounts spent by these two agencies have been formidable, and it is quite impossible that they will ever be repaid in full. In the former case no question of repayment arises, as the land is not to be sold to the settlers. Yet it is certain that no adequate interest in the form of rent could be paid by the settlers on the outlay of the Fund on their holdings. In the case of the KerenHayesod also the outlay has been lavish, and the whole of the colonies are so overcapitalised that it will prove essential both to write off a considerable amount of the outlay and to fix the rate of interest on the balance at an uneconomic level if the outlay is to be liquidated. The Jewish National Fund and the KerenHayesod have very kindly submitted consolidated statements of their expenditure, which are printed as Appendices 8 and 9 to this Report. In the former, excluding the items "Urban Land", "Urban Buildings", and "Lands", the sum of £1,545,659 appears to have been spent on agricultural colonisation. In the latter, the items "Urban Colonisation", "National Organisations", "Investments", and "Jewish National Fund" do not appear to be expenditure on colonisation in the country. The balance is £3,345,531. Adding these two sums together, the total cost of agricultural colonisation by the Zionist Organisation appears to have been £4,891,190.*¹⁶ The number of persons actually settled for this sum is shown in Appendix 10a statement submitted by the Jewish agency.

Population of settlements. The total population of the Zionist settlements in 1930 (included therein being the "supported settlements") consisted of 4,406 adults, and 2,364 children under 15 years of age. The cost of colonisation of a family has thus been very large.

Area of Zionist settlements. In Appendix 11 is reproduced a statement submitted by the Jewish Agency as to areas held. This shows that included in the settlements belonging to the Zionist Organisation are 129,466 dunams of land, in addition to 14,758 dunams belonging to settlements described as "supported". These latter are settlements belonging to other agencies for whose continuance the assistance of the Zionist Organisation is required. Of the 129,466 dunams actually the property of the Zionist Organisation, and included in the settlements, 15,137 dunams are leased to others, 11,958 dunams are shown as fallow, and 7,390 are "idle, fit for cultivation", i.e., in all 34,485 dunams, or 26.6 per cent, of the total of the cultivable area of these settlements was for one reason or another not cultivated during the last year by the settlers themselves.

Reserve area. As has been recorded, the total area of land held by the Jewish National Fund is 270,000 metric dunams. From the statement in Appendix 11 it appears that, excluding the settlements called "supported" only 114,329 dunams were cultivated. This implies that of the land held by the Fund over 155,500 dunams are in reserve. The Zionist Organisation has been engaged in colonisation work since before the War, though only since the War has development been rapid. It has now a reserve of land sufficient for a programme for a number of years. This is satisfactory, in that it will enable a general programme of development to be worked out for the country without interference with the work of Zionist settlement.

Emek colonies and contagious abortion. A large number of the Zionist colonies are in the Emek. They tend more and more to be based on dairy produce, poultry, and fruit. The price of milk is now falling. The Zionist colonies have large herds of fine cows, many of them being purebred Holsteins, or the Holstein Damascus and the Holstein Gaulan cross. They are heavy milkers. It is unfortunate that with the cows has also been imported Bang's bacillus, and that contagious abortion is present in the large majority of the stalled dairy herds. The matter has been taken in hand by the Department of Agriculture, and it is hoped in

¹⁶ * The whole of this sum has not been expended on families actually settled. It includes an amount spent on land still in reserve.

time to eradicate the disease. Meanwhile, its appearance cannot but affect the estimates of the cost of settlement and throw back the date at which the dairy settlements will definitely become selfsupporting.

Experts' opinion as to completion of establishment. On page 40 of their Report the Experts wrote as follows:

"...that no expenditure for planting new colonies should be made unless the development of existing colonies has been completed, or the money required for their full development has been provided. The amount required for this will absorb the probable normal income of the Colonisation Department for several years to come. Delay in providing settlers with needed equipment and improvements is now causing serious losses and disappointments. It is lowering the efficiency of the settlers, it is the cause of large deficits, even in the older colonies, and is placing on the Zionist Organisation, rather than on the settlers, the responsibility for making the colonies selfsustaining..."

These remarks are still applicable. The colonisation settlements in the Emek, which were examined by those Experts, are still not fully equipped. Indeed, it is stated that the sum of £300,000 is necessary for expenditure during the next two years if these colonies are to be a success.

On July 2nd, 1930, an article appeared in the English supplement of the Jewish Labour paper, "*Davar*," the organ of the General Federation of Jewish Labour, and published by that Federation. The article is entitled "At the Bottom of the List." Referring to an article in the Hebrew issue of the paper on the consolidation of the Zionist colonies, the writer says:

"A detailed plan adopted in 1927 by the Zionist Colonisation Department placed the investments still needed to make all settlements selfsupporting at £499,029. It was resolved to complete the process within two years... and it was with this understanding that the above sum was fixed. The Labour Movement submitted to the necessity of letting consolidation take precedence over all other activities... The plan was sound, but what of its fulfilment? The two years have passed, the third year is nearing its close, and the goal is yet to be reached. In 1927/28 a sum of £136,000 was expended; in 1928/29 another £78,000, and 1929/30 yet another £130,000. This makes a total of £344,000, which, being subtracted from the original total, leaves an arithmetical balance of £155,000 still outstanding. But the economic balance is much greater. In the development of a farm there is a tremendous difference between obtaining the budget in cash so that it can be invested productively at once, and having to wait for windfalls, meanwhile living from hand to mouth. The present position is that instead of £155,000, not less than £300,000 will in all probability be needed to complete the equipment, and again on the understanding that the balance will be forthcoming during the remainder of the present year and the following one ... Now that the time has come for the preliminary drafting of the Agency budget for the next Jewish year those responsible should know that the patience of the Emek settlers is finally exhausted, and that they insist upon means being found to complete the equipment of their farms during the present year..."

Selfsupporting Zionist settlements. In the Memorandum submitted by the Jewish Agency, at page 24, the following is written: "Those settlements which have received their full equipment from the KerenHayesod are now selfsupporting. The other settlements that have not yet received their full settlement loan are most of them by now very near to the stage of being 'selfsupporting.' In this connection we mean by the term 'selfsupporting' that the ordinary farm expenditure and living expenditure, including renovation, but not including depreciation, nor repayment of settlement loan, nor rent (which is not yet payable), are covered by the ordinary farm income. In this sense the following settlements in the valley of Esdraelon are already selfsupporting, viz., Nahalal, Ginegar, Balfouria, Kiar Yeheskiel."

The Consolidation Budget. By the courtesy of Dr. Kuppin, statements were submitted bringing up to date the information contained in Table I printed on page 72 of the Experts' Report. This table gives, among other information, the amount of the "Consolidation Budget," that is, the amount still necessary to complete the settlement of each colony. From the statements it appears that for Nahalal (which is described in the Memorandum as "self-supporting") a sum of £10,000 is still required, for Ginegar the sum is £23,000, for Balfouria, £3,500.

Kfar Yehekiel: Cost of Settlement. Only in the case of Kfar Yehekiel can the colony be said to be self-supporting, and in the modified sense of that word used in the Memorandum. This colony contained 59 families, in 1930. In the statement on p. 72 of the Experts' Report the cost of the land for this colony and its amelioration was shown at \$342,090, say £70,389. In the statement now submitted the cost of the equipment is shown as £63,935 in addition. The total expenditure of settling 59 families is, therefore, £134,329, an average of £2,277 per family.

KerenHayesod: Budget. In view of the continuing necessity for expenditure on existing colonies it is remarkable to find that in the year 1928/1929 the budget of the KerenHayesod for agricultural colonisation fell from £167,090 of the previous year, to £93,123, while at the same time the expenditure on urban colonisation rose from £4,747 to £91,949.

Further, there is at present a plan in preparation with the object of placing one thousand families of labourers on the land. The following is an extract from the Report of the Palestine Jewish Agency, published in the "Palestine Weekly" of July 4th, 1930:

"...It is also a matter of common knowledge that at the last meeting of the Administrative Committee of the Jewish Agency, which took place in London, it was resolved to settle one thousand families of workers, by means of extra budgetary funds, in the vicinity of the big plantation colonies. The plan is still in the preparatory stage..."

Influence of Federation of Labour. A second criticism of the Experts was directed to the submission of the colonisation authorities to the influence of the General Federation of Jewish Labour, and the tendency to use the Zionist colonies as a method of forwarding the Federation policy of social reform. This tendency is still strongly in evidence, and will be discussed later.

Kvutzoth Colonies. A third criticism is directed against the Kvutza, the communal colonies. In those colonies land is held in common, and the community lives in one or more large communal houses, one, or sometimes two, rooms being allowed to each couple. For the children there is a separate children's house, where they are cared for by nurses specially detailed to this duty.

The work of the settlement for the next day is distributed each evening among its members by the community in meeting after the evening meal, and it is understood that each member takes his or her turn at all the domestic or agricultural duties of the group. The employment of paid labour is against the principles which govern such communities. At the time of writing, however, parties of boys belonging to the junior branch of the Federation of Labour have been deputed to some of the Kvutzoth colonies in the Emek to assist in harvesting the grapes. It was explained by one of the officials of the labour executive that, on the one hand, the employment of labour for this purpose would be too expensive for the means of the colony and that, on the other hand, the outing was in the nature of a holiday for the children and that it had the additional effect of stimulating interest in agricultural pursuits. This Kvutzoth system is still in full vigour and new colonies of this type for the labourers are being constructed today.

Smallholding colonies. These differ, of course, from the smallholding colonies, in which each family has its separate dwelling (in almost all cases surrounded by a garden) and its separate agricultural lot. In these, family life is preserved. In some there is an aversion to the employment of paid labour, and much work is done in common, as, for instance, the threshing of the grain at harvest. Many of the smallholders'

colonies are highly attractive in appearance and show signs of progress. This is specially the case in the Maritime Plain, where the orange has proved a great source of wealth, but there are also attractive colonies of this kind in the Plain of Esdraelon, where farming is of the mixed type, the main branches being dairy, and vegetable and fruit cultivation. Even in the smallholders' colonies there is a keen communal feeling, and during the inspection of one of these a complaint was made that one of its members, who had failed financially and left the village, had sold his agricultural outfit to a stranger, without consultation with the village Council. The members of the colony expressed no objection to the newcomer, who was in every way satisfactory. Objection was rather to the manner of his coming among them.

Emek and Upper Jordan Valley Colonies: Nahalal. Among the Zionist settlements probably the most successful and the most attractive are some of those in the Emek and in the Upper Jordan Valley. Nahalal is the outstanding instance of a progressive colony of smallholders. Founded ten years ago, with 80 families, it now has 75 agricultural and 35 nonagricultural families. The colony has been well laid out. It is not yet completely equipped and housing will require a considerable outlay, but progress is substantial. The colony commenced as a graingrowing colony, but has since changed over to more intensive methods, specially to dairy farming and poultry keeping. All the grain produced is used as fodder for birds and animals, and no grain is now sold. In 1922 the colony had 38 cows. It now has about 500 and the income from the sale of animals this year has been £1,500. The colonists also own over 30,000 fowls.

The average holding is 100 dunams. At present it is not more than is sufficient to maintain a family, but it is anticipated that water can be pumped for irrigation and that when this is done there will be room for a few further settlers.

"Regulating Societies". One feature of the colony is what are described as "regulating Societies", which afford help to colonists who suffer from sickness or from poverty. The members arrange among themselves to cultivate the land or tend the animals of a sick member, charging him with the cost. If it is found that the colonist cannot pay, the debt is carried forward to the following year. Some bad debts are made, but the Societies put aside a sum every year to meet such losses.

It was reported that some of the colonists are putting money into their farms. This argues an income in excess of that necessary for the maintenance of the family. The colonists have not yet begun to repay any of the money due to the KerenHayesod for installation, nor is rent being paid to the KerenKayemeth.

Kfar Yeheskiel. Another successful colony in the Plain of Esdraelon is Kfar Yeheskiel. Here the average lot is 85 dunams, but six of the 40 cultivating families have additional land in a neighbouring village. In this colony also the basis is dairying. The colonists own 300 cows and live by selling the milk and the young stock. In addition many fowls are kept and 20,000 eggs are sold on the average each month. Some of the colonists are specialising in fruit and it has been found by experiment that the grapefruit will flourish. The colonists estimate that the net income in cash is £60 per family. Repayment to the KerenHayesod and payment of rent have not yet commenced. The total number of families in this village is 60, of whom 20 are engaged in trade or in work other than agriculture.

Dagania A. Of another type is the Kvutsoth colony Dagania A in the Upper Jordan Valley. This colony was founded 20 years ago. The area was stated by residents on the spot to be 7,000 dunams, of which 800 are irrigated by pumps worked by electric power. There are 255 residents, of whom 116 are children. The industries of the village are dairying and fruit, and the gross produce was said to be £20,000 per annum. Bananas are the staple fruit of the colony and do well. This colony is certainly prospering, but here also no payments are being made in respect of debt or of rent.

Kiryath Anavim A colony which is looked upon by the Zionist Organisation as a great success is the hill colony Kiryath Anavim, a few miles distant from Jerusalem. It is a dairying and fruit colony, with a small area under cultivation. The fodder for 40 Dutch cows comes up by lorry from colonies near to Jaffa, and the settlers stated that its cost was met by the income from the manure of the cowhouses. The

milk is sold in Jerusalem. The adult population of the village is 70. Enquiry was made on this point, but it was not explained how this large number of colonists was occupied with work on a dairy farm with 40 cows and on a small area of fruit. The colony was described as paying its way, and a profit of £164 was stated to have been made in 1929. It appeared, however, from further enquiry that the sum of £1,080 was earned as wages of labour in Jerusalem and elsewhere, that £400 is still required for consolidation, that the outlay of the Keren Hayesod on establishment of the colony was £23,015, that the accumulated deficit is £5,115, and that nothing has been paid towards the debt, or for rent. This settlement cannot seriously be characterised as a financial success.

Jewish rural population. It is somewhat difficult to ascertain how many Jews have been settled on the land. The Report* of the Commission on the Disturbances, at page 8, records the Jewish rural population as 35,000, distributed over 135 settlements. On the other hand, the VaadLeumi, in a Memorandum submitted to the Mandates Commission of the League of Nations, says that the rural Jewish population is 46,000. The exact numbers will not be known until the census of next year, but there can be little doubt that the figure contained in the Memorandum of the VaadLeumi is exaggerated, as the total of the detailed statements for each settlement submitted in the course of this enquiry by the Jewish Agency with their Memorandum is 38,777. This figure, again, may not be exactly accurate, but it is as near the truth as can be ascertained at the present time. It is estimated by the VaadLeumi that there were 10,000 Jews in Jewish colonies in 1919 and that since June, 1921, and up to the end of 1929, 89,926 Jews immigrated into Palestine. If the figure of the Jewish Agency's Memorandum be accepted, the increase of population in the colonies since 1921 is certainly not greater than 28,777, that is to say, that of immigrant Jews less than 1 out of 3 is settled on the land. The immigration movement is in major part a movement of immigration to the towns.

Zionist Settlements not selfsupporting. Of the agricultural settlements it may be said that none of the Zionist settlements are selfsupporting in the sense that they would be able to maintain themselves without further assistance and pay back to the KerenHayesod a reasonable amount towards satisfaction of their debts, and to the KerenKayemeth an economic rent. It is indeed admitted that no such consummation is anticipated. Many Zionist settlements would cease to exist if further support were not forthcoming. The P.I.C.A. colonies include in their number several old colonies which are radically established, and which will unquestionably flourish in the future. Even of the P.I.C.A. colonies, however, there are a number, including some of the older colonies, which still require support and in some cases reorganisation. I understand that this reorganisation is in progress.

Excessive cost of Zionist settlement. The system adopted by the Colonisation Department of the Zionist Organisation is immensely costly; it demands very little from the settler himself. Indeed however hard a settler may work, and however desirous he may be to pay back sums that the Fund expended on him, by no possibility can he arrive at that result. The debt which he owes cannot be repaid by any effort on his part.

Jewish settlement in Russia. It is interesting to compare the principles and cost of Jewish settlement on the land in Russia with the corresponding cost and principles which obtain in Palestine. Jewish colonisation is proceeding on a large scale in Southern Russia, under the auspices of the Joint Distribution Committee, known in its colonisation activity as "AgroJoint." Conditions are of course different, as the Russian Government supplies the necessary land free of charge. Apart from the land, it is costing; £150; £200 to settle a family on the land in Russia, This includes preparing the land (tractor operations and wellsinking) though in a number of cases the digging of the wells is done by the settlers themselves. Of the total expenditure on settlement 82.25 per cent, is described as "returnable expenditure." The balance represents expenditure on what is called "agricultural extension" and on administration. The latter item amounts to the remarkably reasonable percentage of 6.64 per cent, of the total expenditure. It is recorded in a report for 1926 that the new settlers of the 192324 season were already paying their debts.*¹⁷

¹⁷ * Report by Joseph A. Rosen, Director of the AgroJoint, submitted to the Chicago Conference of the United Jewish Campaign, October, 1926.the average to less than ;£80 per family, but this sum did not include the price of

In a report on the work in Russia, by J. Billikopf and Dr. Maurice B. Hexter, written in 1926, the following occurs:

"It is to be noted that nothing is donated outright to the settler except technical instructions and medical assistance; other than technical and medical aid all else is charged to a settler's account, of which the colonist has current information."

Settlement of refugees in Greece. Similarly, in the case of the Greek refugee settlement, all the money spent on settlement by the Refugee Settlement Commission was repayable. It has recently been arranged that the actual overhead expenses of administration shall not be repaid by the agricultural refugees, nor the cost of construction of certain major works of public utility, as for instance an irrigation canal and arterial roads, but that, as a general rule, all other expenditure on the settlement of the individual family, including the price of the land, shall be recovered. Repayment is actually in progress. The cost of settlement of the agricultural refugees in Greece amounted on

Expenditure on settlement and effect of nonrepayment. It is undesirable, from the point of view of ordinary morality, that colonists should be allowed to benefit by the large expenditure which has been made for their settlement and yet to escape payment of the amounts spent upon them. Nothing could be worse than that the Jewish immigrants should feel that they have the right to be established in Palestine at the expense of others. There is a danger that this view will prevail and that settlers will look upon what is described as the "inventory," this is, provision for their settlement, as a right. If a strong, healthy and self-respecting peasantry is desired in the Jewish colonies in Palestine, it should be made quite clear to the settlers that they are under the obligation to repay the outlay which has been made on their behalf.

(III) THE EFFECT OF THE JEWISH SETTLEMENT ON THE ARAB.

P.I.C.A.'s relations with the Arab. In discussing the question of the effect of Jewish Settlement on the Arab it is essential to differentiate between the P.I.C.A. colonisation and that of the Zionist Organisation.

In so far as the past policy of the P.I.C.A. is concerned, there can be no doubt that the Arab has profited largely by the installation of the colonies. Relations between the colonists and their Arab neighbours were excellent. In many cases, when land was bought by the P.I.C.A. for settlement, they combined with the development of the land for their own settlers similar development for the Arabs who previously occupied the land. All the cases which are now quoted by the Jewish authorities to establish the advantageous effect of Jewish colonisation on the Arabs of the neighbourhood, and which have been brought to notice forcibly and frequently during the course of this enquiry, are cases relating to colonies established by the P.I.C.A., before the KerenHayesod came into existence. In fact, the policy of the P.I.C.A. was one of great friendship for the Arab. Not only did they develop the Arab lands simultaneously with their own, when founding their colonies, but they employed the Arab to tend their plantations, cultivate their fields, to pluck their grapes and their oranges. As a general rule the P.I.C.A. colonisation was of unquestionable benefit to the Arabs of the vicinity.

It is also very noticeable, in travelling through the P.I.C.A. villages, to see the friendliness of the relations which exist between Jew and Arab. It is quite a common sight to see an Arab sitting in the verandah of a Jewish house. The position is entirely different in the Zionist colonies.

Zionist colonisation: the Arab. In the Memorandum submitted by the Jewish agency attempts were made to establish that the purchase of the villages in the Esdraelon valley and their settlement by the Jews had not had the effect of causing the previous tenants to join the landless class. A list of the ejected tenants was submitted as an annex to the Memorandum, giving the subsequent employment of each one of these

the land, and about half the houses were provided by the Government, being houses evacuated by exchanged Turks and Bulgarians. These houses, however, required radical repairs.

tenants in so far as they could be traced. The annex dealt with 688 tenants. The following is an extract from the Memorandum:

"...Very few traced belong to the landless class; 437 are continuing farming⁵⁸ as harraths; 89 are shepherds they were all shepherds before the evacuation, farming being with them a merely subsidiary occupation; 4 are craftsmen, 14 are merchants; 50 are urban labourers; 4 are vegetable vendors; 10 are camel drivers; 2 are milkmen; 37 died; 41 whereabouts unknown. In addition, out of the 688 not less than 154 have become property owners that is, they now possess a house and lot of their own."

In explanation of the above statement it must be pointed out that a "harrath" is a farm servant; he is not a tenant farmer. The real result of this enquiry is to establish that of 688 Arab families which cultivated in the villages in the Vale of Esdraelon which were purchased and occupied by the Jews, only 379 are now cultivating the land. Three hundred and nine of these families have joined the landless classes. In the cases described as "died" it is not the family that is extinguished, but the head of the family who has died. Presumably, the descendants are still alive and earning their bread in some other walk of life than agriculture. It is also to be recorded that the number, 688, does not by any means include all the families who were displaced. According to the records of the Area Officers at Nazareth and Haifa, the number of "farmers" displaced from those villages was 1,270, nearly double the number accounted for in the Memorandum. In addition to farmers, there are, of course, many other residents who, though not in occupation, have interests in the land. With reference to these the District Commissioner, Northern District, writes:

".... It appears quite clear that the persons who claimed, or at any rate who received compensations, by no means included all those who had interests in land, who according to the census figures amounted to 4,900. The census figures are usually taken as being about 20 per cent, below the truth, owing to the objections to a census which was connected with military service..."

Government responsibility towards Arab cultivators. The Jewish authorities have nothing with which to reproach themselves in the matter of the Sursock lands. They paid high prices for the land, and in addition they paid to certain of the occupants of those lands a considerable amount of money which they were not legally bound to pay. It was not their business, but the business of the Government to see to it that the position of the Arabs was not adversely affected by the transaction. In Article 6 of the Mandate it is the duty of the Administration of Palestine to ensure that the rights *and position* of the Arabs are not prejudiced by Jewish immigration. It is doubtful whether, in the matter of the Sursock lands, this Article of the Mandate received sufficient consideration.

P.L.D.Co.'s attitude towards Arab cultivators. The question of the treatment of Arab cultivators on the lands purchased by Jewish agencies for development and settlement is already one of importance, and will become increasingly important as further purchases are made. It is a question which intimately concerns the good government of the country, and one to which the Administration of Palestine will doubtless direct its attention. The importance of the question was brought forcibly to notice by Mr. Hankin, an agent of the Palestine Land Development Company. In a letter dated 14th July, 1930, he writes:

"...Had we desired to disregard the interests of such workers of the land as are dependent, directly or indirectly, upon lands of the landlords, we could have acquired large and unlimited areas, but in the course of our conversation I have pointed out to you that this has not been our policy and that, when acquiring lands, it is our ardent wish not to prejudice or do harm to the interests of anybody. We feel it our duty to settle the workers and enable them to continue their agricultural occupation, either in the same place or elsewhere. But we have the possibility of acquiring 100,000 dunams without having to make any settlement for the tenants, since the acquisition of such an area will not cause harm to anybody and will not oust anybody from his lands; only after this area has been acquired we shall have to see to a proper settlement for the tenants..."

The above is a translation from a Hebrew letter sent subsequent to an interview, of which the note records that Mr. Hankin said:

"...it is possible still to make arrangements for settling Arabs off 100,000 dunams which we may purchase ... but not after that. Then it will be necessary to make arrangements for the Arabs, as for the Jews, on the land purchased. They will have to be colonised, as the Jews, but it will be cheaper. For the Arab worker, £150; for the fellah, £300; for the Jewish worker, £300; for the Jewish cultivator, £600 to £700..."

At a later stage of this report the question of the sufficiency of land for Arab cultivators will be examined. It is sufficient at this stage to record the fact that Mr. Hankin, who has probably a more intimate knowledge than any other Jewish representative of the facts regarding agricultural land, is of the opinion that the balance of new land available for settlement at the moment is 100,000 dunams at the outside.

The effect of the Jewish colonisation in Palestine on the existing population is very intimately affected by the conditions on which the various Jewish bodies hold, sell and lease their land.

The Constitution of the Jewish Agency: Land Holding and Employment Clauses. The Constitution of the Jewish Agency for Palestine was signed at Zurich on 14th August, 1920. Article 3 (d) and (e) read as follows:

"(d) Land is to be acquired as Jewish property and subject to the provisions of Article 10 of this Agreement, the title to the lands acquired is to be taken in the name of the Jewish National Fund, to the end that the same shall be held as the inalienable property of the Jewish people.

"(e) The Agency shall promote agricultural colonisation based on Jewish labour, and in all works or undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed..."

KerenKayemeth draft lease: Employment of Jewish labour only. I have been favoured with copies of the draft of the lease which it is proposed to execute in respect of all holdings granted by the KerenKayemeth (Jewish National Fund). The following is Article 23 of this lease:

"...The lessee undertakes to execute all works connected with the cultivation of the holding only with Jewish labour. Failure to comply with this duty by the employment of nonJewish labour shall render the lessee liable to the payment of a compensation of ten Palestinian pounds for each default. The fact of the employment of nonJewish labour shall constitute adequate proof as to the damages and the amount thereof, and the right of the Fund to be paid the compensation referred to, and it shall not be necessary to serve on the lessee any notarial or other notice. Where the lessee has contravened the provisions of this Article three times the Fund may apply the right of restitution of the holding, without paying any compensation whatever."

The lease also provides that the holding shall never be held by any but a Jew. If the holder, being a Jew, dies, leaving as his heir a nonJew, the Fund shall obtain the right of restitution. Prior to the enforcement of the right of restitution, the Fund must give the heir three months' notice, within which period the heir shall transfer his rights to a Jew, otherwise the Fund may enforce the right of restitution and the heir may not oppose such enforcement.

KerenHayesod Agreements: Employment of labour. In the agreement for the repayment of advances made by the KerenHayesod (Palestine Foundation Fund) to settlers in the colonies in the Maritime Plain the following provisions are included:

" Article 7. The settler hereby undertakes that he will during the continuance of any of the said advances, reside upon the said agricultural holding and do all his farm work by himself or with

the aid of his family, and that, if and whenever he may be obliged to hire help, he will hire Jewish workmen only."

In the similar agreement for the Emek colonies there is a provision as follows:

"Article 11. The settler undertakes to work the said holding personally, or with the aid of his family, and not to hire any outside labour except Jewish labourers."

Zionist policy in regard to Arabs in their colonies. The above quoted provisions sufficiently illustrate the Zionist policy with regard to the Arabs in their colonies. Attempts are constantly being made to establish the advantage which Jewish settlement has brought to the Arab. The most lofty sentiments are ventilated at public meetings and in Zionist propaganda. At the time of the Zionist Congress in 1921 a resolution was passed which "solemnly declared the desire of the Jewish people to live with the Arab people in relations of friendship and mutual respect, and, together with the Arab people, to develop the homeland common to both into a prosperous community which would ensure the growth of the peoples." This resolution is frequently quoted in proof of the excellent sentiments which Zionism cherishes towards the people of Palestine. The provisions quoted above, which are included in legal documents binding on every settler in a Zionist colony, are not compatible with the sentiments publicly expressed.

The same remark applies to the following extract from the Memorandum submitted by the General Federation of Jewish Labour to the "Palestine Commission of Enquiry" (i.e., the Commission on the Palestine disturbances of August, 1929):

"The Jewish Labour Movement considers the Arab population as an integral element in this country. It is not to be thought of that Jewish settlers should displace this population, nor establish themselves at its expense. This would not only be impossible both from the political and economic standpoint, but it would run counter to the moral conception lying at the root of the Zionist movement. Jewish immigrants who come to this country to live by their own labour regard the Arab working man as their compatriot and fellow worker, whose needs are their needs and whose future is their future."

The effect of the Zionist colonisation policy on the Arab. Actually the result of the purchase of land in Palestine by the Jewish National Fund has been that land has been extraterritorialised. It ceases to be land from which the Arab can gain any advantage either now or at any time in the future. Not only can he never hope to lease or to cultivate it, but, by the stringent provisions of the lease of the Jewish National Fund, he is deprived for ever from employment on that land. Nor can anyone help him by purchasing the land and restoring it to common use. The land is in mortmain and inalienable. It is for this reason that Arabs discount the professions of friendship and good will on the part of the Zionists in view of the policy which the Zionist Organisation deliberately adopted.

Reasons for the exclusion of the Arab. Attempts were made to ascertain the reasons for these drastic provisions directed to exclude every Arab from the land purchased. The Executive of the General Federation of Jewish Labour were perfectly frank on the subject. They pointed out that the Jewish colonies were founded and established by Jewish capital, and that the subscriptions of which this capital is composed were given with the intention that Jews should emigrate to Palestine and be settled there that these subscriptions would never have been given had it been thought that they would be employed to support Arab labourers that it was the business of the Zionist Organisation to cause immigration into Palestine of as many Jews as possible, and that, if Arabs were employed, posts would thus be filled up for which Jews might have immigrated that the position of agricultural labourer in the colonies, when occupied by a Jew, serves as a training for the immigrant and prepares him to take over a holding himself at a later date and, finally, that if these posts were left open to the ordinary competition of the labour market, the standard of life of the Jewish labourer would be liable to fall to the lower standard of the Arab.

Policy contrary to Article 6 of Mandate. All these arguments are thoroughly logical, and have a basis in fact. They are, however, irrelevant, in view of the provisions of Article 6 of the Mandate. The principle of the persistent and deliberate boycott of Arab labour in the Zionist colonies is not only contrary to the provisions of that article of the Mandate, but it is in addition a constant and increasing source of danger to the country. At the moment this policy is confined to the Zionist colonies, but the General Federation of Jewish Labour is using every effort to ensure that it shall be extended to the colonies of the P.I.C.A., and this with some considerable success. Great pressure is being brought to bear on the old P.I.C.A. colonies in the Maritime Plain and its neighbourhood pressure which in one instance at least has compelled police intervention. As a symptom of that pressure may be cited the construction of a labour Kvtzoth (communal colony) on the outskirts of the P.I.C.A. village of Nessziona. It is certain that the employers of that village will not be able to resist the arguments of the General Federation, reinforced by the appeals of the vigorous labour colony at its gates.

That this replacement of Arab labour by Jewish labour is a definite policy of the Zionist Organisation is also evident from the following quotation, taken from "A Guide to Jewish Palestine", published by the Head Office of the KerenKayemeth Leisrael The Jewish National Fund and the KerenHayesod, at Jerusalem in 1930:

"...up to the end of the war the old plantation settlements employed practically only Arab workers. The transfer of Jewish labourers into the old villages has been a source of constant care of the Zionist Executive, which latterly succeeded in placing approximately 6,500 workers in these centres, chiefly in the form of Havuroth, i.e., closely organised groups, which contract with farmers for specific pieces of work, and are themselves settled on small farms. Under this category come also the Yemnite settlements near the plantation villages..."

It will be a matter of great regret if the friendly spirit which characterised the relations between the Jewish employer in the P.I.C.A. villages and his Arab employees, to which reference was already been made, were to disappear. Unless there is some change of spirit in the policy of the Zionist Organisation it seems inevitable that the General Federation of Jewish Labour, which dominates that policy, will succeed in extending its principles to all the Jewish colonies in Palestine.

The present position, precluding any employment of Arabs in the Zionist colonies, is undesirable, from the point of view both of justice and of the good government of the country. As long as these provisions exist in the Constitution of the Zionist Organisation, in the lease of the KerenKayemeth and in the agreement of the KerenHayesod it cannot be regarded as desirable that large areas of land should be transferred to the Jewish National Fund. It is impossible to view with equanimity the extension of an enclave in Palestine from which all Arabs are excluded. The Arab population already regards the transfer of lands to Zionist hands with dismay and alarm. These cannot be dismissed as baseless in the light of the Zionist policy which is described above.

(iv) GOVERNMENT LANDS

The question of the Government lands. The Jewish Agency, and the Jewish community in general, are insistent in pressing their claim to all lands in the ownership of the Government. A list of these lands, and of other lands to which Government lays claim, or to which it has laid claim in the past are entered in Appendix No. 12 and their position is shown on Map No. I.

Huleh and Beisan. The lands fall into various categories. The question of Huleh and of the Beisan lands is discussed at length in another portion of this report. In both of these cases the position is a "fait accompli". If the Government wishes to obtain proprietary possession of the former Government lands in the Huleh Basin, it will either have to await the problematical chance of the denunciation of the concession, or to purchase the rights of the concessionaire. In the case of the Beisan Chiftlik lands, the Government can only regain possession by purchase, or by expropriation on payment of compensation.

These were the two most important and valuable areas of Government property, and are still those to which the eyes of the Jewish organisations are turned with longing and with invincible expectation.

Chifilik Estates. Of the areas still remaining, there is a class of property, which the Government has leased to the Arabs on the spot. The Government claims ownership. These Arabs have been in actual possession for very many years, and in certain cases claim that they have rights, and have made application to be treated in the same manner as the tenants with whom the Grhor Mudawwara agreement was made in 1921. The following is the list of properties of this kind, with their areas:

(1) Mansourah	area 2,500 dunams
(2)Kokab	area 3,750 do.
(3) Zalafieh	area 2,700 do.
(4) TelelDahab	area 2,400 do.
(5) Deir Ghazaleh	area 2,400 do.
(6) Mazra'a el Hamra	area 11,300 do.
(7) Akrabenieh	area 960 do.
(8) El Farush	area 1,656 do.
(9) Sajad	area 7,000 do.
(10) Hamadieh	area 500 do.
(11) Zeita	area 5,350 do.
(12) Jaladiyeh	area 4,143 do.
(13) Kofakha	area 9200 do.
(14) Muharraka	area 4,580 do.
(15) Rafa	area 90,000 do

The Government share in the village of *Kokab* is 324th in an undivided village. If this share were to be transferred the other sharers would have the right of preemption.

A part of the *Rafa* lands was offered to the Jews, but for financial reasons was refused. The same is the case with *Tel Arad*. Part was offered to the Jews for settlement by exservice men, but attempts to find water were not successful and the offer was not accepted.

In the general development of agricultural Palestine which will be recommended as the only solution of the present difficulties, the whole of these properties will doubtless be examined in detail and will fall into the appropriate place in the scheme which must be prepared. It is obvious that unless development is undertaken as a preliminary to closer settlement, the Arabs who are now existing on these properties can neither have their holdings reduced, nor can be expelled in order to make room for Jewish settlers.

Jazzair, which extends to about 418 dunams, is leased to an Arab tenant of long standing for 20 years. *Hassaniyeh*, for which demands have been made, lies in the Safad subdistrict. The claim of the villagers to this property has been recognised and it is no longer State Domain. *Dahnuneh and Mubaraheh*, also in the Safad subdistrict, have been settled with a Jewish Cooperative Society on a 50 years' lease. Their area is small. *TobAlti*, at Acre, is largely occupied by the Agricultural Station, and by sites reserved for the Central Prison and for the Men's Elementary Training College. The balance consists of building sites, many of which have already been sold under a scheme initiated by the Ottoman Government.

The property of *Subeih*, in the Nazareth subdistrict, was of the same class as the group of villages on which the Arab tenants are allowed to remain on payment of 10 per cent, of the gross produce as rent, which have been detailed above. The total area is 9,000 dunams. Of this, 2,000 dunams have been taken for the Jewish Agricultural School to be founded from the Kadoorie Bequest. The Government has agreed to sell the remaining portion of the village to the Arabs who are settled thereon and have been for at least the past century. There are reported to be 140 families, of whom 70 are actual cultivators and the

rest graziers or workmen. Parts of the boundaries of the village lands are in dispute and the case is before the court. The Government property in *Rakayik* has been leased to a Jew.

The *Acre Sands*, 12,225 dunams, have been reserved for exchange and lease to the Haifa Bay Development Company (now the Bayside Land Corporation) a Jewish concern. When the Haifa Port is developed these lands are likely to become exceedingly valuable.

The *Kishon Lands* consist largely, if not entirely, of wadi beds drained by the Government, the work being done as a relief work for the Jewish unemployed in 1926/27. These lands are only 450 dunams in extent and should assuredly be reserved by the Government, in view of the keen demand for land in that neighbourhood, both for Government and other buildings on the completion of the Haifa Harbour works. The Jewish community already holds a large area of land in Haifa itself and in the immediate neighbourhood.

The *Rushmia* property, 3,385 dunams, occupies a large area on the Carmel ridge, and is in the immediate neighbourhood of Haifa. An application for a lease to the Jewish National Fund is under consideration. In view of the outlook for Haifa, this again will be a property of rapidly increasing value. It is fair that the enhanced value which results from the Government's expenditure at Haifa should redound to the financial advantage of the Government. This property is not an agricultural property in the ordinary sense. It will rapidly become a suburban property. The wiser course would seem to be to split up the property into blocks and dispose of these on long lease to individuals. If this land is leased to the Jewish National Fund, the result will be that no Arab can ever hope either to occupy a portion of the land or possibly to be employed thereon as a labourer or workman.

Athlit, *Kabbara* and *Caesarea* have already been granted to the P.I.C.A. under a concession. (*Therkaz* and *Hudeidoun* are occupied by the same organization. The two latter are small areas.

The *Toubas lands*, in the Nablus subdistrict, are 41,700 dunams in extent and are occupied by Arab cultivators who have never acknowledged the Government claim to proprietary right. The Arabs have never paid rent and do not do so at present. It is reported to be very questionable whether the claim of the Government has any basis.

Bassat el Yaraki is a swamp. The total area is 2,500 dunams. The right to cut reeds in the swamp is sold annually. There are claims to grazing rights by certain Arab stockbreeders. It is stated that the swamp is not capable of economic drainage.

Basset el Mulabbis is already leased to the Jewish colony of Petach Tikvah.

There is litigation in progress on the subject of the *Jaffa sanddunes*, which cover an area of 35,000 dunams. These are, of course, largely uncultivable. An area of 21,000 dunams is earmarked for lease to the Jewish colony of RishonleZion, subject to the result of the action in court.

The *Ahata* property, 15,000 dunams, lies on the road from Jerusalem to Jericho, in the ravines of the Judaeen Hills. The ownership is disputed. The whole area is uncultivated and the major portion uncultivable.

There is a large area of land in the *Jericho Chifilik* and *Es Suwaideh*, *Ghambeh* and *Jahayyer* lying between the Dead Sea and Jericho. Apart from the area irrigated from the Ain Sultan, there is only a small area of this land at present cultivable, and considerable development will be necessary to render any portion of it fit for cultivation. Irrigation is essential.

Of this area, 11,000 dunams were offered to Jewish organizations, but were refused as unsuitable.

Ain Feshka, on the Western shore of the Dead Sea, is uncultivable. The land is highly saline.

Near *Gaza* there are 6,000 dunams of sanddunes, included in the list of Government properties. There is at the moment an action in Court on the question of ownership. These sanddunes are in the main uncultivable and the tract is the site of the New Gaza.

The above deals in detail with all the Government properties to which the Jews have laid claim. Had different action been taken in the case of the Huleh Basin and the Beisan Lands, doubtless some portion of the demand could have been met. It is clear, however, that of the land which remains with the Government at the present time the area is exceedingly small, with the exception of tracts which, until developed, are required in their entirety for the maintenance of the Arabs already in occupation. It cannot be argued that Arabs should be dispossessed in order that the land should be made available for Jewish settlement. That would amount to a distinct breach of the provisions of Article 6 of the Mandate.

There will be an addition to the area of Government lands, and possibly a material addition, as the settlement proceeds and areas of Mawat are determined. Meanwhile the general idea that the Government has command of large areas which it could, but will not make over for Jewish settlement is far removed from the facts. This myth is based on a tradition of disappointment because of the action of the Government of Palestine in regard to the concession of Government lands in the Huleh Basin, and to the settlement of the area covered by the Ghor Mudawwara Agreement with the Arabs in possession of that area.

CHAPTER VI - THE POSITION OF THE FELLAH.

Available information. The present enquiry has fortunately occurred at a time when the question of the economic position of the fellah has formed the subject of two serious investigations. The first of these has been made by a Commission appointed by the Administration which, after a detailed enquiry into the position in 104 representative villages, submitted its report to the Government on July 3rd, 1930. The results of the second are recorded in a volume by Dr. Wilkansky, head of the Zionist Agricultural Experimental Station of TelAviv. This volume is not yet published in English, but the proof sheets have been made available by the courtesy of Dr. Wilkansky for the purposes of this enquiry.

Area of cultivable land occupied by the Fellah. The question of the cultivable area of Palestine has been examined in another part of this report, and the estimate of the Director of Surveys has been accepted as the most reliable available estimate. He puts the cultivable area of the whole of Palestine, including Beersheba, at 8,044,000 dunams. For the purposes of the present enquiry the Beersheba tract as to whose area little is in fact known, and which depends on an erratic and insufficient rainfall is omitted, and consideration directed to the cultivated areas in the Hill country and the Five Plains which have already been described. The total cultivable area of these two regions is 6,544,000 dunams. Of these at least 900,000 dunams are already in the possession of the Jews.*¹⁸ There are thus 5,644,000 dunams available for the Arabs at the present time. This figure differs materially from the figure quoted by the Commission on the Disturbances on p. 113 of its Report, and used in the arguments on pp. 120 et seq.

There are some areas held by German colonists and certain ecclesiastical authorities, but they are comparatively so small that they need not be taken into account in this calculation.

The "Lot viable ". On pp. 120 and 121 of their Report that Commission writes as follows:

"...Now, the area of land required to support the average family must vary with the fertility of the soil. From evidence given before us it would appear that where the land is used for the purpose of growing cereals the area which will provide a living for an Arab' family varies from 100150 dunams. No other figures were put forward from the Arab side, but Dr. Ruppim informed us that

¹⁸ * The total Jewish holdings are reported at 1,250,000 Turkish, i.e., 1,149,000 metric dunams. Allowing 20 per cent, for uncultivable land, the remainder will exceed 900,000 dunams.

the average area of a Jewish colonist in the old wheatgrowing colonies in Lower Galilee is 250 dunams, in the Zionist settlement in the Plain of Esdraelon with dairyfarming it is 100 dunams, and in the Coastal Plain, where orange growing is the principal occupation, it is 1020 dunams.

"From the figures given by the experts who were appointed by the Joint Palestine Survey Commission and who visited Palestine in 1928, it would seem that the average Jewish holding of land in the Zionist colonies is today 130 dunams. These gentlemen found that few of the Jewish colonists were able to make a satisfactory living on their present holding. The experts were of opinion that in many districts the area of the average holding should be increased."

The joint Palestine Survey Commission, at p. 67 of their report, write the following:

"Palestine experience shows that a dry farm should have from 40 to 80 acres, whether in the Coastal Plain or in the Emek, and that 60 acres is a safer limit than 40."

That is to say that in their opinion, the absolute minimum for a farm in either of those two areas is 160 dunams and that 240 dunams is a safer minimum than 160. It will be remembered that the Emek is looked upon as one of the most fertile regions of the country.

The "Lot viable", the holding necessary to support its occupants in a reasonable standard of life, varies of course with the class of land of which the holding consists. Not only is there a wide difference between the unirrigated holding necessary for this purpose and the similar irrigated holding. Among dry holdings some are much more productive than others. For this reason it is impossible to fix any holding which might be taken as the standard holding in irrigated and unirrigated tracts respectively. Although it is true that no such standard holding can be taken, it is well to arrive at an approximate average holding for lands of various kinds. Many such averages have been suggested, and have been treated as to a certain extent authoritative.

The question of appropriate holdings in the various zones and for different types of farming have been discussed at length in a "Key for the Settlement of Various Zones in Palestine", being the reports of the Preparatory Commissions appointed by the Zionist Organisation to consider the question of the preparation of the land for the settlement of Jewish immigrants. The Key was, it is understood, written by Dr. Wilkansky. On p. 6 the unit area of the ameliorated colonies on nonirrigated heavy soil is fixed at 200 to 250 dunams, though a few may be as small as 160 dunams. On pp. 16 to 20 is discussed the unit of an improved farm of fixed system. The basis of the farm is dairying, and it is assumed that the settler is supplied with six cows. For such a farm the unit required is 130 dunams. It is added: "With land not so well improved it will be necessary to add 1020 dunams according to the fertility. In certain districts, therefore, the unit area will have to be increased to 140150 dunams".

Again, on p. 37, there is an estimate of the area required for a farm in the stage of transition, that is to say, when it is being improved for the reception of the settlers. At that stage one settler's family is put on to a double farm. When it is improved he retains one half and a second family is installed on the other half. The total area of the farm is 280 to 300 dunams, the size of the individual farm, again a dairy farm, being from 140 to 150 dunams. For a heavy soil farm, entirely irrigated and to support 8 cows, the area is estimated at p. 42 of the Key to be 25 dunams. Finally, at page 44, an estimate is given of a typical farm in a dry grain section, with 10 dunams of irrigated land, and the area required is found to be 80 dunams. Here again the basis is dairying, with four cows. In all the cases dealt with in the Key, the lot is so calculated as to be workable by the members of the family without any outside assistance. In all cases also the basic industry is dairying and the farm is planned for the feeding of cows. The anticipated yield of milk is in each case considerably higher than the milk yield of the common country cow.

An interesting piece of evidence on the subject of the "lot viable" is contained in the negotiations between the Administration and Mr. Ben Zvi of the General Federation of Jewish Labour, on the subject of

a grant of land at TelArad for Jewish exservice men. An area of 200 dunams per settler was demanded. It was pointed out by the High Commissioner that in other cases 70 dunams had been granted to settlers. Mr. Ben Zvi maintained that this was where there were plantations and that the P.I.C.A. allowed 250 dunams for each family. Later he stated that 200 dunams was the minimum that would suffice for a family and this basis was accepted.

Saleem eff Farah was of the opinion that 150 dunams of unirrigated land is the minimum which will support the family of the fellah in a reasonable standard of comfort.

In the Memorandum on "Land and Agricultural Development", submitted by the Jewish Agency, the question of the lot viable in various areas is dealt with. In the Emek it is calculated at 100 to 150 dunams. Where water is available, the area can be reduced at the ratio of one dunam of irrigated soil to four or five dunams of dry soil. In the "Key" to which reference has been made above, Dr. Wilkansky considered one dunam of irrigated soil as equivalent to three dunams of unirrigated soil. In the Maritime Plain irrigated areas suitable for oranges can be settled on the basis of one family to 15 dunams, if only partly suitable for oranges one family to 22 dunams.

Dealing with the Huleh area the Memorandum of the Jewish Agency considers that 25 dunams of irrigated heavy soil or 22 dunams of irrigated light soil should be sufficient for a holding.

Mr. Hankin, on the other hand, considered 40 dunams, of which half irrigated, as the correct holding. The experts of the Jewish Agency are of the opinion that 25 dunams are sufficient in the case of the Beisan and Semakh lands if irrigated, and recommend 86 dunams of unirrigated and 14 of irrigated in that area. On the slopes and the heights to the north of the Haifa Semakh railway line they consider 150 dunams necessary. For the Lower Jordan valley a standard holding of 21 dunams is suggested. This suggestion is made tentatively and admittedly without close detailed knowledge.

The most surprising suggestion on this question of the "lot viable" is contained in an Appendix to the Jewish Agency Memorandum, supplied by Dr. Joseph Weiz. He deals with the Hill country and alleges that the area that can be cultivated is 5,137,495 dunams. This compares with the estimate of the Director of Surveys of 2,450,000 dunams. The basic lot should, he suggests, consist of 30 dunams, 10 dunams containing olive and fig trees, eight containing fruittrees, seven containing grapevines, and five occupied by the farmyard and vegetable patch. By arranging in this manner he concludes that there would be room for a further 74,000 families in the Hills. It is difficult to take the proposal as a serious contribution to the study of this important subject. That Dr. Weiz has his doubts may be concluded from the last sentence of his note: "Even if a further reserve of 60 per cent, is made, it would follow that there would be room for the additional settlement of 35,000 families in the Hill country during the next thirty years."

The report of the Committee on the Economic Condition of Agriculturists records the opinion, at page 32 of the report, that: "To provide the minimum cost of living for a family, a holding of 75 dunams seems to be necessary for an owner-cultivator while a tenant requires 130 dunams."

This opinion was arrived at on a consideration of the gross return from the holding at the prices of the years 1924 to 1928. As has been shown elsewhere, presentday prices are but 50 per cent, of those adopted by the Committee in arriving at its deductions.

A detailed investigation was made into the conditions in the village of Beer Zeit, in the Hill country, for the purpose of this enquiry. Of the cultivation 27.4 per cent, consisted of olive groves 8.2 per cent, of figs and other fruittrees, 17.8 of vines and 46.6 of cereals. It was found that there were 180 families in the village, that the "lot viable" was 112 dunams, and that the village could only provide holdings of that area for 65 families. There were therefore 115 families in excess of the number which the village could actually support. The total debt of the village amounts to ;£7,000, an average of about £39 per family. The sources of maintenance beside cultivation were remittances from persons who had emigrated to

America from the village, daily labour in the village and elsewhere, and additional borrowing from the moneylenders. And Beer Zeit is regarded as a village above the average of Hill villages in prosperity.

Conclusion. It is clear that in unirrigated land the "lot viable" is not less than 130 dunams, unless command of considerable capital enables the tenant to maintain a dairy herd of foreign or crossbred animals, in which case in the richer tracts, the holding may possibly, but questionably, be reduced to 100 dunams. Where irrigation is available and where dairying is possible, the holding may be reduced to 40 dunams of which half irrigable. Where plantations are established the "lot viable", at present prices of Jaffa oranges and bananas, may be placed at 15 to 20 dunams.

Economic position of the fellah. Evidence from every possible source tends to support the conclusion that the Arab fellah cultivator is in a desperate position. He has no capital for his farm. He is, on the contrary, heavily in debt. His rent is rising, he has to pay very heavy taxes, and the rate of interest on his loans is incredibly high. On the other hand, he is intelligent and hardworking, and pitifully anxious to improve his standard of cultivation and his standard of life. And very little has been done for him in the past.

Distribution of available area. It has been shown that there are about 61,408 fellah families who cultivate some 5,644,000 dunams of land. This gives an average holding of 91.9 dunams per family. It is true, as pointed out in the memorandum of the Jewish Agency on the Report of the Commission on the Disturbances, that there are a number of Arabs who cultivate orange groves and vegetables. Their number, however, is not material to the argument and may be set off against the reduction in the area due to the German villages and to a certain area of agricultural land held by some of the churches.

The enquiry of the Commission on the Economic Condition of Agriculturists in 104 villages resulted in a very different estimate. In the cases of 16,633 families it was found that the average holding was 75.00 dunams per family. It was also established that of 23,573 families resident in those villages only 5,477 farmers live entirely from agriculture. Of these 3,873 hold over 240 dunams and 1,604 from 120 to 240 dunams. Not a single farmer who held less than 120 dunams was able to live on the produce of his farm without outside employment, and of 3,261 holding from 120 to 240 dunams 1,657 found it necessary to procure employment in addition to their farming, in order to maintain themselves and their families. From this it is quite clear that 120 dunams is not a lot sufficient to support a fellah family with cereal cultivation. This bears out the opinion of the Experts quoted by the Commission on the Disturbances on p. 121 of their Report, to the effect that the area required for a holding varies from 160 dunams per family in good soil suitable for dairy farming, to 320 dunams in the less productive soil of the cerealgrowing districts. In fact the average existing fellah holding is insufficient to maintain anything like a decent standard of life.

The requirements and standard of life of the Fellah. The life of the fellah is one of great struggle and privation. The Director of Education, in the course of a note, makes the following remarks:

"The economic state of the agricultural population is desperate. Hardly any Arab village exists which is not in debt. The fellahin are so overtaxed that they find great difficulty in paying the tithe. Moreover, after an excellent harvest, they are unable to sell their corn or barley or oil. In 15 villages recently visited by the writer in Galilee, the same desperate state of affairs was evident. Money is so scarce in some places that the people purchase the necessities of life by barter, and they cannot pay the tithe without further borrowing. This means increasing their already overwhelming debt to the moneylender ..."

"We have been struggling in deep water for several years, and very soon the water will close over our heads" was the statement made in one village, which may be taken as typical of the state of mind in every village

"If the state of the Arab fellah is to be improved, and it is evidently one of the most important problems which face the Administration in Palestine, his children must be given an education which will help them to avoid falling into the situation in which the present generation finds itself today."

Dr. Wilkansky writes as follows:

"... The diet of the fellah is poor and monotonous. His staple food is ' pittah,' [cake of unleavened bread] which he hakes every day. A few pittahs, with onions or radishes form his morning and midday meals. A cooked meal, called by him ' tabiach,' is only prepared for him in the evening. It consists of the herb' hubza' flavoured with onions and pepper. When tomatoes are in season he eats tomato salad flavoured with pepper. Pepper and oil are hie two condiments. Most of his requirements are provided by his own fields, and he buys but little outside... The fellah uses very little meat. For entertaining visitors he will kill a sick sheep, or some sick fowls. They also have meat when an ox or a camel falls ill beyond recovery. They then kill the animal and treat the members of the village with a portion of the flesh. Sometimes with the money which the woman obtains in the market from the sale of fowls, cheese and eggs, she purchases a pair of trotters, a head or so forth, from which she prepares a special treat on returning home."

The Fellah's capital. The fellah may or may not own his land but he has no free working capital. The amount invested in his farm is detailed by Dr. Wilkansky as follows:

Oxen, or a camel	15 to 20
1 ass	3 to 4
1 plough	0.40
1 threshing board	0.60
2 wooden picks	0.15
1 iron pick	0.20
7 sacks for straw	0.60
1 scythe (sickles)	0.10
1 yoke or pole	0.60
Ropes for binding	0.30
2 sieves	0.25
Total	£21.20 to 27.20

In addition he may have 20 sheep worth £1 each, a cow worth £6£10, a goat worth £0.80 to £1, and 30 fowls £3 to £4, making a grand total of £51 to £62.20.

The fellah's plough. It is a common impression that the fellah's cultivation is entirely inadequate, and a good deal of ridicule has been and is poured upon the nailplough which he uses. In the stony country of the Hills no other plough would be able to do the work at all. With regard to the use of that plough, Dr. Wilkansky writes:

"...The Arab plough is like the ancient Hebrew plough ... Its distinguishing characteristic is that it cuts the surface soil and does not turn it up. It performs, very slowly, it is true, but very thoroughly, all the functions for which a combination of modern machines is required a plough, a roller and a harrow. Its great virtues are that it does not bring up clods, that it does not press or crush the moist earth, but flits as it were over the ground with its coulter which resembles a duck's foot in its base, and that it penetrates the ground with its point, which is sharp and long like the head of a spear. It produces the requisite loose and broken crust by itself, without the aid of other implements. ...But the ploughing of the fellah is above reproach. His field, prepared for sowing, is never inferior to that prepared by the most perfect implements, and sometimes it even surpasses all others. The defect lies only in the slowness, which calls for modification in order to adapt the working process to the rate of speed in our time."

The fellah as a cultivator. The fellah is neither lazy nor unintelligent. He is a competent and capable agriculturist, and there is little doubt that were he to be given the chance of learning better methods, and the capital, which is a necessary preliminary to their employment, he would rapidly improve his position. Meanwhile, however, the income which he can procure from his inadequate farm is insufficient to maintain him in a decent standard of comfort and leaves no margin whatever for improvements.

The method on which the average cereal farm of the fellah is worked is that the holding is divided into two areas. In one of the areas he sows his winter crops, while the other lies fallow. In this fallow portion, in the spring, the summer crop is sown; in the former portion, after reaping the winter crops in May and June, the land lies fallow until the following spring, when the summer crops are sown. In the latter portion, after the reaping of the summer crop, the winter crop is at once sown. Thus in each portion two crops, one summer and one winter, are taken in two years.

The return from the fellah's farm. The return from a farm of 120 dunams is very small. The gross income is estimated at £40, of which £10 is payable as tithe, leaving £30 for the family expenses of the year. (Mr. Smilansky's pamphlet: "The Jewish Colonisation and the Fellah"). Dr. Wilkansky has made a detailed estimate of the income and expenditure of an ordinary fellah on a holding of 80100 dunams in his work on "The Fellah's Farm," to which reference has already been made. This estimate and estimates contained in the report of the Committee on the Economic Condition of Agriculturists are included in Appendix 18.

In connection with Dr. Wilkansky's estimate it is to be remarked that nothing is shown as payable for rent, also, that income is shown from milk, but nothing on the expenditure for the feeding of the cow. The balance available for personal expenditure of the whole household for a year is 185. This sum has to meet all luxury expenditure, including expenditure on the purchase of meat and this for five or six persons.

Deductions from the figures supplied by 104 milages. In the enquiry conducted by the Committee on the Economic Condition of Agriculturists, returns were made showing the gross income declared as received from all sources in the 104 villages in question. This declaration was revised by the Committee on the basis of average prices of the previous four years taken in 1928 for the purpose of commutation of the Tithe. In the Committee's estimate also the total produce reported by the villages was revised to agree with the average yields per dunam used for the commutation of the Tithe. The returns thus calculated given in that Report are appended to this Report in Appendix 13. Prices have fallen very materially since the commutation of the Tithe in 1928, and a calculation has been made of the gross income of the 104 villages, applying the prices prevailing in May, 1930. The sum reached is £306,043, as compared with the declared return of £301,999, and the Committee's calculation of £483,600. The yield accepted by the Committee has been taken as the actual yield for the purposes of the new calculation. That on which the declaration was based is considerably smaller. (For yields, see Appendix 24.)

On the figures adopted by the Committee the gross average yield of 100 dunams of field crops only amounts to £51. On the revised figures now calculated it is £32.

The above figures refer only to the income from the field crops. From fruit trees, stock, dairy produce, poultry and other village sources, and from transport and labour outside the village there was a declared income of £242,882. This figure was examined in detail by the Committee. They have raised it to £420,070. They have, however, continued to take the prices on which the Commuted Tithe was based rather than existing prices. For instance, they estimate the value of oliveoil at £53 a ton, while the present price is but £33 a ton. Making an adjustment on this account a figure of £388,373 may be accepted as the income from other sources than crops. Thus the following result is reached:

Declaration made by the villages as total income	544,881
Income as calculated by the Committee ...	912,670
Income as now calculated ...	694,416

The gross income per family on the above totals works out at £P.23.050, £P.38.350, and £P.29.20 respectively. Out of this amount has to be met (a) expenses of production, estimated by the Committee at £P.22; (6) Taxes, calculated at £P.5; (c) The maintenance of the fellah and his family. The household expenditure is shown by Dr. Wilkansky to be £P.49.50. In none of the cases, therefore, does the total income cover the essential expenses of the cultivator.

The fellah's debts In addition to these facts it must be borne in mind that the average holding of 104 villages is not 100 dunams, but 75 dunams, and that the average debt per family amounts to £P.27, on which the rate of interest of 30 per cent, is usual, that is to say, that for interest alone the family must pay £P.8 per annum. The rate of 30 per cent, is regarded as quite reasonable, and is indeed exceeded in many cases. It is a usual practice for the moneylender or the merchant to make an advance on terms known as "ashara hamastash," which means that a sum of £P.10 advanced at the time of sowing is repaid by a sum of £P.15 at the time of harvest. Another common arrangement is interest at the rate of Is. in the pound per month.

Legal rate of interest. In regard to this question of interest, it is true that the legal rate of interest is 9 per cent, per annum. This law is a dead letter. There are many obvious methods of evasion, and even were there no such methods, no fellah would dare to defend himself by means of this law, as he would unquestionably close to himself the door of the moneylender for ever. Without the moneylender he cannot live.

Financial situation of the Fellah. As to the financial situation of the Arab farmer the Committee on the Economic Condition of Agriculturists write:

"...Up till the middle of 1929, the net income of the average agricultural family has been between £25 and £30, and the family has contrived to live on this income. It is clear, however, that there must have been many families less favourably situated, who have been obliged either to lower their standard of living or to fall into debt ...many farmers now owe sums that are quite beyond their capacity to pay..."

At another place they write:

"...We think that it may safely be assumed that, with very rare exceptions, every village can provide its own subsistence even if the standard of living may fall slightly below the figure we have estimated. The farmer is often perhaps habitually short of ready cash, but there is no evidence that he or his family are ever without sufficient food for their subsistence..."

It should be remarked that between the middle of 1929, to which period the Committee refer in discussing the net income of any agricultural family, and the month of July, 1930, the price of agricultural produce fell heavily. In the graph appended to this report (No. 1) it is seen that the price of wheat fell in the twelve months in question from £11 to £6 per ton, that of barley from £5 to £3, and that of durrah from £8 to £4. The net income of the family cannot therefore now be regarded as £P.24 or £P.30. It has reached vanishing point. The calculation of the Committee showing that the net return of 100 dunams to the owner-cultivator is £P.35.200 and to the tenant £P.20, has been revised on the basis of the prices of July 1930. The calculation is contained in Appendix 15 to this report. The result shows a net return of dP.11.800 mils in the case of the owner-cultivator and £P.3.600 mils to the tenant.

From this the interest on debt on the average not less than [^]8 per family clothes for the whole family, and all other living expenses, must be met. It is no exaggeration to state that the fellah population as a class is hopelessly bankrupt.

Commutation of the Tithe and the result of the fall in prices. The position of the Arab cultivator has always been one of extreme poverty, but there are at the present time certain circumstances which render it more desperate than has been the case in the past. In the year 1928, steps were taken to commute the

Tithe. This payment was based on the average yields and prices of the four preceding years. Since that time there has been a progressive fall of prices of agricultural produce. (Vide Appendix 14.) During the present year the fall has become more rapid and more pronounced. As a result, the Arab cultivator has now to sell, not onetenth, but one-fifth of his crop in order to pay the Tithe in cash. Indeed, in many cases the amount is more than one-fifth for the prices for commutation of the Tithe were based not on oil prices of the village but on those of the market town, and the two rates vary largely. In addition, the price of sale is lower than the price of purchase, and the price of forced sale is still lower. At the time of this enquiry actual prices of sale were in certain cases extraordinary. Villages found it exceedingly difficult to sell at all, and there was an established case reported in which barley was sold at Gaza at £P.2 a ton, when the quoted market price was £P.3.100, itself a price exceedingly low.

Diminution of the size of holdings. There is also a progressive diminution in the areas of the holdings; in every village visited there were complaints on this score. Portions of the holdings have been sold either to pay off debts or to pay the Government taxes or to obtain the wherewithal to keep the family alive.

The population of the villages is increasing faster than in Turkish times, owing in large measure to the cessation of conscription. There is consequently increasing competition for land, and division of holdings among the increased number of members of the family.

Rise in rents. Rents are rising; those who wish to rent land find it difficult to obtain it, and offer rents which frequently cannot be paid and yet leave a surplus for the maintenance of the family in a standard of reasonable comfort. Cases were reported in which fellahin who desired to obtain land offered 50 per cent, of the produce, the landlord paying the Tithe. The Committee reports that the commonest rent is 30 per cent, of the produce, the tenant paying the Tithe, or 40 per cent., the Tithe falling on the landlord. Money rents are now beginning to appear in some parts of the country, as was to be expected as a consequence of the commutation of the Tithe. These rents vary from about 50 mils to 250 mils the dunam. The most common is 100150 mils (i.e., 2s. to 3s.). Above it has been reported that the gross income from 100 dunams of field crops is £32 at present prices. At 3s. a dunam the rent would be £15 for 100 dunams, that is, equal to about 47 per cent, of the gross income. One case reported has reference to land owned, but not yet settled, by Jews, of which Arab tenants in an adjoining village rent 5,600 dunams. Up to the year 192627 the cultivators paid 20 per cent, of the produce in kind. Since then, the lease has been put up to public auction and in 192728 produced £260, in 192829 £400, and in 192930 £525. It is not suggested that the rent is even now excessive, but the rise of more than 100 per cent, in the past three years demonstrates the amount of competition that exists for land.

Warrants and imprisonment for debt. A further symptom of the economic position of the Arab cultivator is found in the number of cases in which it is necessary to issue warrants for debt. Attempts were made to collect information on this point, but it has been found difficult to concentrate figures. The Supreme Court gave information with respect to warrants issued for debt in all districts during the first two months of the present year, except in the district of Jaffa, for which the figures were not available, and the actual imprisonment figures for Haifa, which were not reported. The statement is therefore not complete, but even so it shows that in the two months in the area included in the return 2,677 warrants were issued for debt and 599 persons imprisoned.

A report on this point was received from the Director of Agriculture in respect of the Haifa district for the past year. From this it appears that in the Magistrates' Court at Haifa alone and for the Subdistrict of Haifa, with a population estimated at 67,800, there were heard 8,701 proceedings for debt, issued 4,872 orders for execution and filed 2,756 applications for imprisonment for debt. Assuming that the average family consists of 5 persons, the total number of families in the Subdistrict was 13,560. The execution proceedings taken were thus in number equal to 64.2 per cent, of the number of families of the Subdistrict. According to the census of 1922 the Jewish population represented less than 20 per cent, of the population of this Subdistrict.

Taxes on agriculture. The taxes paid by agriculturists are:

- (1) The Tithe.
- (2) The Werko.
- (3) The Animal Tax.

In addition the agriculturist pays indirect taxes upon imported goods which he purchases, and fees on registration when land is transferred.

Tithe.1. The Commuted Tithe has now replaced the tithe, except in the case of a small number of Bedu tribal areas in the Beersheba Subdistrict, where the Tithe at the rate of 10 per cent, of the produce of the land is still collected in money. As has been noted above, the commutation of the Tithe was carried through in 1928. In Appendix 14 of this report the market prices of the chief crops during the four years of which the prices formed the basis of commutation, the rate adopted for conversion and the market rate of July, 1930, are shown.

House and Land Tax.2. The Werko is the house and land tax, authorised by the Ottoman Law of 5th August, 1886. It is assessed on capital value, and at various rates which are shown in Appendix 16. The rate on lands subject to Tithe, and on ordinary farm buildings is 4 per mille. An addition to this tax aggregating 41 per cent, on buildings and 56 per cent, on lands was levied from time to time by Ottoman Decree, and is still collected, except in the case of buildings and lands reassessed since 1919.

The Animal Tax.3. The Animal Tax is imposed per capita once annually at the following rates:

Sheep and goats	48 mils.
Camels and buffaloes	120 mils.
Pigs	90 mils.

Camels and buffaloes used solely for ploughing are exempt from the tax. Double taxes are charged on all animals not declared by the owners at the time of enumeration.

Recovery of taxes. The following note was prepared by the District Officer of Jaffa on the question of the taxation of the fellah.

“...*The information given ...at Lydda, that sometimes a man's whole crop is attached for taxes is correct. The further statement, however, that he is prevented from selling a part of it in order to redeem the rest needs qualification ... The crop of the villager is the only thing that a revenue officer can find if he wants to attach for taxes. This crop can be got hold of only before threshing. ...The only way to do this is to place a guard during the time that threshing is going on. This guard fully gives the impression that no crop may be disposed of before the tax is paid. He is, of course, kept at the expense of the defaulters, and his wages are an additional burden. Rather than pay these wages the defaulters often incur debt in order to pay off the tax and get rid of the guard. The impression therefore remains that attachment could not be removed until the whole tax is paid. In fact the villager finds a great deal of difficulty in threshing, and then selling just a part of his crop while attachment is going on at his expense. To deal with a small crop in bits is not easy, nor is the disposal of it in small quantities easy. It means a special journey to town, where he may have to spend a day or two before he can sell and get his money ... In many cases, the only way out of it has been to incur debt... In conclusion, I feel it is my duty to mention a frank opinion in regard to the collection of taxes in the villages... I believe that at least 50 per cent, of the rural population, on account of their very small incomes, which do not exceed £30 per annum per family of six persons, ought to be relieved from all taxation. To such persons the price of crops is immaterial, as they have practically nothing surplus to sell. ...The villagers... have in these cases paid, by allowing themselves to suffer privations or by incurring debt ... I am ... thoroughly convinced that if these villagers were to refuse payment and say we are sorry, but we would pay if we only could ', we should find ourselves totally unable to collect the taxes by legal methods. This is a point which deserves the serious consideration of Government ... I submit therefore that*

it is essential that a minimum be exempt from taxes with as little delay as possible. The amount which these villagers pay is not great, but in proportion to their income it is excessive."

The above has been quoted at some length, as it is typical of the complaints and proposals made in every quarter. The holding of the fellah is so small, and his outturn so exiguous that the agricultural tax falls on him with special force. And this is aggravated by the present fall in prices. Everywhere this year the small cultivator has had to borrow in order to pay his taxes, when he has paid them. In very many cases he has found it impossible to pay them at all. The arrears of agricultural taxes are very heavy. In Appendix 17 a statement of these arrears is shown. It gives a total of £238,000.

Taxation: Remedial measures. Of the seriousness of this question of agricultural taxation evidence is afforded in the Report of the Committee on the Economic Condition of Agriculturists. The Committee found that the Tithe and Animal Tax together amounted to 19 per cent, of the net return from the use of land. The net return was reached by deducting from the assumed gross return the cost of production and the rent. But in arriving at the figure of net return they used prices of the Tithe commutation which are admittedly double those of the market today. The incidence of taxation would therefore be much higher if today's prices were applied. In fact, the Tithe, in place of being 10 per cent, of gross income, as it was at the time of commutation, is today actually 20 per cent, of the gross income.

Government action to relieve the burden of taxation. The whole question of taxation is at present engaging the attention of the Palestine Government. At the moment the burden is not adjusted to the various classes of the community in accordance with their ability to pay. It is intended to replace the Tithe and the Werko by a land tax fixed in accordance with the quality of the land. The settlement is being carried out with this intention. Until it is possible to impose such a tax, the Tithe should be entirely remitted, if feasible. If it is found financially impossible to grant this measure of relief, as a temporary measure it might be possible to vary the Tithe in accordance with the variation of the market prices of agricultural produce. As at the present time these prices stand at about half of the prices at the time the Tithe was commuted, the relief so afforded would amount to about 50 per cent.

THE BEDUIN POPULATION.

One of the problems of land administration in Palestine lies in the indefinite rights of the Beduin population. The problem was discussed by Mr. Snell in his Note of Reservations at pp. 177 and 178 of the Report of the Commission on the Disturbances. His examination does not lead to any specific recommendation and it is indeed exceedingly difficult to arrive at any definite conclusion on the subject of the treatment of the Beduin.

Of these nomads there were estimated to be 103,331 belonging to five main Tribes and 75 subtribes at the time of the census of 1922, but it is generally agreed that this figure is inaccurate. The majority of these Beduin wander over the country in the Beersheba area and the region south and east of it, but they are found in considerable numbers in the Jordan valley and in smaller numbers in the four other plains. Their rights have never been determined. They claim rights of cultivation and grazing, of an indefinite character and over indefinite areas. Mr. Snell recorded that they have established a traditional right to graze their cattle on the fellah's land after the harvest. In the region which they regard as their own, they divide the country among their various tribes, and in the tract recognised as the sphere of a tribe, the Sheikhs or the Tribal Elders divide the individual plots among the families of the tribe.

The position is unsatisfactory. If, for instance, artesian water were discovered in the Beersheba area, there is little doubt that claims would immediately be urged, by the tribes of the Beersheba tract, to the land commanded by that water.

The Beduin are an attractive and a picturesque element in the life of the country, but they are an anachronism wherever close development is possible and is desired. At the same time their existence cannot

be overlooked. In any solution of the Palestine problem, they are an element which must be recognised. Also in any plans of development it will be necessary carefully to consider, and scrupulously to record and deal with their rights.

Complaints are made by these people in respect of the Jewish settlement both in the Vale of Esdraelon and in the Maritime Plain. A deputation of the Sheikhs of the Beersheba Subdistrict stated that they had been in the habit of taking their stock up to the North of Palestine during the summer months when there is no grazing in the South, and that it had been their invariable custom to graze their flocks and herds on the stubbles after the harvest had been carried. This allegation is generally characterized as baseless, but in the report of the Department of Health for the year 1929, it is recorded that Beduin Tribes from the Beersheba District were "heavily infected" with malaria, "during their migrations up the Jordan Valley." It is also known that they bring their flocks of camels up to the tract north of Jericho during the calving season. It is also true that a few years ago when there was serious drought! in the South of Palestine, very large numbers of animals belonging to the Beduin were transported to the North of Palestine, where they were allowed to graze.

At the time of inspection of the Wadi Hawareth lands a large number of Beduin tents were found in that area. It was stated that their migration to this region is a new departure and is connected with the attempt to defeat the efforts of the Jews to colonize that tract. This information comes from Jewish sources. From Arab sources it was alleged that the migration was annual, in connection with the summer grazing.

Their rights in the Jordan Valley will require careful enquiry before any scheme of development and settlement is undertaken in that area. If rights are established, and the tract over which they extend is necessary to the scheme, the Beduin must be compensated for the loss of those rights. The future of the Beduin is a question bristling with difficulties and by no means free from anxiety. It must be faced and a definite policy adopted. Otherwise there is always the danger that an outbreak may occur over some trivial and casual circumstance. It is impossible to anchor these people in houses or in villages. It may be that the only possible policy will be to create for them a reserve, which will be apart and excluded from the area designated for development.

CHAPTER VII. AGRICULTURAL DEVELOPMENT.

A. EXISTING AGENCIES.

Jeioisli Agencies for agricultural development.

The Experimental Station. One of the important and progressive branches of Jewish activity in Palestine is the scientific development of agriculture. The Experimental Station of TelAviv, with its extension farms in various settlements in the country, is not only engaged in research work of the highest value to Palestinian agriculture in general, but it is also the centre of agricultural instruction for the Jewish settlements. The Institution was founded in 1922, and since that year some £85,500 has been spent on its equipment and maintenance. It is staffed by 40 scientists, has three laboratory divisions (Plant Pathology, Entomology, Agricultural Chemistry) and seven field divisions (Agronomy, Plant breeding and Variety testing, Horticulture, Horticultural breeding, Farm Management and Rural Economics, Dairy husbandry and the Extension Division).

The Extension Division. The Extension Division is of great importance for practical agriculturists. It not only maintains demonstration fields, but also nine district instructors under a chief of division. The services of these instructors are available for any of the settlers who desire to refer to them. In the division of dairy husbandry the Institution is carrying out experiments in conjunction with the Empire Marketing Board on the questions of the uniformation of the herd, of the substitution of other feeding stuffs for milk in the rearing of calves and of the proper feeding rations for cows and calves.

The Hebrew University. In addition to the Agricultural Experimental Station of TelAviv with its extension farms, agricultural work of a scientific character is also done by qualified research chemists and analysts at the Hebrew University of Jerusalem.

Department of Agriculture of the Palestine Government.

The third agency for Agricultural Development is the Department of Agriculture of the Palestine Government. This Department has done outstanding work in two practical directions in locust campaigns and in veterinary service, which has succeeded in stamping out the cattle plague. In both of these directions the work has been of untold value to the country. The Department has a very limited budget, and a criticism may be allowed that it has not the money requisite for practical demonstration work, work which is of particular importance in a country where agricultural practice is eminently backward.

The Agricultural Department is a composite Department, comprising the following services: Agriculture, Forestry, Veterinary, Horticultural, Entomological, Irrigation, Fisheries, Stockbreeding, Analytical, Sericultural, Meteorological. It also controls the Kadoorie agricultural schools, which were founded with funds left for the purpose by a generous and wealthy Jew.

Expenditure. The expenditure of the Department was £76,713 in 1929, and the estimate for 1930 was £77,054.

Relations with Jewish agencies for agricultural development. There is a danger that the Government services will overlap the services supported by Jewish agencies and the Hebrew University.

This danger was early recognised by the Director of Agriculture, who wrote in 1921:

"...The need for elasticity was pointed by a comprehensive programme of agricultural research drafted by the Zionist Commission early in 1920. This undertaking promised to limit our financial responsibility if correlation of effort could be secured. It was consequently agreed at a Conference held in June 1920 that certain clearly denned branches of investigation should be left to the Commission's technical advisers... It was nevertheless decided that as Zionist cooperation was assured at no distant date, certain emergency services should be created to meet existing needs, irrespective of final plans for an organisation entailing considerable capital expenditure and a permanent staff."

Insufficiency of Budget Allotments. At the moment, the Government services are hampered for want of money, and some of them are so poorly equipped with funds that it seems questionable whether their continuance is desirable. In the case of the Fisheries Service, for instance, and the Sericultural Service the major portion of the funds are spent in salaries. The former service costs £1,589 in personal emoluments, and the balance of expenditure is £300 for the maintenance of a launch and £400 for investigations. The grant-in-aid for sericulture is £450, of which £300 is the salary of the expert. Similarly, in the stockbreeding service, salaries account for £3,651, while other expenditure amounts to £2,060, namely:

Forage	£ 360
Stockbreeding service	1,100
Purchase of stock	600

Budget. In the estimates for 1930 the total budget for agriculture and forests is £77,054. Of this the total of personal emoluments is £45,009, leaving £32,045 for other expenditure.

Development activities. From the point of view of the agriculturists, the chief activities of the Agricultural Department, apart from the locust campaign and the eradication of the cattle plague, which have already been mentioned, consist in the maintenance of the Agricultural Experimental Stations at Acre and Beisan, and the Horticultural Experimental Stations at Jerusalem and Jericho. The Beisan station is

not fully utilised, owing to stringency in the budget. The Acre Station is an excellently organised institution and is reported to be visited by many interested cultivators. The Horticultural Stations both at Jerusalem and Jericho serve useful purposes, but in the case of the latter financial resources do not permit of full development. The Department maintains a staff of peripatetic instructors. It also issues many leaflets.

The stockbreeding service. Its stockbreeding service provides purebred South Devon bulls for crossing purposes, and has now several bulls of the first cross. Some of these are very popular animals with the fellah cultivators. At the Acre station a number of purebred Arab stallions were imported from England in the hope of improving the local breed of horses. An outbreak of dourine put a stop to these operations. It is questionable whether the decision to import expensive stallions was sound. Where funds are so restricted the interests which should be preferred are those of the most needy, in the case of Palestine the ordinary fellah cultivator, not the larger man, who can keep horses of the purebred Arab type.

Poultry husbandry. One of the most highly successful branches of development throughout Palestine is in poultry husbandry. In all the Jewish villages large flocks of highgrade poultry are kept, chiefly White Leghorns and Rhode Island Beds. The poultry farm attached to the Acre Station of the Department of Agriculture is an outstanding instance of success. It is reported that this farm pays its way and affords a profit to the Department. It is of very great value to the villagers of the neighbourhood. Settings of eggs are sold at a reasonable figure, and each year hundreds of cockerels are distributed. The favourite birds are the White Leghorn and the White Sussex, both of which are easily acclimatised. It may appear that the introduction of an improved breed of poultry is a small matter. In the case of the fellah, however, every piastre is of moment, and the effect of this measure is of real importance.

The importance of the demonstration plot. There are certain directions in which the Department of Agriculture can be of very special use to the ordinary cultivators. The most important service that can be rendered is education by means of the demonstration plot, where the advantages of improved agricultural methods are brought home to him. It appears that a system of demonstration plots was at one time initiated by the Department, but that it was not successful. The reasons of failure should be considered, for plots of this kind have proved exceedingly useful elsewhere. In a country of smallholdings they are indeed the chief means of bringing the results of improved practice to the notice of the small cultivator. It is a mistake to believe that knowledge filters down in such countries from the estate of the large proprietor. The contrary is the case. The diffusion of practical knowledge of agriculture among small men can best come through demonstration on holdings of the character which they themselves cultivate.

Scientific services. The scientific side of agriculture is, of course, of immense importance. In Palestine, fortunately, it should be possible to obtain all that is required on that side by the use of existing institutions, and so to avoid duplication. There are competent chemists at the Experimental Station at Tel Aviv and at the Hebrew University of Jerusalem who are capable of any scientific enquiry that may be necessary for the country. It cannot be questioned that if the Government were prepared to offer to pay for work done or to furnish a grant-in-aid, these institutions would readily undertake any work that the Government may require. Palestine is such a small country that it is particularly inadvisable that institutions of a scientific character should overlap. Especially is this the case where money is not plentiful. The whole question deserves serious consideration, with a view to using the available funds to the best advantage, if necessary by reducing the number of services to those which do not duplicate services obtainable elsewhere, and by abolishing services for which adequate funds cannot be provided.

The distribution of trees. The Department of Agriculture has ceased to sell young trees from its nurseries to the cultivators. The reason given is that it is undesirable to compete with private enterprise. Private nurseries are almost entirely Jewish, though there is one wellknown German nursery. The decision of the Department in this matter was criticised on many occasions, and the interference in private enterprise is in fact very small, as the fellahin would neither be willing, nor in most cases be able, to pay the price asked by the nurseries for trees. The importance of trees from the national, as well as from the individual point of view is so great that it is desirable to encourage planting by every possible means. So far from

refusing the sale of seedlings in order to prevent competition with private enterprise the Department would be well advised to sell these seedlings at a nominal price or even to give them away, if by so doing the area under trees could be increased.

The Forest service. At present the Forest service is attached to the Department of Agriculture. This seems to be a mistake. It is undesirable to burden the Department of Agriculture with matters other than agriculture proper specially in view of the importance of agricultural development at the present time and the necessity of its extension. The Forest service is developing rapidly. There are now 704,000 dunams of forest reserve, and newly afforested areas are showing good promise.

Jewish plantations. The great possibilities of afforestation have been established by Jewish activities in this direction. There is a small Jewish village called Motza, close to Jerusalem, where a farmer of the name of Broza has planted an orchard, on what seemed to be sterile and barren rock. The trees and the vines have flourished, and what was a wilderness without vegetation of any kind is now a fine orchard producing a large income for its proprietor. The result is the more praiseworthy in that the planter received no assistance from any Jewish or other sources, but created the property by his own exertions. Another instance of development on the same lines is the orchard planted by the Zionist Organisation at Dilb. (Kiryath Anavin). The land on which that orchard has been planted was similar to that of Motza. The trees were not irrigated but they have succeeded wonderfully. A similar instance is to be found in the Jewish suburb of BethHakarem, close to Jerusalem, where a hillside which appeared to be hopelessly bare and arid is now covered with gardens containing trees of every kind. Everywhere the Jews are planting, and have planted trees, and there is no one of their colonies where this branch of agricultural activity is not in evidence.

B. EDUCATION

The Jewish schools. The first essential to any scheme of agricultural development in Palestine lies in primary education. The Jewish population is magnificently provided with educational facilities and nearly 100 per cent, of Jewish children attend Jewish schools. These are maintained by the Jewish authorities with the aid of a small grant from the Government, and it is a matter of common complaint in Jewish circles that this grant is limited to £20,000. It is based on the proportion of Jews to Arabs in the population of the country. The total expenditure on schools maintained by or affiliated with the Department of Education of the Palestine Zionist Executive for the year 1928-29 was £162,500. 227 schools were maintained, with 19,449 pupils.

The State schools. The education of the Arabs provides a very different picture. In the year 1928-29, the number of elementary schools was 308, of which 259 were in the villages. Of the schools in the towns 29 were girls' schools and in the villages 8. The total number of schools had decreased by four during the year. The number of pupils in the schools was 25,219. Of these 12,539, including 573 girls, attended village schools. The rural Arab population, excluding tribal populations, at mid 1930, was 478,390. It is impossible to determine with accuracy the numbers of children of schoolgoing age which are included in that figure. At the last census of the whole population, 37.1 per cent, were under 15 years of age. It is therefore safe to assume that at least 20 per cent, of the Arab population of the villages consists of children of school age. This would give over 95,000. Of these, as noted above, only 12,539 are taught, or 13.2 per cent.

The reason for this small number does not lie in any reluctance of the Arab to send his children to school. On the contrary, in every village complaints are made on the score of the inadequacy of educational facilities. Everywhere a demand for instruction is found, and that not only on behalf of the boys, but on behalf of the girls also. Far more applications for admission to existing schools are made than can possibly be accepted.

The Budget. No agricultural development is possible among the Arabs until steps are taken to remedy the present state of affairs. The educational budget for the year 1929 was £144,119, more than £18,000 be-

low the budget of the Jewish organisation for the same year for the same purpose. Of this sum £139,789 were spent, and there was a saving of £4,330: a most unfortunate economy. It is clear that an expenditure very much more important than £140,000 is necessary if the Arabs are to be given a fair chance to improve their standard of life.

The necessity. The following is extracted from a note furnished by the Director of Education:

"...With a rapidly increasing population, and a growing desire for more education, expansion in size and in the number of schools is not only desirable, but, in the interests of the people, absolutely necessary. The demand, however, has not been met, and the Arab population, not unnaturally, feel resentment against Government, the revenue of which is largely contributed by them, for not giving them what they desire, above all else, whereas the Jewish Agency, with the help of other organisations, has been able to provide almost universal education for Jewish children. The Arabs see in every Jewish colony a well-equipped school with a trained teacher, providing accommodation for every child of school age. They realise that without education they are precluded from social and economic progress... Every year a larger number of boys and girls are refused admission to urban schools owing to lack of accommodation. In the rural schools, which at present are mainly confined to boys, more classes are needed and at least 250 villages, each containing a population of 300 or more, are not yet provided with any school. The demand for female education in towns is little less insistent than that for boys, and is increasing in the rural districts."

Its importance to agricultural development. Until facilities for ordinary primary education are more general than is the case at present the fellahin will not be in a position to benefit generally by any special agricultural education that may be afforded. On the subject of agricultural education the Director of Agriculture has submitted a note, from which the following is extracted:

"...Obstacles to progress in the agricultural education of the Arab cultivator are, in order of importance, insolvency, illiteracy, and absence of instructors of local origin with the necessary qualifications..."

"The futility of urging on a bankrupt industry improved practice involving considerable capital outlay is at last being generally admitted. It is to be reported in an authoritative statement within the next few days that from a gross average income of £25 per annum the typical fellah is required to support a family of six, and contribute £8 as interest ...on unproductive loans ... Any hope for marked development of agricultural practice lies with the rising generation now being educated in recently established village schools."

"The agricultural school at Tulkarem ... represents the first institution of its character in Palestine available to the Arabic speaking population ... It is recognised, however, that the impression which could be ensured by the education of some 40 residential students would be quite inadequate to the demands of the situation. It is consequently proposed to afford all village schoolmasters in rotation a special course of 12 months' duration at the school, for the purpose of ensuring an agricultural bias to primary education in the villages."

Agricultural schools.

The school to which Colonel Sawyer refers in the above extract owes its existence to a bequest by a wealthy Jew. This is a useful commencement, but it should be pointed out that the Arab agricultural population forms more than nine-tenths of the rural population of Palestine, and that this is the only school on which they must depend for their agricultural education. The Jews already have an agricultural school at Mikveh-Israel with accommodation for 160 students. They also have a school provided by the Kadoorie bequest and they have several agricultural training schools for girls, and a children's village where orphan children are taught agriculture. If the Arab population is to have opportunities of agricultural development on the same scale as the Jew, a score of large agricultural schools would have to be provided.

The village school and agriculture. The Department of Education has already introduced a system intended to encourage more modern methods in agriculture. It has attached to many of the village schools agricultural plots where practical work is done. It also teaches sericulture, fruitfarming, and beekeeping. At the present time this movement is hampered by the ignorance of the village teacher in agricultural matters and the whole of this branch of village education is dependent on a single supervisor, himself only partly trained.

Need for additional expenditure. It is clear that the Government of Palestine must face very considerably increased expenditure on education, both primary and agricultural. As to the former, a plan should be worked out for expansion over a term of years. If the educational budget, at present standing at £150,000, could be increased by £15,000 a year for the next ten years, at the close of that period important progress would have been made towards the solution of the problem of primary education.

It seems desirable that the grantinaid to Jewish education should be increased proportionately with the increase in the general education budget of the State. Assuming that the Jewish children of school age bear the same proportion to the total population as is the case with the Arabs, the grantinaid from the present year should be increased by £1,500 per annum for the next ten years if a total annual increase of £15,000 in the Educational Budget proves feasible.

Technical education in agriculture. For technical education in agriculture also a plan should be prepared to cover the next ten years. Its first object should be to provide accomodation for a largely increased number of students at Tulkarem. There is no reason why that school should not provide education for 120 to 150 boys. The present grantinaid is £1,000 a year. It would be necessary to increase the grant by at least £1,500 for the increased number of students. But the plan should not be confined to an increase in the accomodation at Tulkarem. It will prove essential to institute similar schools elsewhere, though probably not on the same elaborate scale. The matter is one for very careful examination by the Government.

Agricultural certificated schoolmasters. Meanwhile it should be made a condition of employment of schoolmasters in the rural schools that they should be in possession of a certificate from the Tulkarem school, or from some other recognised agricultural school, that they have attended a course in practical agriculture for at least six months. One year seems to be an unnecessarily long period for that purpose. It would be an advantage if arrangements could be made for training of these teachers at one of the Jewish schools as well as at Tulkarem, for it would be regrettable that the watertight system should be observed even in agricultural instruction. In the case of existing schoolmasters, the Educational Department will have to make the best arrangements possible to release them in batches for this training.

Collaboration between Departments of Agriculture and Education. It is of course essential that the Department of Agriculture and the Department of Education should collaborate closely in order to ensure the success of the arrangements proposed for agricultural education in rural primary schools. There should be no difficulty in such collaboration. The curriculum of the rural school, in so far as it includes agricultural instruction, should be worked out by the two Departments in consultation as also the curriculum for the six months' training period of the village schoolmaster.

C. IRRIGATION.

The existing waste of water. A most important condition of agricultural development is water for irrigation. On Map No. 5 will be found indicated the more important sources of water supply at present known to exist in the country. As a general rule irrigation water is wasted. This is very obvious in the irrigated areas of the Jordan Valley, the Beisan area, the WadiFara'a and the Jericho area. In each of these areas it is probable that scientific management of the irrigation would save enough water to double the irrigable area from the existing supply.

The Aujha Concession. It is regrettable that one of the chief sources of irrigation in the country, the Aujha Eiver, has been included in a concession. This concession, originally given with the object of the production of electric power, and subsequently as a purely irrigation concession when it was discovered that the current was not required for power, has as yet not been employed for irrigation on a modern scale. A comparatively small portion of water is pumped by riverain proprietors for the irrigation of their orange groves, but the great mass of the water flows into the sea. A further drawback to the exercise of the Aujha concession by the concessionaires is found in the fact that if its water were to be used generally for irrigation of the plantations of the Maritime Plain, the existing demand for electric power to pump irrigation water from wells in the plantations would be liable to diminution or possibly to cessation. The concession for this power was in the same hands as that for the Jordan River, but in 1929 the Palestine Electric Corporation promoted a separate irrigation Company to take over its irrigation rights in the Aujha Concession. This transfer was approved by the Government on condition that an irrigation scheme should be submitted to the Government within a year and that the work must be done on the scheme within a period of two years of its approval, a condition which was accepted by the Company.

In the latter portion of 1929, the Company submitted an irrigation scheme for the lands of Petach Tikvah. This scheme was sent for the examination of the Government technical advisers. It is believed that no report on the scheme has yet been rendered in consequence of the occupation of those advisers on the locust campaign. The irrigation scheme has not yet been commenced.

The irrigation of the Aujha basin is a work of great importance and it is desirable that it should be pushed on, in so far as it lies in the hands of the Administration to forward it. The original concession was given in the year 1922. Eight years have passed and so far nothing has been done. It is desirable that the scheme put forward by the concessionaires last year should be examined and reported upon as soon as that is possible. The sooner irrigation is available for the plain the better.

Nebi Rubin. In the Maritime Plain there is an area claimed as Wakf known as Nebi Rubin, which is now being drained, and arrangements made for the irrigation by the Supreme Moslem Council. The area capable of irrigation is some 5,000 dunams. The plan for this work of drainage and irrigation is stated to have been prepared by an engineer of the Rockefeller Foundation. The work is being carried out satisfactorily. This will provide a useful area for the Arab tenants of the Wakf.

The Acre Plain. The Acre Plain is said to be entirely irrigable, either from the Kurdani Spring (marked No. 2 on Map No. 5 attached to this Report) or from subterranean water at a reasonable depth. A large portion of this Plain is in the hands of Jewish organisations. As yet the practice of irrigation in this area is not general.

The Huleh Area. The Huleh area is all irrigable. The property might be a very valuable one and it is regrettable that the area owned by the Government therein has passed almost in its entirety out of the hands of the Government into the hands of a concessionaire, Selim Bey Salam of Beyrouth. The concession was originally made by the Turkish Government before the War, but was renewed by the Government of Palestine. The concessionaire at one time desired to get rid of the concession and has been on various occasions in treaty with the Zionist Organisation and subsequently with the Walbrook Trust. The negotiations came to nothing in both cases, and the concession still exists. The concessionaire is about to commence operations with the object of draining a portion of the marsh by deepening the bed of the Jordan and so lowering the water level of the surface of the lake.

In Huleh, the extent of a holding necessary to support an agricultural family would not be greater than 40 dunams, of which half irrigated. There will thus be a large reserve of land in that area, when it is properly developed. The question of the drainage of the Lake was considered by Mr. Henriques and was reported upon in the volume of Reports of the Experts at p. 400. His estimate is that to drain the Lake by blasting out the gorge through which the Jordan river flows after leaving the Lake, would cost over £1,000,000, to include deep ploughing of the reclaimed area, drainage as might be necessary, and arrangements for

irrigation. If the concession falls in, as is possible, it seems essential that the Government should retain the proprietary right in the area, for development purposes. The estimate of Mr. Henriques is that of an expert, but was not founded on the preparation of any detailed plans. If the Huleh area should revert to the Government, a technical study should be made in order to ascertain the actual cost of the suggested drainage.

The Beisan Area. Another area that has unfortunately passed from the ownership of the Government consists of the lands of Beisan, Semakh and Ghorul Fara'a, which are the subject of the agreement concluded in November, 1921, and known as the Ghor Mudawwara Agreement. It was probably politically desirable that the lands covered by this Agreement should be settled with the Arab tenants who had undoubtedly enjoyed the use of the tract in the time of the Ottoman Government. At the same time the result of the Agreement, and specially of the modification of the Agreement made in September, 1928, published in the Official Gazette of 16th September of that year have taken from the Government the control of a large area of fertile land, eminently suitable to development and for which there is ample water available for irrigation.

The Beisan Agreement. By the original Agreement property was created in favour of the existing cultivators in respect of the lands cultivated by them (Art. 1). Article 5 provided for such areas of Metruke land as might be "necessary for the requirements of the village". A minimum holding of 150 dunams per family was fixed by Article 8. In Article 9 provision was made for the constitution of tribal areas, as also for the transfer of areas to families which have not hitherto cultivated, if the tribe to which they belong has generally lived and cultivated on the West side H: Jordan. Grazing areas for tribes were permitted to the extent determined by the Department of Agriculture. In Article 16 is laid down that there should be no disposition of the land "except by way of mortgage to the Government or of succession ...until the whole transfer price (badal tatweeb) has been paid". This last was a very wise provision.

The revision of the Agreement carried through in 1928 modified this last condition. The following is the relevant extract from the statement of policy embodying the changes in the Agreement:

"8. Government are prepared under certain conditions to waive the requirement that the whole transfer price must be paid before the transferee has freedom to dispose of his surplus land.

"The two principal conditions which attach to this modification of Clause 16 are:

"(1) that the surplus land be transferred to persons approved by "Government and having as their object the promotion of close settlement and the intensive cultivation of the land; and

"(2) that in every case shall the transferee retain such extent of land in the area to which the Ghor Mudawwara Agreement of 1921 applies or elsewhere as will in the opinion of the Government suffice for the maintenance of himself and his family."

At the time of the original agreement clearly no grant of "surplus land" to any individual was contemplated.

The whole of the Beisan lands have been distributed, and large areas have already been sold. Further large areas are in the market. The grant of the lands has led to land speculation on a considerable scale. The custom is that the vendor transfers to the vendee the liability for the price of the land still owing to the Government and in addition takes from him a sum varying from three to four pounds a dunam for land in the Jordan Valley. These proceedings invalidate the argument which was used to support the original agreement. It was made in order to provide the Arabs with a holding sufficient to maintain a decent standard of life, not to provide them with areas of land with which to speculate.

As to the irrigation of Beisan it is stated that there is ample water to irrigate all the cultivable area if the water were properly used. At present it is used exceedingly uneconomically. Under the powers which the Government propose to take under the Draft Irrigation Ordinance now under consideration, it will be possible so to regulate the use of the water that it will serve a much larger area than is the case at present.

There were complaints from the Arabs that the sources of the water supply had passed into Jewish hands and that there was consequent difficulty in obtaining the water necessary for irrigation. It is true that certain of the sources of irrigation water in this area lie in lands now held by the Jews. If the Draft Irrigation Ordinance finally becomes law, all difficulty on that score can be regulated.

The Jordan Valley. In Chapter I, reference is made to areas in the Jordan Valley. A comparison of the views of Dr. Strahorn, expressed in the Report of the Experts at pp. 203 to 206, with the views expressed by the members of the Committee who examined the Lower Jordan Valley this year for the purposes of the present enquiry, shows that there is room for wide difference of opinion. The Irrigation Officer and the Government Geologist are convinced of the possibility of cultivation of considerable areas in that valley if water proves available. The Committee of which they were members reported the possibility of the irrigation of 100,000 dunams in addition to that already irrigated, with the water already available, if that water is economically used. It is well within the bounds of possibility, both that arrangements could be made which will provide a larger supply of water than that at present in sight, and that a larger area of land may prove to be cultivable than is at present recognised and included in the cultivable area.

Other possibilities. The remarks recorded above have reference only to certain of the known sources of irrigation. It is urgently necessary that attempts should be made to discover further sources. Both in the course of the settlement of the refugees in Greece, and more recently in Cyprus, steps were taken to determine the subterranean supply. In both countries these enquiries are believed to have resulted in success. In Macedonia, in Thrace, and in Old Greece, an artesian supply was discovered which has resulted in the sinking of hundreds of wells which give a copious yield of water. It is well possible that serious attempts might result in a similar discovery in Palestine. As has already been remarked, the discovery of an artesian supply of water in the Beer-Sheba region would revolutionise the possibilities of colonisation in Palestine. It is worth while to devote a considerable sum to a hydrographic survey of Palestine in the hope of locating the water table both of spring water and of artesian water, if the latter exists. A study of all existing sources of irrigation should also be undertaken, and plans prepared for scientific and economic use of the water in question.

The Draft Irrigation Ordinance. In Appendix 19 will be found a resume of the Draft Irrigation Ordinance. Legislation to empower the Government to regulate the use of water for irrigation should be enacted as rapidly as possible. It is a question for the Government whether the powers contained in the Draft Ordinance for control over the sinking of wells is necessary. There was at one time a fear that the multiplication of wells in the Maritime Plain had caused a fall in the water table in that area. The matter was examined by an expert Committee which came to the conclusion that the fear was not well founded. The water table had fallen in a certain region, but there remained an ample supply at the deeper level.

Constitution of a separate service. By an unusual arrangement the Irrigation Service is also placed under the control of the Department of Agriculture. This arrangement is not satisfactory.

In fact, it has resulted in the Irrigation Officer being employed, and necessarily employed, on urgent duties not connected with irrigation. For instance, during a considerable part of the present year he was engaged on a locust campaign. This was doubtless a work of great urgency, but while he was thus employed his regular work as Irrigation Officer was in abeyance. That work is of the first importance in view of the backward state of irrigation in Palestine. It is desirable that the Irrigation Service should be detached from the Department of Agriculture and constituted a separate service.

D. COOPERATION

The Jewish movement. Information available. A notable feature in connection with Jewish immigration and settlement is the rapid growth of cooperation. The fact may be due to the influence of the countries whence the immigrants have come, for the movement is powerful both in Poland and in Russia, the

countries of origin of 66 per cent, of the Jewish settlers. The movement is confined to the Jews. There is no Arab Cooperative Society at work in Palestine.

There are 249 cooperative societies registered, but of them only 173 are known to be working. The live societies are classified as follows:

Agricultural societies	39
Credit societies	52
Industrial producers	27
Land purchase and building	34
Kvotzoth	14
Miscellaneous	7

Data have been collected for 134 of these societies as at the end of May, 1930, and have been submitted by Mr. Harry Viteles, the General Manager of the Central Bank of Cooperative Institutions in Palestine. These 134 Jewish cooperatives had at that date 33,436 members, and share capital, reserves' and other owned capital amounting to £334,827. In addition to this sum, they have in members' deposits and savings £711,445. At the same time the total indebtedness to banks and other creditors was £294,411. In fact, the cooperative societies work, to a large extent, on the money provided by their members, a position highly satisfactory.

Rates of interest on deposits and loans. High rates of interest are paid both on deposits and on loans from Banks, and the Societies charge their members 10 to 13 per cent, on the loans and advances made to them. This rate of interest is not only high in itself, but is an indication of the still higher rates which are charged by the moneylender. If the general rate of interest charged elsewhere for accommodation of the kind furnished by the Societies were not excessive, and it is known to be excessive, it would clearly not be to the advantage of the small man in the town and in the village to resort to a cooperative which demands 10 to 13 per cent. The fact is also an indication of the uselessness of the legal limit of 9 per cent. On this question of the rate of interest Mr. Viteles remarks in his note: "This interest is out of proportion to the earning capacity of the population particularly of the farmers served by the cooperatives."

Activities of Cooperative Societies. The Agricultural societies are of many types and serve every purpose of the settler. Through them he makes his purchases and sells his products, through them he insures his cattle, through them again he receives advances on his crops. Of these societies there are some which are of outstanding merit. The "Pardess" Cooperative Society of Orange Growers shipped during the last season over 470,000 cases of oranges belonging to its members, about 40 per cent, of the total orange crop of Jewish growers. It has just opened a cooperative packing house with a capacity of 60,000 cases, equipped with the latest grading and packing machinery. This society also interests itself in the development of existing markets and the discovery of new avenues of disposal. Of the wine produced in Palestine, 90 per cent, is manufactured and sold by a cooperative society of winegrowers. "Hamashbir" is a society established and managed by the Jewish Federation of Labour. It serves as a Cooperative Wholesale Society and the central organ of the four consumers' (distributive) societies already in existence. More of the latter type are contemplated in rural localities. The cooperative marketing of milk and dairy products, eggs and poultry and vegetables, formerly constituting a branch of the activities of "Hamashbir," have been taken over by three autonomous cooperatives functioning in Jerusalem, Tel Aviv and Haifa respectively, under the name "Thnuva." The produce sold by these three bodies during the year ending 30th September exceeded in value the sum of £96,000, and is rapidly increasing. Another cooperative connected with the Labour Federation is "Yakhin," which undertakes the preparation, planting and maintenance of agricultural holdings, particularly of citrus groves. This work is done both for residents in the country and for prospective settlers. The society commenced in the middle of 1928, and had completed work of a value of £49,000 before the close of 1929. The contracts on hand on 31st May, 1930, were for £32,000.

Jewish Cooperative Movement: Cooperative Industrial Producers' Societies. The Labour Federation has organised a special Department to promote and to supervise Cooperative Industrial Producers' Societies. At the end of 1928 there were 50 such societies with a total of 326 members, an average of less than 7 per society. At the end of May, 1930, there were 41 with a membership of 507, more than 12 per society. In addition to the members, these societies employed 235 hired workers and apprentices. The most remarkable of the societies of this type are the transport societies, in which the members transfer to the society the property in their motor vehicles and are credited with the capital value as their share capital. It is said that these societies command most of the internal traction of the city of Jerusalem and town of Tel Aviv and a large proportion of the commercial transport between the two places.

Land purchasing Societies. A considerable number of the more important cooperative societies are those which have been organised for the purchase of land both in rural and in urban areas. In the case of the former type of transaction, the land is frequently bought and developed for members not yet resident in Palestine, but who hope to immigrate later. The total present value of the land, improvements, buildings, etc., the property of members of these societies, is reported to be nearly one and a half million pounds.

Jewish Cooperative Movement: Membership of Societies. It is clear that the cooperative movement has not only been successfully launched among the Jewish population, but has already become a highly important economic factor in its daily life. On the whole the societies are extremely well managed. Some of the Credit Societies appear to be too large for efficient control by the members themselves. There is one with over 3,000 members, there are eight with membership in excess of 1,000. In other cases there is a tendency in the opposite direction,' and new members are not welcomed. But there can be no doubt that the cooperative societies are doing magnificent work and are a valuable asset both to the villages and to the residents in the towns.

Necessity for extension to Arab population. As has been pointed out, the whole of the cooperative organisation in Palestine is Jewish. It is very much to be regretted that no efforts have as yet been made to popularise the cooperative idea among the Arab population. The need is desperately urgent. The fellah population is so tightly bound in debt that no credit whatever is available to enable that development of agriculture which is so essential for progress.

The view is commonly expressed that the Arab will not cooperate. It is said that one attempt was made to form a cooperative society of the tobacco growers, but that the society failed owing to the disloyalty of its members. The great probability is that the cause of failure might be found either in ignorance of the principles of cooperation or in the constitution of the society. The Arab is ignorant, but he is at the same time highly intelligent and hardworking. That he can learn is evident from an inspection of the Arab villages in proximity to the German and to the older Jewish (P.I.C.A.) colonies. That he is ready for practical cooperation is patent from instances which have been observed recently. One case was noticed in a village close to the German colony of Wilhelma. There three fellahin desired to have the use of a tractor and tackle for deep ploughing. No one of the three could afford the expenses of transport. The three joined together, hired the outfit, had all three holdings ploughed and shared the expense. In another village, near Ramleh, a case was observed in which five cultivators pooled their teams in order that power might be available for deep ploughing. Those cases, though perhaps of little intrinsic importance, indicate that the cooperative sense is not absent in the Arab cultivator.

There is nothing but cooperation that will save him from his present depression. He cannot hope ever to escape from the burden of debt unless cheaper credit is made available. Only by cooperation can that object be obtained. It is well that Mr. C. F. Strickland is making an enquiry into the methods by which cooperation may be made available for the fellahin of Palestine.

Treatment of existing debts. One of the most difficult of questions in approaching the problem of the foundation of Arab Cooperative Societies, is the policy to be followed in respect of existing debts. As has been noted, these are everywhere exceedingly heavy, and the prospect of agricultural development of

the Arab holdings, a development which will be dependent on the facility for obtaining working capital at a reasonable price, is at the moment rendered impossible. The Arab is crippled by debt. His chance of advance is hampered by debt. How is he to be released from his burden as a preliminary to improving his chances of advance?

Mr. Strickland, who was in Palestine at the time of this enquiry, and was himself examining the possibilities of cooperation among the Arab population, favoured me with a note on the clearance of old debts by cooperative societies. His considered opinion is hostile to a policy of loans at a low rate of interest in order to enable the peasant to pay off existing debts at high rates of interest. In the course of his memorandum he writes:

"...My own experience during twenty years of cooperation has been everywhere the same. An indebted and usually illiterate peasant has not the strength of character to refrain from further borrowing from moneylenders, if he is suddenly released from debt. He borrows again and all the good work is undone. After trying several methods I found the best way in a rural Society of Credit to be the limitation of loans in the earlier years to such amounts as would meet the agricultural and ordinary needs of the members without attempting to repay the old debt. At the end of three years, if it was found that the members had broken off all connection with their old source of credit, a list of the debts of each member was drawn up, and a special loan for the repayment of the total amount made to a number of selected persons, but not to all the members at the same moment. Thus by clearing a few members in each year by a special loan the Society was kept in a constant state of struggle, which, however unpleasant, is extremely beneficial to the cooperative character of the persons concerned."

He adds that the Jewish Credit Societies apply the same policy of refusal at once to clear the debts of a new member. At a later stage of the memorandum, Mr. Strickland writes:

"... I do not consider that peasants who have become accustomed to a condition of permanent indebtedness can be taught to help themselves, except by an unpleasant and somewhat long course of discipline. Therefore they must for two or three years prove their loyalty to their Society by dealing in small sums. This process forms their character and makes them such men as can be trusted with large sums. They must also have the courage to defy the moneylender and boldly invite him to go to court. When he does so the Society can help them, but a total payment of their debt at an early date is too strong a medicine for them to digest, while a partial payment of a moneylender's debt is a mere waste of money. "When crediting it he charges the full rate of interest, but when coming to a final settlement he will agree to a lower rate."

It is exceedingly satisfactory that this question of credit for the fellah is at the moment the subject of enquiry by an expert in cooperation, and that there is justification for the hope that the best steps possible will be taken to improve the prospects of this important class of agriculturists in financing their agricultural operations. Nothing is more important from the point of view of the agricultural development of the country.

Desirability of joint action between Jews and Arabs. In view of the great desirability of a rapprochement between the Arab and the Jewish population of Palestine, it would be of advantage if the Jewish cooperative societies were to encourage Arab membership. In the case of "Pardess," for example, it would be to the advantage of the Jewish orange growers themselves to enlist the Arab growers in their Society. The price of oranges abroad is said to be based on the price of the cases of least merit. The higher the quality of the inferior product, the better for those who ship oranges of good quality, well-graded and well packed. If "Pardess" were to lay itself out to serve the Arab groves as well as the Jewish, it would obtain its reward in a general rise in the standard of the cases shipped from Palestine. And this is only one of the directions in which enlistment of Arab cultivators would actually strengthen the cooperatives of the Jews. In addition, naturally, the political difference would tend to become less acute than is at

present the case. The more the Jew can identify himself with the economic interests of the Arab, the better for the general peace of the country. Nothing is more fatal for the peace of Palestine than emphasis on the difference rather than on the common interests of these two constituents of the population.

CHAPTER VIII. - AGRICULTURAL PRODUCE.

(a) CITRUS CULTIVATION

Origin of orange cultivation. The cultivation of the orange, introduced by the 'Arabs before the commencement of Jewish settlement, has developed to a very great extent in consequence of that settlement. There is no doubt that the pitch of perfection to which the technique of plantation and cultivation of the orange and grapefruit have been brought in Palestine is due to the scientific methods of the Jewish agriculturist.

Area available: In the Reports of the Experts at page 199 *et seq* there is an interesting statement of the opinion of Dr Strahorn as to the areas in which citrus cultivation is in his opinion possible. His deduction on this subject is to be found on Page 201 and is recorded in the following words: " ... It is felt that the absolute area of irrigated plantations in Palestine will not exceed 300,000 dunams." This is a very important pronouncement by an expert of worldwide reputation. This question is discussed in the Memorandum submitted during the course of the present enquiry. The experts of the Jewish Agency do not agree with the opinion thus expressed by Dr. Strahorn; on the contrary, they consider that there are 595,000 dunams in the Maritime Plain which are irrigable and of the light soil usually found suitable for orange cultivation. Including the irrigable area of the Beer-Sheba series of soils, which they take as 503,347, arid deducting an assumed area for "nasaz," they conclude that an area of 500,000 dunams of the Maritime Plain is suitable for citrus cultivation. "Nasaz" is thus described by Dr. Strahorn:

"The term 'nasaz' indicates a subsoil structure where, due to some peculiarity, the horizon is but very slowly pervious to moisture, and the structure is sufficiently dense to cause most roots of plants to turn and follow a horizontal direction. In boring the soil auger encounters a definite resistance where the 'nasaz' horizon is penetrated. Mechanical analyses seldom show a texture heavier than a sticky loam or a sandy loam, and fine sandy loam textures seem quite prevalent ... As a rule, 'nasaz' is noncalcareous..."

It is, of course, impossible to determine the "nasaz" area by inspection of the surface soil. That area will only be determined when a soil survey, which includes an examination of the subsoil, is completed.

All that can safely be said on the subject of the irrigable light soil fit for orange cultivation in the Maritime Plain is that there appears to be an area of at least 200,000 dunams still available and undeveloped, and that this area would provide for 10,000 holdings, if the price of oranges in the European market does not fall materially. In addition there is an area, estimated by the experts of the Jewish Agency at 300,000 dunams, which may prove on examination to be suitable for citrus. Should this anticipation prove correct, and the largely increased area not result in a fall in the price of oranges, this area would provide for another 15,000 families.

Area under citrus cultivation. Details of the areas now under orange cultivation and of export and prices are given in Appendix 20. It is generally assumed that this fruit may be successfully cultivated in the whole of the soil suitable to its growth. A limiting factor may prove to be that of water for irrigation, in certain regions. Hitherto water has been found at reasonable depth, ranging from 9 metres to 53 metres (Report of the Experts, p. 26). In general tube wells are used, with niters, and the pumps are worked either with oil engines or by electric power obtained from the Palestine Electric Corporation. Last year there were symptoms which seemed to indicate that the water table was receding in depth. There were also complaints that salt water had penetrated into certain of the wells. An enquiry was held into the matter, and it was found that in the region where orange cultivation had been longest in vogue, there had

in fact been a fall of about 4 metres in the level of the springs, but that the supply at this lower depth was ample. It was also considered that the fall was possibly due to temporary conditions, following as it did two years of rainfall below the average. As to the salt, this was found in two wells only. No explanation of the phenomenon could be suggested, as these two wells were in close proximity to other wells in which the water was sweet.

Future of the orange trade. It is unsafe to prophesy on the subject of the future of the orange trade. Opinions among experts in Palestine vary. On the whole they are optimistic. The chief orange growers feel little doubt that a crop of ten or twelve million cases will be absorbed by the European market. They realise that the possibility of that absorption will depend in large measure on the method in which the oranges are marketed. At the present time this leaves much to be desired. The Jewish growers are taking steps to ensure by cooperation that the standard of the fruit despatched from their groves is uniform and that grading and packing are satisfactory. It is regrettable that the Arab growers are not yet convinced of the necessity of the adoption of similar measures.

The question of the future of the orange trade is one of very great importance for the development of agricultural Palestine. In the main, it is the development of this particular culture which will justify the belief that the country can support a much larger population than it contains at present. If the market can absorb, within the next ten or twelve years, some 30 million cases of oranges, where today it is absorbing less than 3 million, the 200,000 dunams, which is the minimum area still awaiting development in the Maritime Plain, will support a population of at least ten thousand families of orange growers, with the ancillary population connected with the business, on an area which today is supporting probably less than 2,000 families. Should the suitable area prove to be larger than 200,000 dunams, as is reported by the experts recently employed by the Jewish Agency, and whose opinions differ from that of Dr. Strahorn, the additional population supportable will be increased *pro tanto*.

On the other hand, if development goes on at the present pace, and the market proves unable to digest the enormous increase in supply, not only will disaster overtake the new families who may be settled in the Maritime Plain in the future, but the large population now settled in that region will share in the disaster. It is the path of wisdom to proceed with the policy of orange plantation without undue precipitancy and to await the result of the work of the past four years before embarking on a more ambitious scheme of the same kind.

(b) THE GRAPE FRUIT

Of orange groves now planted, one tenth of the area is habitually put under grapefruit. For this the market is satisfactory, and is expanding. The Palestinian grapefruit is of very fine quality, and there is in this direction every probability of a large and increasing trade. An additional advantage in the cultivation of the grapefruit lies in the fact that it flourishes in soils much too heavy to permit of successful cultivation of the orange, and there is room in the Jordan Valley for considerable extension of the area under this crop. The drawback to the grapefruit is its quality as eminently a luxury fruit. This is even more the case than with the Jaffa orange. The grapefruit requires preparation before it can be eaten. It also requires sugar. The Jaffa orange is easily eaten, without preparation and also without sugar. It cannot therefore be expected that the area ultimately planted with grapefruit will ever compare with the area under oranges, but, nevertheless, it will in the end be sufficiently considerable to warrant a place in a development programme.

(c) THE BANANA.

Area under cultivation: Careful enquiry has established that the area under the banana in Palestine in 1930 amounts to 2,368 dunams. The fruit can be grown in the whole of the Jordan Valley where the soil is fertile. It is also grown in a few areas outside the Jordan Valley, but with more difficulty.

Cost of production and yield: The cost of production is £87 a dunam up to the bearing stage and thereafter £18 per annum for maintenance. At 15 mils a kilo, with a yield of 2,000 kilos from a dunam in full

bearing, the gross annual income is 30. This year the price is very low, and the growers have found difficulty in disposing of their fruit.

Marketing possibilities: The Palestine banana is a fruit of excellent quality in consumption, though its appearance leaves much to be desired. The whole question of cultivation and marketing was discussed at length by Mr. George M. Odium, in a report to the Palestine Economic Corporation in 1927. This has been published, by the courtesy of the Corporation, as a leaflet of the 'Department of Agriculture in Palestine (No. 11). The general result at which Mr. Odium arrives does not encourage the hope that the possibility of creating a market in the banana will afford scope for widespread extension of cultivation. He sees "considerable possibilities for a banana industry of moderate dimensions in Palestine." The difficulty is largely one of marketing. The Palestine fruit could not compete with the Canary and West Indian bananas in Western Europe. It is bound to be restricted to local markets and the undeveloped markets of Eastern Europe. The possibility of expansion in these latter markets should however be explored, and meanwhile the methods of packing and transporting the fruit improved. It is a matter of great regret that the nematode (Egyptian eelworm) (from which Mr. Odium recorded that Palestine was free), has now appeared and is found spread generally among the banana groves of the country.

(d) MELONS

Exports to Egypt and Syria: There is a very large trade in watermelons with Egypt and a smaller, but still considerable, trade with Syria. The former, in 1929, amounted to 49,000 tons, the latter in 1928 to 6,800. In both directions the trade has been affected by fiscal measures. In Egypt an import duty of 500 millie-mes per ton was imposed last year. In Syria the town of Damascus has imposed an octroi duty on melons, which is of course of a general nature, affecting Syrian as well as Palestinian melons, but which at the same time tends to reduce the amount exported from Palestine.

Adverse effect on export of imposts in Egypt and Syria: Complaint on the score of these imposts was general, and it was suggested that the Syrian case should be taken up with the French Government and that in the Egyptian case the Palestine Government should retaliate by penalizing imports from that country. Petitions on the subject were submitted to the Palestine Government. The District Commissioner of Haifa, in reporting on the Egyptian question, gave figures which establish that the cost of transport of a ten ton truck, including transport to the railway, cost of loading, demurrage fee, unloading and commission, and customs dues, totalled £P25.005. The average wholesale prices in Egypt range from £20 to £25 per ten ton truck, and there is consequently little or no profit to the producer in Palestine. He was of the opinion that the new tariff will seriously affect the trade in melons.

The matter is one for negotiation with the Egyptian Government. The balance of trade is so seriously adverse to Palestine that every possible effort should be made to encourage its exports. Of these, the melon holds quite an important place.

The Syrian question is more difficult. No preference is being accorded to Syrian melons. Doubtless the Damascus Municipality requires the additional income which the octroi on melons will afford. It does not seem possible to suggest that Palestine melons should have a preference over the local product in the Damascus market, and probably no steps can usefully be taken in the matter.

(e) ALMONDS

Production and Export figures: Appendix 21 gives the figures of production and of export from three sources. It is unsatisfactory that they differ so widely, and a remarkable fact indicated by those figures is that over a period of seven years the total export of almonds has been far in excess of the total production. No explanation of this fact can be offered, unless it can be attributed to underestimation of the crop for purposes of assessment of tithe.

Area under Almond cultivation: The most recent enquiry into the area under almonds was made in the early months of 1927. It indicated a total area under this tree of 27,776 dunams, of which 21,175 were in Jewish colonies. The tree is easy to cultivate and flourishes on land which is unsuitable for plantation of any other kind. It gives a return per dunam six times that of cereal crops. It is therefore a useful culture for the development of poor soil.

Replacement of Almonds by Oranges: The area under almonds has been affected by the popularity of the orange. Even before the enquiry in 1927 a considerable area of almond groves had been uprooted in order to make room for oranges, and in certain cases for grapes. In the report of the Department of Agriculture for 1925 it was already recorded that:

"Licences have been issued in considerable number for the felling of almond trees affected with gummosis, or borer ... Almonds are giving way to apricots and figs which, in improved varieties and properly dried, command ready local sales at very favourable prices..."

Since that time the cultivation of the orange has advanced with great rapidity, and wherever the land is suitable there is a tendency for the orange to replace the almond.

Pests: In the heavier soils the borer has done very serious damage, but in the poorer soils the almond groves are frequently unaffected by this pest. The same is the case with gummosis.

Markets: In 1929 a consignment of almonds was forwarded to England and handled by the Empire Marketing Board. The report was not very encouraging, but in the issues of the "Grocer & Oil Trade Review" of 11th August and 15th September of that year Jordan almonds were quoted at the highest price in the London market. On the former date the best Jordans sold for more than the best Valencias.

The chief markets are in Egypt and Damascus, in both of which centres large quantities are imported. There is no doubt that at recent prices almond cultivation has been a paying proposition, and in view of the suitability of the tree to the poorer soils, it will doubtless take its place in any general scheme of agricultural development for Palestine.

(f) GRAPES.

Exports of Wine: Table grapes and grapes for wine are both cultivated in considerable areas in Palestine. But both in the case of wine manufactured in the country and in the case of grapes for the table, the export trade has suffered a severe and continued setback during the past seven years. In 1922, over 2,700,000 litres of wine were exported of a declared value of £58,821. In 1927 the corresponding figures are, quantity slightly in excess of 900,000 litres, value £21,686.

Exports of Table Grapes: In 1922, 1,334 tons of table grapes were exported. In 1928 the figure had fallen to 246 tons.

Competition in the markets: In the case both of wine and of table grapes the most active market is Egypt. During the years 1922 to 1927 the export to Egypt fell from 1,175,000 litres to 564,000. The reason did not lie in a general reduction of imports of wine to Egypt; on the contrary that import shows a large increase. Wines of the Palestinian type are manufactured also in Cyprus and in Greece, and it is the increase of the export from these two sources which has replaced the loss in imports from Palestine. To quote from an article in the Bulletin of the Palestine Economic Society, of October, 1928, written by Mr. Harry Viteles: "Palestine is losing the wine markets in Egypt, Syria, and the United Kingdom, primarily because it appears to be unable to compete with the other wineproducing countries..."

Still more evident is the successful competition of Cyprus and Greece (with Crete) in the matter of table grapes. Since 1922 the import of table grapes from Cyprus to Egypt has increased from 261 tons to 1,338 tons in 1927; that from Greece and Crete from 3,141 tons to 5,068 tons.

Trial consignments to London: A trial consignment of table grapes was on two occasions sent to London and was dealt with on each occasion by the Empire Marketing Board. The reports were not very favourable, but they indicated that given better methods of harvesting the fruit, most of which arrived in a condition overripe, there was a prospect of a market for certain of the varieties submitted, specially the Salti.

Complaints against Excise Duty and Licence Fees: In the course of this enquiry a representation was made by the Cooperative Society of Vine Growers of Hichon le Zion and ZichronJacob Cellars on the subject of the very heavy recent increases in the licence fees for manufacture and in the Excise duty on intoxicating liquors. From this representation the following is extracted:

"Licence Fees: As a matter of fact, up to 1925 we have paid £P5 per annum. By successive additions the Licence Fees have been increased to the amount of £P2,250 for the current year; £P1,600 for the manufacture of wine and £P.650 for the manufacture of alcohol and other spirits.

"We do pay Licence Fees for manufacture of alcohol that are 15 times as big as the Licence Fees existing now in England, and with regard to Licence for manufacture of wine, we don't know any country where such Licence Fee should exist, meanwhile we are paying a little less than one mil per litre, making £P1,600.

"Should the Government continue to impose the Licence Fees to the actual level, it would practically mean taking from the viticulturist £P0.250 per kantar of grapes for the licence only.

"It is indirectly a tax imposed on the viticulturists, and since the average crop of a dunams is two kantars of raisins, this tax will be to £P0.500 per dunam. The question is if the viticulturist should pay so heavy a tax in addition to the other land taxes as Osher and Werko, and if a land product should be so heavily taxed..."

It is true that the cultivator of grapes pays the tithe and the Werko as stated, and that the increase in the Licence Fees does in effect impose an additional tax on him, as it is impossible for the manufacturer to increase the price of his product to the consumer. This is a question which deserves careful reconsideration in view of the depressed condition of all agricultural industry at the present time.

A similar complaint was made by the Salesian Fathers in respect of the manufacture of wine at their Farm School at Beit Jemal.

The Excise Duty was first imposed by the Intoxicating Liquor Ordinance of 1927, and amounted to 3 mils per litre of wine not exceeding 15° of alcohol, and six mils per litre exceeding 15° but not exceeding 25°. These duties were doubled with effect from 1st April, 1930.

(g) TOBACCO.

Extent of the Tobacco Trade: There is no reason why this country should not produce large amounts of high class tobacco. At the present time, the amount produced is of poor quality and until 1929 has been insufficient to meet the demand for home consumption. The following statement' shows for the past three years the amount produced, the amount consumed locally, and the amount imported:

	1927	1928	1929
Crop	kgs	kgs	kgs
Tobacco	495,000	334,600	1,057,300
Tombac	52,000	7,400	10,700
Disposal of Crop			
Tobacco to factories	446,000	615,000	476,000
Exported	197,000	15,000	22,000
Imported			
Tobacco	125,000	123,000	124,000
Tombac	74,000	70,000	100,000

Output of Local Factories			
Cigarettes	401,815	493,720	531,887
Tobacco	23,844	16,167	20,108
Tombac	87,714	83,919	100,127
Snuff	64	57	1,210
Total output	513,437	593,863	653,332

Local Leaf: Attempts have been made by the cigarette manufacturers to induce the cultivators to produce in this country the amount of tobacco of a higher class which is necessary for the manufacture of cigarettes of better quality. These attempts have not been successful. The local cultivator prefers a tobacco which gives a large yield. The seed of the better grade of plant is smaller and lighter than that of the coarser tobacco, and for this reason alone is unacceptable. In addition, the cultivator cannot realise that a smaller crop of the finer leaf is more valuable than a heavier crop of the coarser kinds.

Necessity for instruction in improvement of methods: This prejudice might perhaps be overcome, but there is an additional difficulty in that the finer tobacco requires manipulation of a special kind, with which the Palestinian cultivator is not familiar. He does not know how to prepare his tobacco for the market, nor does he know the method of packing. Both of these difficulties are easily overcome. It is a question of education, and an expert from Cyprus or Greece could readily teach the cultivator. The Arab cultivator is intelligent, and, if taught, would find no difficulty in learning the methods of those countries. One of the tobacco manufacturing firms advanced £20,000 to the tobacco growers in the course of last year. The result was entirely satisfactory, and the money has been repaid practically in full.

Complaints in regard to the Tobacco Ordinance: There were complaints of two different kinds against the administration of the Tobacco Ordinance. On the part of the cigarette merchants it is alleged that smuggling is rife, especially after the disturbances of August last, and it was urged that much more severe measures are required on the part of the authorities in order to combat that evil. On the other side there were frequent complaints on the part of the fellahin that the Tobacco Ordinance is not only harsh in its terms, but is, in addition, administered in a cruel manner.

Minimum Area of Two Dunams: There are certain provisions of the Ordinance which are special subjects of complaint. It is, for instance, argued that there is no good reason why the minimum area of cultivation should be two dunams. On the face of it the complaint is well founded. The reason for the provision is given in the following extract from a letter of the Director of Customs, Excise and Trade:

"... It is desirable that tobacco shall only be grown on a commercial scale and if it is assumed that 50 kilograms is the average crop of a dunam two dunams produce 100 kilograms or five bales of 20 kilograms each ... If you refer to Section 10 of the Tobacco Ordinance you will find that *no* quantity of less than 20 kilograms of unmanufactured tobacco may be sold at any one time by a grower to a dealer or manufacturer, and it was found that people who grow small areas in most cases were planting for their own consumption or illegal sale and small areas are very difficult to control. I have taken the liberal view of the two dunams so that if a fellah has two pieces of land within sight of each other but not actually touching, I count them as one for the purposes of the Law even if the total of each is less than two dunams. The interests of the tobacco manufacturers are those of the Department in this matter and they are always consulted when any change is made in the Ordinance.

"A committee of representatives of the Departments of Agriculture and Customs and of Tobacco Growers and Manufacturers was held in 1926. This Committee recommended that the minimum area planted by any one grower should not be less than half a dunam, but later it was considered desirable to increase the area to two dunams..."

The reason why the minimum was fixed at two dunams was doubtless to check the consumption of unexcised tobacco. In fact, however, it precludes the poorer man from cultivating a crop which gives a high

return. It is desirable that the minimum area should be fixed at a lower figure than two dunams. Half a dunam appears a sufficiently high minimum.

Prohibition of use of home grown Tobacco: Another provision which is subject to bitter criticism is that which renders it a criminal offence for the cultivator to smoke his own homegrown tobacco. It is rightly pointed out that compulsion to purchase excised tobacco raises the price to the cultivator by about 60 per cent. On the other hand it is clear that if the cultivator were to be allowed to smoke his own tobacco, a door would be opened for illicit consumption which might have serious results on the excise revenue. The following table gives the number of offences against the Ordinance during the past two years and the action taken in respect of them:

<i>Year.</i>	<i>Number of Seizures.</i>	<i>Number of Offences.</i>	<i>Number of Offences Compounded.</i>
1928	5,952	5,010	2,176
1929	5,984	4,551	1,962

All cases of infringement of the Tobacco Ordinance are dealt with by the Director of Customs himself, and he is personally responsible for compounding such of these offences as seem to be suitable for this action. There is no doubt that the Ordinance is properly administered.

(h) OLIVES.

Grade of oil: There is a large production of olive oil in the country. As a rule the oil is of inferior quality, containing a high percentage of acid. This is due to the primitive nature of the machinery of extraction, to the absence of cleanliness in connexion with the process, and to the antiquated receptacles in which the oil is stored. A reform in methods is a necessary preliminary to a pure and sweet oil.

Methods of culture: Cultural practice is also as a rule ignorant and primitive. The olives are removed from the trees by beating the branches with sticks. Partly as a result of this practice the crop of the following year is affected so much, that the olive is looked upon in this country as a tree that yields well one year and very poorly the next. A further drawback to successful culture is the ignorance of the fellahin on the subject of pruning the tree. It may be said with truth that in large areas pruning is actuated not by any desire to improve the tree or the crop, but by the necessity to obtain firewood.

Instruction in improved methods: These are all directions in which instruction would have good results and this could best be afforded by demonstration. The same absence of knowledge of pruning was remarked in the case of many of the Greek refugees, and it was necessary to employ travelling instructors to teach the peasants how to treat their olive trees. There is no reason why such a method should not be adopted in Palestine. The financial results of the system in Greece fully justified the expense.

Extension of area under cultivation: There are wide spaces in the hill country where the olive would grow and where it would give a better return, even at the present low prices, than is obtained from cereal crops. It would be of advantage to the country if these areas were put under olives rather than cultivated each year with cereals. It was suggested that in cases where cereal land in the hill country is put down to trees, the tithe should be excused on that land until the trees are in bearing. This seems a fair suggestion, not only in the case of olive groves but also where fruit trees are planted, and not only in the hills but in the plains also.

(i) SESAME

Imports and Exports: Everywhere a demand was made that the import duty on sesame, which had been removed in 1925 in order to help the Jewish Oil Factory "Shemen" should be reimposed, and the Palestine Government has agreed to the reimposition. The sesame position is curious. In the year 1929 while 3,539 tons were exported at an average price of £P 20.436 mils per ton, 3,470 tons were imported at a price of £P.23.278 mils per ton. The imported sesame comes chiefly from China and is generally said to be an inferior seed to the Palestinian seed.

Value as a summer crop: The cultivation of sesame has a value apart altogether from its crop. It is a summer crop, and requires a great deal of careful weeding and cultivation. It is followed by the winter cereal crop, and the land is in a good condition to receive the seed when the sesame has been pulled. Sesame is therefore a crop to encourage, apart from its commercial value.

Cultivation: The Jewish colonies grow no sesame, as it is a crop demanding labour both of women and of children at time of harvest. The crop is not reaped; each individual stalk is pulled by hand, labour of a kind which the Jewish population does not favour, in part perhaps because there are not yet many children of an age to help in the harvest. The value of the yield at present prices would not support the expense of hired labour. The fellah carries through the harvest with the help of his family.

(j) BARLEY

Export trade: Before the War considerable quantities of Palestinian barley were exported to the United Kingdom for malting purposes. In one year, 1908, the export from Gaza was 38,000 tons. In 1913 it amounted 18,400 tons. Since the war this trade has not revived; the maximum amount exported to the United Kingdom in any one year having been 1,600 tons.

Possible reasons for reduction of overseas trade: One of the principal reasons for the failure of the trade to revive appears to be that prohibition in America has released large quantities of Californian barley, which now finds its way to the United Kingdom. There are, however, other reasons. The rainfall of the Gaza area is very erratic, and a crop cannot be depended on each year. Probably the merchant prefers to deal where he is certain regularly to find the amount he desires. The Gaza barley contains a good deal of extraneous matter. A proposal was made to purchase a cleansing plant on behalf of the Government, as it is understood has been done in the Sudan, and to demand that all exported grain should be cleaned previous to export. This scheme fell through for financial reasons.

It is also suggested that the United Kingdom demand for malting barley has fallen and that the reduced demand is met to a larger extent than formerly by supplies produced locally. Also that the time of shipment from Gaza, i.e., the end of June, is too late for the market. Further, the freight from Gaza to the United Kingdom amounts to 4s. 6d. a ton, which compares with 3s. 3d. from Canadian ports, and 3s. 6d. from New Orleans. From New York it is said to be 1s. 9d.

Proposals for revival of the trade: There seem to be a number of reasons which explain the failure of the barley trade with Great Britain. For its revival, if that revival is possible, there are three necessary preliminaries. First, there must be cooperation between the growers and the merchants in Palestine. Next, grading and cleaning are essential. The outlay on the necessary machinery is considerable and it is probable that Government assistance is a condition of its purchase. Finally, a reduction is required in the freight charges from Palestine to the United Kingdom. The last is probably the most difficult of the three conditions.

(k) MINOR AGRICULTURAL PRODUCTS

The Silkworm: The Department of Agriculture employs an expert in the breeding of the silkworm. The budget allotment is so small that the activities of the Section are crippled. This is the more unfortunate in that there is a group of Arabs who are familiar with the culture of silk, and there is a definite demand in other quarters for instruction, for provision of mulberry trees and for assistance to breed silkworms. This is a demand which should be met, if at all possible. Nothing of any importance is possible with the exiguous sums provided in the past, and it is of little use to pay an expert £300 a year in order to stimulate a demand, unless the creation of the demand is to be followed by some more positive action.

Present position of Silkworm Culture: The culture of the silkworm is suitable to the conditions of small-holders both in the Jewish settlements and in the Arab villages in many parts of the country, and this is a useful line of development of a minor type, where the family income is small and every additional piastre makes a difference. Of the reality of the demand there is no doubt. The Arabs of Nablus, to whom

reference is made above, were willing to provide d6100 towards the creation of a small factory if the Government would lend a further £100 to help them. A second application received from the same town in the month of May this year, stated that 4,000 men were out of work in the town and that, if a loan were given to the applicant, he would start a factory which would provide employment for at least a few of them. In some of the Jewish villages in the Emek the work has already been begun on a small scale. In general it may be said that the outlook for this small industry is not unfavourable. Its practice is being taught in some of the Government village schools. An effort might well be made to extend its usefulness.

Bees: The production of honey is another activity for the smallholder. This industry is gradually extending, both among the Jews and among the Arabs, though the number of hives kept by the Jews is probably the larger. Export of honey first commenced in 1925 when 9 tons were despatched; in 1926 the amount exported was only 5 tons which sold for £325. The export rose to 11 tons in 1927, 17 tons in 1928 and 24 tons in 1929. The value of the honey exported in 1929 was £P1,625 f.o.b.

Prevalence of Foulbrood: Foulbrood first broke out in Palestine in 1924, when 400 hives were destroyed. Since that time there have been minor outbreaks from time to time, until last year, when there were two serious outbreaks in Jewish settlements, costing the settlers hundreds of hives. It is said that if taken at once, this disease is easily controlled.

Expansion of the industry: Palestine honey is said to be as good as any in the world. With the extension of the orange groves the production of orange flower honey has very largely increased; the same is true of eucalyptus honey. Wild thyme is becoming less plentiful, as the land on which it flourished is being broken up, but Palestine has a wealth of wild flowers and there is practically no limit to the possible extension of beekeeping. It is an occupation in which the fellah rapidly becomes expert, and which is popular among the Jewish settlers. The Government employs an expert, Mr. Ldpsbltz, who is also in charge of the Acre Poultry Farm. If the industry increases at a rapid rate, as it promises to do, it will be necessary to strengthen the personnel of the Department which deals with it.

(I) DAIRY AND STOCK BREEDING.

Contagious abortion: In many of the Jewish colonies the basis of settlement is the dairy. A large number of bulls and cows were imported from Holland, and, as has been recorded in another chapter, an epidemic of contagious abortion has broken out. The Chief Veterinary Officer states that there are records of the existence of this disease in 60 per cent, of the dairy herds, but that it is probable that all cases have not been reported and that about 80 per cent, are in fact infected. The farms have been planned on the assumption that each cow will provide 2,500 litres of milk for sale, after the necessary deduction for consumption by the family, and for feeding of the calves. The price of milk has been estimated at 13 to 15 mils. The success of the farm naturally depends on the accuracy of these two assumptions. They have been vitiated by the epidemic of contagious abortion, which reduces the yield of the dairy affected for obvious reasons, and by the fall in the price of milk, which was selling in the Emek at the time of this enquiry at 10 mils net the litre.

Stallfeeding of dairy stock: Stallfeeding of stock and sale of dairy produce is probably the most efficient way of using land in the larger area of the nonirrigable, or semiirrigable, tracts. In the agricultural development of the country as a whole, the method must take its place. But it must at the same time not be forgotten that the local market for dairy produce is very strictly limited, and that unless some method of disposal of the products is adopted, differing from the ordinary sale in the market, prices will fall so that the area taken as a unit will prove to be insufficient to support a decent standard of life. It is therefore essential to explore the possibility of creating a canning industry for dairy products, and of manufacturing cheese for export. In both of these directions keen competition will be experienced, but unless the efforts made are crowned with success, the dairy cannot be regarded as the basis of settlement except in an area comparatively small, and the size of the holding will have to be enlarged.

CHAPTER IX. PALESTINIAN INDUSTRY.

Census of Industries: Summaries. In the year 1928 the Department of Customs, Excise and Trade undertook a census of the Industries of Palestine. This census indicates that, at that time, there were 3,505 factories, establishments and workshops, employing in all 17,955 persons of whom 10,186 were wage earners, the balance of 7,769 including owners, clerks, technicians and, apparently, contract labour. Graph No. 2 appended, shows the distribution of persons employed by groups, age, sex and occupation. The average number of persons employed was 5.1 per establishment. This is an indication of the very small scale of the industry which is carried on in Palestine.

In the year 1927 the total expenditure of these establishments, including raw materials, salaries and wages, and fuel amounted to £2,975,401 an average of £849 per establishment. (Vide Graph No. 3.) They produced in all, industrial articles valued at a total sum of £3,886,149, or £1,109 on the average for each establishment. The total capital invested was £3,514,886, averaging just over £1,000 per establishment. Graph No. 4, appended, shows the racial distribution of the number of undertakings established, prewar and postwar, and the capital invested.

Food, Drink, Tobacco. The most important group was that dealing with Food, Drink and Tobacco. In this group there were 473 establishments, with a capital of £1,319,912, with an expenditure of £1,664,083 and production valued at £2,036,272. The group included flour milling, distillation of intoxicating liquors, bakeries, tobacco and cigarette manufacture.

Chemicals and allied trades. The next group in importance is that of Chemicals and Allied trades, including olive oil presses, soapmaking, etc. It employed a total capital of £638,313. The expenditure of the year 1927 was £506,409 and the production was worth £649,523.

Cement, Brick, Stone and Clay trades. The group, containing the Cement, Brick, Stone and Clay trades, includes one of the largest and most important individual factories in the country, the "Nesher" Cement Works. In the group are 148 establishments. The total capital invested was £517,106, the expenditure £155,903, and the value of the outturn £209,994.

Census of Jewish industry. The Jewish Agency has supplied a Memorandum on Jewish industry based on a census carried out in the month of March, 1930. It covered 2,274 urban enterprises, which gave work to 9,362 persons, had an annual wage bill of £476,452 and used raw materials to a value of £904,881. They produced finished articles to a value of £1,635,462 and estimated their invested capital at £998,904. Thus the average number of workers per establishment is 4.11, who are paid on the average about £51 per annum. The raw materials used average £398 per establishment per annum. Per establishment the finished articles averaged £718 for the year, and the average invested capital was about £435. In the case of these purely Jewish industries also the average establishment is very small indeed.

The Memorandum divides the industries into three classes. In the first class there are 1,725 enterprises, in each of which less than five persons are employed. In the second class, employing from five to nine, there are 418 establishments. The third class comprising 131 establishments are those which provide occupation for 10 and over. Of these Jewish enterprises, the most active period of foundation was that covering the years 1920 to 1924. That period saw the foundation of 50 of these larger enterprises, which now employ 1,515 persons and have a capital of £291,930. The following period, 1925 to 1929, was responsible for the creation of 56 enterprises, but they employ at the present time only 1,204 persons and have a capital of £188,489.

Principal industrial undertakings. Certain of the industrial concerns are deserving of special mention. Of all the industries of Palestine at the present time, the two potentially most important are the concessions granted to Mr. Kutenberg for the production of electric power from the Jordan, now being worked by the Palestine Electric Corporation, Ltd., a company registered in London, and to Messrs. Novomejsky and

Major Tulloch for the exploitation of the salts of the Dead Sea. This concession is now being operated by Palestine Potash, Ltd., also a company registered in London.

The harnessing of the Yarmuk and of the Jordan for the purpose of the first concession is now complete, and it will be no long time before electric current is available all over the North of Palestine, both for power and for light. Meanwhile all that is required is provided from the Company's Power Houses in Tel Aviv, Haifa and elsewhere.

Palestine Potash, Ltd., is also approaching the stage at which manufacture will begin. The waters of the Dead Sea are already being pumped up into the sand pans in which they will be evaporated by the sun and from which the concentrated liquor (carnallite) will be conveyed to the factory.

"Nesher" cement works. A large individual enterprise is the "Nesher" cement works at Haifa. These works are the property of the Portland Cement Company "Nesher," Ltd., registered in London with an authorised capital of £300,000, of which £250,000 is paid up. The Company has issued £50,000 of first mortgage debentures. The factory produces firstclass cement. It employs at the present time 390 wage earners, of whom 250 are Jews, 10 Jewesses and 130 Arabs. The Company commenced business in 1925. At that time the import duty on cement was 200 mils (4s.) per ton. In 1926 the total sales were 41,610 tons, of which 2,045 tons were exported.

In 1927 the total sales rose to 45,888 tons, of which 9,012 tons were exported. In November of that year the duty was raised to 600 mils (12s.) per metric ton. In 1928 total sales were 59,165 tons, of which 11,332 tons were exported. In December, 1928, the protective duty was again raised, from 600 to 850 mils (12s. to 16s. 6d.) per metric ton. In 1929, the total sales rose to 68,661 tons, of which 7,699 tons were exports. In the sixth annual report for the year 1928 the Company's profit was shown as £19,271, and a dividend of 6 per cent, tax free was declared.

The Company's cement is sold in Palestine at dGP.2.700 mils (54s.) per ton. Last year, 1929, cement was exported to Syria, Cyprus and Egypt, but the major portion went to Syria, where it was sold at an average price of 45s. a ton9s. a ton cheaper than the Palestine price, notwithstanding the cost of transport to Syria. The Manager of the Company explained that building activity in Palestine is irregular, and that, in order to meet any sudden demand, it is necessary to maintain production at a higher rate than that justified by the average local demand. For this reason there is a necessity to dispose of the excess product so manufactured even at a price that is not remunerative.

"Nesher" cement: Effect of protective tariff. It is clear that the Company would have made a loss in place of a profit had the whole production been sold locally at the Syrian price. Also that the industry could not be maintained were it not for the protective tariff. The sole good reason in favour of the tariff is that it enables the Company to employ 260 Jews and Jewesses and 130 Arabs who might otherwise have been without employment. This argument is not convincing to the purchaser in Palestine, who ultimately has to pay the protective duty in the price of his cement. Specially is the argument unconvincing to him when the profit created by the protective tariff for which Palestine is paying passes into the pockets of an English Company registered in London. The expediency of increasing the protective tariff from 12s. to 16s. 6d. a ton in view of the profits gained under the lower rate of tariff is also frequently canvassed, and with reason.

Eastern Oil Industries, Ltd. The "Shemen" Works, of the Eastern Oil Industries, Ltd., a Company registered in London, were founded in 1929 by Messrs. Paenson and Wilbush. The Company was known as the Palestine Oil Industry "Shemen," Ltd., and it subsequently transferred the business to the present proprietors. The works are situated at Haifa. The factory manufactures olive, sesame and other oils from Palestinian products, and also coconut oil from imported copra. It makes toilet and washing soaps, cooking fats, boiled linseed, oilpaints, perfumes and sweets (such as "Halwa"); from the residue, cattle cake is pressed.

The following statement shows the output, the sales and the maximum number of workers employed during three years 1927, 1928, 1929 and the present year up to 1st May:

<i>Year.</i>	<i>Output in Tons.</i>	<i>Sales in Tons.</i>	<i>Value.</i>	<i>Maximum Number of Workers.</i>
			£	
1927 ...	2,742	2,308	96,700	122
1928 ...	3,959	3,298	130,700	228
1929 ...	7,706	6,462	168,700	258
1930 to 1st May		1,143	33,000	110

No manufacturing appears to have been done during the first four months of the present year. In all probability this is due to the present position in the oilstuffs industry. Overproduction of oil is universal in Palestine, and the price of all oil has fallen very heavily in consequence. The labour employed is entirely Jewish.

Soap. Nablus is the great centre of the olive oil soap factories, and the export of this soap is by far the most important of industrial exports from Palestine. The soap is manufactured in very primitive fashion, and maintains its market, chiefly in Egypt, owing to its wellfounded reputation for the employment of the purest ingredients. Animal fats of every kind are avoided, a fact which renders the soap pure in the eyes of the devout Moslem. The total value of the production of the Nablus factories is estimated at 6240,000 per annum. The proprietors of the factories and all the workmen, who number about 200, are Arab.

Tobacco: Messrs. Karaman, Dick and Salti. The factory employing the most labour is the tobacco factory of Messrs. Karaman, Dick and Salti at Haifa. The labour force, which is almost entirely Arab, numbers over 500. The factory manufactures cigarettes for the local market, and does a large increasing business. A second tobacco factory, that of Messrs. Maspero Freres, Ltd., belongs to a company registered in London, and also does an increasing business. Its personnel, which is chiefly Jewish, exceeds 100.

Grands Moulins de Palestine. Haifa is also the seat of the Grands Moulins de Palestine. These Flour Mills were originally founded by Baron Edmond de Rothschild, and it is understood that he still takes an interest in the venture. They commenced working in 1923, and the value of the annual outturn has varied between d690,000 and £145,000. They cater almost entirely for the home market, but occasionally export flour to Syria. The same company operates also a factory for the production of "matzot," the unleavened Passover cakes. The annual output of this subsidiary factory is from 330 to 440 tons. Of the production about one half is consumed in Palestine and the other half exported.

The two factories together employ slightly over 100 men and women, all of them Jews.

Complaints are made that no protection is offered to this industry. It is said that the competition of imported flour is such that the mills only produce to half their full capacity. It is pointed out that the import of foreign flour is actually greater than the amount of flour milled in the country. The manager of the mills expressed the hope that the import duty on flour might be increased and that on wheat reduced, as this would enable the local mills to grind flour from foreign wheat for the local market. He pointed out that the local wheat does not lend itself to the production of a white flour, such as is required to make white bread. All the local wheats are of the macaroni variety, and produce what he described as a "thick" flour, yellowish in colour. He also complained of the high cost of transport by the Palestine Railways. He stated that business was decreasing on account of competition, in meeting which the mills were at a disadvantage owing to the facts cited.

The wine industry. Wine is manufactured in the German Colonies, by the Salesian Fathers at Beit Jamal, and on a small scale in a number of ecclesiastical institutions. But the most important cellars are those attached to certain of the P.I.C.A. villages. The famous cellars of Richon le Zion and of Zichron Jacob

were erected by Baron Edmond de Rothschild at his own expense, and he has leased them since 1906 at a nominal rental to the Cooperative Society of the Vinegrowers of the Cellars of Richon le Zion and Zichron Jacob, Ltd. The cellars at Rehovoth and the distillery at Gedera are the property of the Cooperative Society. During the last season the society has produced:

- 1,650,000 litres of dry wine.
- 1,035,000 litres of sweet wine.
- 56,000 litres of grape juice.
- 137,000 litres of spirit distilled from grapes and raisins.
- 70,000 litres of araki manufactured from alcohol or molasses.

The above has a total value of £80,000. Of this total production wine to the value of about £35,000 is exported. The Cooperative Society complains of the high rates of Licence fees and Excise Duty, to which reference has been made earlier in this report. It also complains, as do other industries, of the high rate of railway freights on the Palestine Railways. In a note submitted for purposes of this enquiry the society writes as follows:

"Generally the business was improving up to the period of the disturbances in August last. The hard economical conditions nearly everywhere in Europe and the Orient, the fall in quotations of wine abroad, the doubled taxes and fees in Palestine, the troubles and disturbances in that country, the last order of the Palestine Government to restrict the immigration and very deep disappointment provoked amongst the Jewish Communities abroad, have necessarily affected the trade unfavourably in the home market and abroad."

Other industries. The smaller and newer industries, as a general rule prefer Tel Aviv to Haifa. These have in most cases been established by immigrants who have arrived in Palestine since 1920. A large number of them seem to provide employment for women rather than for men.

Printing. One of the industries which is growing rapidly and which shows signs of extension is that of printing. It is reported in the Memorandum submitted by the Jewish Agency that in Jewish establishments alone 1,030 persons are employed. At the time of the census of industries, the total number employed was 992, of whom 18.4 per cent, were Arabs. Assuming the same percentage of Arabs to be employed today and making the consequent addition to the Jewish return, the total number employed in 1930 would be 1,230, an increase of over 24 per cent, in the three years. That this industry should prosper is natural. It is engaged largely in the printing and publication of Hebrew books, for which there is an increasing world demand.

Smaller industries. Of other smaller industries the more interesting are those for the manufacture of artificial teeth, of fancy leather goods, of textiles and fruit products. As to the factory of artificial teeth, the Memorandum of the Jewish Agency contains the following:

"No one writing on the industrial possibilities of Palestine could by any logical course of reasoning arrive at the apparently fantastic conclusion that Palestine is a country particularly suited to the manufacture of artificial teeth.

"But a Jew who had immigrated to the United States some forty or fifty years ago had become a most successful manufacturer of artificial teeth, and on coming to Palestine he found that he could manufacture them in Palestine successfully as well. They are now being made in Tel Aviv in a nice modern factory which gives work to over 50 workers and they are being exported, mainly to England..."

Fancy Leather industry. The leather bag industry, which is showing distinct signs of progress, was introduced by some Polish Jews, who had technical knowledge of the leather industry. The "Zetge" Company now makes leather handbags in Tel Aviv and exports them to Egypt and elsewhere. The Company

started in 1926 with one workman. It now employs 65 persons altogether. The Company made a request that leather should be considered as a raw material and should be admitted free of import duty. There is a protective duty of 15 per cent, *ad valorem* on Ready Fancy leather goods, and the import duty on expensive light leather has been reduced by 50 per cent. These measures appear to have assisted the industry considerably, and its very success tends to show that conditions of competition are not so severe as materially to affect the Company.

Textile industry. Of textile factories, according to the Census of Jewish industries, there are 40, of which 12 employ more than 10 persons apiece. Among these there is one which is producing stockings on a considerable scale. The exports of Stockings and Hose have increased from a value of £430 in 1925 to £17,532 in 1928 and £18,919 in 1929. Of this sum the major part is due to the "Lodzia" Stocking Factory. Its history is interesting, and is thus described in the Memorandum of the Jewish Agency:

"...Some time ago some people came from Poland and started manufacturing these articles. They had some email experience of the business but not sufficient, and the factory proved a failure in their hands. It was taken over by another Jewish immigrant who all his life (in Russia) had been doing this particular business; he also had sufficient means and he made the factory into success."

The stocking produced is a very cheap article and evidently supplies a considerable demand both locally and in adjoining countries.

Fruitjuice and fruit products. An industry which, as yet of small proportions, may ultimately prove of great importance to Palestine is that of fruit juice and fruit products. The "Assis" Company manufactures fruit juice of excellent quality from oranges. There is a considerable quantity of oranges which for various reasons are not fit for export though perfectly sound fruit. With the increasing production of the orange the number of these unexportable oranges will increase rapidly, and the "Assis" Company is one of the agencies for profitable disposal of this fruit. It is desirable that efforts should be made to popularise the products of this and of similar concerns, in the interests of the orange growers. The produce of this factory much resembles that of a wellknown Australian factory.

THE DEVELOPMENT OF INDUSTRY.

Industrial enterprises before the War and subsequent increase. Of existing industrial establishments 1,236, with a total capital in excess of one million pounds were in existence before the War. Since the War therefore the number of establishments had increased up to the date of the Industrial Census by 2,269 or 183 per cent, and the capital by two and a half million pounds, or 250 per cent. This is a very material increase and it is almost entirely due to the importation of Jewish capital and the immigration of a Jewish population.

Industry in the past. Views of very differing nature are expressed in different quarters both in regard to the expansion of industry in Palestine in the past and as to its prospects in the future. The remarkable feature of the past is the rapid increase of the small industry and the comparatively stationary position of the large. It is clear that the "Nesher" Cement Factory is dependent on protection not only for its profits, but for its existence. It could not compete with imported cement, were the protective tariff withdrawn. The withdrawal of the duty on imported oilseeds appeared to be a necessity to the success of the "Shemen" oil factory. The Cellars of Richon Le Zion and Zichron Jacob owe their very existence, not to economic action, but to the liberality and interest of Baron Edmond de Rothschild. The industry continues to prosper by reason of the protective duties on imported wines and spirits. The textile trade benefits by the import of its raw materials free of duty and by a 12 per cent, *ad valorem* tax on similar goods imported into the country. In fact, large industry in Palestine appears to depend on manipulation of the tariff. The rest of the population is taxed in order that the proprietors of these industrial concerns may be in a position to pay the wages of their labourers and to make a profit for themselves.

Small industries. The number of very small industries is most surprising. In the Memorandum submitted by the Jewish Agency it is stated that in the Colonies and Villages there are over 400 enterprises in which 700 persons are engaged; i.e., on the average less than two persons per enterprise. It is difficult to imagine such an establishment as being more than an instance of home industry.

Number of persons employed. The figures of the Industrial Census of 1928 are very illuminating on this point of the small workshop. In 31.4 per cent, of the establishments no paid labour at all was employed, in 20.1 per cent, one wageearner, in 26.2 per cent, two or three, in 13.3 per cent, four or five. That is to say, that of the whole of the industrial establishments in Palestine at that time 91 per cent, employed five wageearners or less. At the other end of the scale twelve establishments, or 0.3 per cent, of the whole, employed over 100 wageearners, fifteen, or 0.4 per cent., employed between 50 and 100. The number of establishments employing over 50 wageearners was therefore twentyseven in the whole of Palestine, and they formed 0.7 per cent, of the total of industrial concerns.

Future development of industry: Jewish. The question of the future development of industry in Palestine is discussed at considerable length in the Memorandum of the Jewish Agency to which reference has been already made. The Memorandum considers that "from the point of view of Industry the whole talk of the absorptive capacity of the country is out of place and should be disposed of once and for all." The aim of Jewish industry is not "to cater for the wants of 600,000 Arabs, threequarters of whom are poor peasants ...it is to the Jewish Community itself and to Export that Jewish industry looks in the first place. It is quite incorrect to believe that Jewish Immigration is dependent on a market being already available; it is before all things Jewish immigration that creates the home market and conquers the foreign market ...What really defines the possibilities of future Jewish Industry in Palestine is a factor which has not yet received sufficient attention and which indeed is not yet to its full extent known even to the Jews themselves: *it is the human factor.*

"The fundamental question *is not* Where are we going to take the power? *Nor* What raw materials are available? *not even* although it is an important question, What are the best markets?"

"The fundamental question is: Are there Jews, and how many of them are there, who are prepared to immigrate into Palestine if sufficiently encouraged, or at least not discouraged, and who will bring with them sufficient capital and adequate business experience, but preferably a sufficient knowledge of a particular industry in order to set up industries which may, each in its own line, compete with similar industries; and are there other Jews who are prepared to immigrate into Palestine to supply the skilled and unskilled labour required?"

"If such Jews do not exist at all or are not available in any large numbers then the present investigation with respect to the possibility of an industrial immigration as distinct from an agricultural immigration becomes obviously purposeless. The problem will then have been solved by its nonexistence. It is the contention of the Zionists that such Jews do exist and that they are available in large numbers, that they clamour for admittance and that in settling in Palestine they will not drive (?away) the Arab population that it holds at present."

Possibilities of an extension of industry. The Memorandum goes on to point out certain promising directions in which there is scope for an extension of industry. It mentions the Clothing industry as a specifically Jewish industry all over the world, it suggests that there is no reason why Palestine should not rival Egypt as a centre of the Tobacco industry, it points out that the Jews of Poland play an important part in the Textile industry. It goes on to say that there are prospects in Preserved Fruit and Vegetables, it refers to the success of the Printing industry, it anticipates great development of the Chemical industry as the result of the Dead Sea concession.

It then dwells upon the importance of the Tourist industry with all the subsidiary occupations accessory thereto. Finally, after pointing out the opportunities and the demands in the Building industry, the Memorandum closes by relying on the success of the past as an indication of the possibilities of the fu-

ture, and insisting that such part of Jewish immigration as is meant to be absorbed by industry should not be limited by any imaginary absorptive power of the country.

"... The absorptive capacity of the country, from the point of view of industry, is dependent only on the willingness and ability of Jewish capitalists to start industries which they may understand and the products of which they can market, and of Jewish labour to come in and work."

Future of Palestinian industry. It is a difficult thing to forecast the future of industry in a country, and not easier in the case of Palestine than in that of others. In fact it is more difficult, as the future development will not depend, as is ordinarily the case, on the economic capacity of the country, but on a stimulus which may be called artificial, without misuse of that word. The Director of the Department of Customs, Excise and Trade wrote as follows on this subject:

"... It is doubtful whether some of the larger concerns ... would be able to stand without outside help; but there are certainly several small factories which are making a profit and show every prospect of success and a striking example of this is the Artificial Tooth Factory...

"It would appear that for a factory to have any real chance of ultimate success it must look to the markets of Egypt and Syria to take the larger proportion of its manufactures, and not to the Palestine market; it is therefore those factories which are manufacturing articles likely to find a ready sale in those countries which would seem to have the most prospect of success and to be worthy of Government assistance in the way of exemptions for raw material.

"It cannot be said that there are any prospects of the heavy industries enumerated above requiring any fresh labour, but certain additional labour might be required as some of the smaller factories progress. Probably at least 50 per cent, of such additional labour would be female ...

"A recent examination of the exports of manufactures from Palestine does not show that rapid expansion which is desired, even allowing for the setback owing to the disturbances in August 1929. On the other hand, there is progress, although slow, and although many of the weaker concerns must fail, there are reasonable hopes of progress for certain industries in Palestine but not on anything like the scale that was at one time anticipated. In fact it would seem probable that it will be a matter of many years before Palestine is likely to be able to claim to be an industrial as well as an agricultural country."

Immigration as a solution of industrial problems. There is in certain quarters an optimism with regard to the industrial possibilities of Palestine which is founded chiefly on hope, partly on conviction. It has been quite seriously argued that the difficulty of disposal of an excess of dairy produce could be solved by the arrival of immigrants in sufficient numbers. A similar argument has been used with regard to housing. The more immigrants arrive, the more employment there will be for those whose occupation it is to build houses. From such a point of view, it is true that the introduction of capital and labour and the erection of textile mills on a large scale in Haifa and Tel Aviv would bring prosperity to the country until the capital was expended. But it is the duty of the Government to look further than the immediate present. There seems no reason why a Textile industry on the grand scale should be a success in Palestine, with labour paid at the rates fixed by the General Federation of Jewish Labour, while the mills of Japan and of Bombay, equipped with the most modern machinery, and employing the cheapest of labour, are unable to find sufficient markets for their goods. From the point of view of those whose ardent desire it is to import Jews from Poland and Russia and the Yemen into Palestine in large numbers, and whose object is gained when the immigrant has arrived in Palestine, it may be sufficient that temporary employment is assured. But the Government is responsible not only for the present, while the imported capital is supporting the new population, but for the future, when spending of the imported capital will be at an end and the immigrant will have to live on employment, which will then be dependent on the success of the mill in competition with the mills of the world.

Progress of industry. An examination of the figures of exports due to the existing industries does not support the view that the industry of Palestine is making very rapid progress. Mr. Goldwater has written

for the Palestine Corporation Ltd. a most interesting and important general report on Palestine for the year 1929. At the end of that review he gives the figures of export of the principle products of industry, for the years since 1925. The totals of those figures for the past three years are the following:

	£
1927	426,983
1928	426,160
1929	482,826

In the first two of the three years, soap, an ancient indigenous industry, accounted for more than half the exports.

Industries likely to succeed. There are industries for which there is every hope of success in Palestine. There is no reason, as is pointed out in the Memorandum, why the Tobacco industry should not become increasingly important. It is exceedingly desirable that a Canning industry should prove a success if the Dairy industry and the Fruit industry are to expand in the future. Every effort should be made to extend the market for and the production of fruit juice. The Printing industry will doubtless develop naturally into an important branch of the industry of Palestine. If the Dead Sea concession proves to be a successful venture, it is impossible to forecast the magnitude to which the Chemical industry arising therefrom may expand. The Tourist industry (if it can legitimately be so designated) will doubtless continue to grow and to afford employment for a greater number of persons each year. All of these are perfectly natural developments.

Danger of unemployment. It would be a bad, and might prove a fatal policy, to attract large capital in order to start doubtful industries in Palestine, with the object of justifying an increase in the number of immigrants. The Memorandum spends much effort in an attempt to establish that the year of "so-called" crisis in 1926 was not in fact a year of crisis at all. It is a question, somewhat academic, of the meaning to be attached to the word crisis". In that year the provision of relief works for the Jewish immigrants who could not otherwise obtain a living was actually necessary. Whether or not that should be designated a crisis is immaterial. It was an episode of which no Government would willingly contemplate the recurrence. The importation of large numbers of immigrants to be employed on new industries of extensive character whose economic success is quite problematical, might well cause a crisis compared with which the "so-called" crisis of 1926 would indeed seem unimportant.

Concentration on industries showing vitality. The correct principle governing the problem is to concentrate on those industries which already show signs of vitality and success, and to attempt to create those, such as are detailed in the Memorandum and above in this report, whose effect will be to increase the exports of manufactured goods and to employ as raw material Palestinian products of which it is impossible otherwise to dispose.

Arab industries. There exist certain indigenous Arab industries besides that of soap, to which reference has been made earlier. There is a Tanning industry, there is a Pottery industry, there is a Weaving industry and a Carpetmaking industry. All of these are on a very small scale. In any attempt to develop the country, the claims of Arab industry should not be overlooked. There is in existence a Society of a semi-charitable nature which is designed to encourage and stimulate the indigenous industries. It will find its place in any general scheme of development.

Mineral deposits. The mineral resources of Palestine have been examined by the Government Geologist, who has published an interesting report.*¹⁹ There is no doubt that phosphatic rock exists in very large quantities, both in Palestine and in TransJordania, and that some of it is of good marketable quality. Transport is an outstanding difficulty. Bitumen has also been found, and there are oilshales in certain tracts. Recently an important deposit of sulphur is said to have been discovered in the Gaza area, and a

¹⁹ * "The Mineral Resources of Palestine and TransJordania," by G. S. Blake, Jerusalem, 1930.

syndicate formed to work it. Copper is believed to exist in the Akabah peninsula. Though nothing very definite has so far been done, the chances of mineral development of the country exist, and this possibility should not be overlooked.

CHAPTER X. IMMIGRATION.

The figures of Immigration since 1st November, 1922, are included in Appendix 22, and of Emigration in Appendix 23.

Early history. For the purposes of this report it is unnecessary to discuss the early history of immigration into Palestine. The original Immigration Ordinance came into force in 1920, under which the Zionist Organization were authorized to introduce into the country 16,500 immigrants per annum, on condition that they accepted responsibility for their maintenance for one year. This system was not found to be a success, and in May, 1921, immigration was suspended until revised conditions could be imposed.

Pronouncement of 3rd June, 1921. Those conditions were announced in a public pronouncement by the High Commissioner on 3rd June of that year. The following categories of immigrants were permitted in accordance with the pronouncement:

- (a) Travellers who did not intend to remain in Palestine for more than three months,
- (b) Persons of independent means who intended to reside permanently in Palestine,
- (c) Members of professions who intended to follow their calling,
- (d) Wives, children and other dependents of persons resident in Palestine,
- (e) Persons with definite prospects of employment with specified employers,
- (f) Persons of religious occupation, who could show that they had means of maintenance in Palestine,
- (g) Returning residents.

It was found by experience that these regulations were not altogether satisfactory; and in September, 1924, a series of new orders were issued under the form of Regulations under the Immigration Ordinance.

Immigration Ordinance, 1925. In the year 1925 the existing Ordinance was repealed and replaced by the Immigration Ordinance of that year, which, as amended in 1928, is still in force. Regulations under the Ordinance were issued in September, 1925. These again have been supplemented by Regulations dated 1st July, 1926, and amended by Regulations of 1st December, 1927. This Ordinance and these regulations are the legal authority which govern immigration into Palestine today.

Categories of immigrants. Immigrants into Palestine fall into one of the following nine categories:

- A. (i) Persons in possession of £1,000 and upwards, and their families.
- A. (ii) Professional men in possession of £500 and upwards.
- A. (iii) Skilled artisans in possession of £250 and upwards.
- A. (iv) Persons enjoying an assured income of £4 per month.
- B. (i) Orphans destined for institutions in Palestine.
- B. (ii) Men and women of religious occupation, whose maintenance is assured, and their families.
- B. (iii) Students, whose maintenance is assured.
- C. Working men and women and their families.
- D. Dependent relatives of residents in Palestine, who are in a position to maintain them.

Class C is intended to include all who seek or accept employment, with the exception of those admitted under A (ii) or (iii). It is also the intention not to admit in Class A (iv), B (ii) or (iii) and D, any persons who will seek employment or go into trade. It has been found by experience that the regulations are not entirely effective in this respect. Immigrants of Classes D and A (iv) are found to engage in trade. Formerly immigrants under Class D sought employment in many cases and still do so. Those under B (iii) also occasionally do so.*

Unrecorded immigration. In addition to the persons of the categories provided for those who desire to settle in Palestine, a large number of persons, amounting to some thousands each year, secure admission to the country in the guise of travellers. Only a minority come under notice and, of these, those qualified are registered as immigrants under their respective categories. Those of the working class and under 35 years of age are counted against the Labour Immigration Schedule. The rest are refused permission to remain in Palestine, but it is exceedingly difficult to secure their departure, and a large number remain in the country. In addition a number of persons, not inappreciable, secure admission by evading such controls as exist on the frontiers.

No effective control of immigration into Palestine is possible unless steps are taken to deal with these two classes of irregular entrants.

Procedure in regard to the issue of Immigration Certificates. With reference to the Labour Schedule on which the number of immigrants under Class C is based, the Commission on the Palestine Disturbances wrote on pp. 104 and 105 of their report:

"...We were informed by the Chief Immigration Officer that in the allocation to individuals of the certificates, which are supplied in blank to the General Federation of Jewish Labour, it is the practice of that body to have regard to the political creed of the several possible immigrants rather than to their particular qualifications for admission to Palestine. It is clearly the duty of the responsible Jewish authorities to select for admission to Palestine those of the prospective immigrants who are best qualified on personal grounds to assist in the establishment of a Jewish National Home in that country; that political creed should be a deciding factor in the choice between applicants is open to the strongest exception."

This statement of the Commission has been disputed by the Zionist Agency, who refer to Mr. Snell's Reservations at p. 175, where he describes the actual procedure. From enquiries made from the Executive of the Jewish Agency it appears that the regular practice is that described by Mr. Snell.

The Influence of the General Federation of Jewish Labour over immigrants and immigration. There is nevertheless a very close connection between the General Federation of Jewish Labour and the immigrant, even before he leaves the country whence he comes.

In each of the countries whence immigrants come, there exists an organization for preliminary training in agricultural practice. Close to Warsaw, for example, there is a large farm on which the Chalutzim, the Pioneers, obtain agricultural training and instruction. In Galicia they become paid agricultural labourers. Similar arrangements exist in Germany and in France. To each of these centres of training, the General Federation of Jewish Labour has deputed instructors. At the time of writing twenty of these teachers, almost all of whom are so deputed, are employed. These men, though representatives of the General Federation, receive from that Federation only the cost of their journey. Their expenses in the country in which they work are met either by their own earnings or by funds provided by some Zionist Organization.

The actual choice of the individual immigrant is, it is true, made by the Committee to which reference is made by Mr. Snell in his note of Reservations. It is at the same time clear that all the immigrants who come in on the Labour Schedule are trained by teachers deputed by the General Federation before they are so chosen. The large majority become members of the Federation immediately on arrival. The official in charge of the Hostel in which immigrants reside on their arrival at Jaffa is himself a member of the Executive of the General Federation of Jewish Labour, and as the Jewish Agency point out in a Memorandum on immigration which they have submitted in connection with this enquiry, the Immigration Department of the Jewish Agency provides for the registration of all arriving immigrants as members of the Kupat Cholim (the Sick Fund of the General Federation of Jewish Labour).

It is therefore somewhat disingenuous to suggest that the General Federation of Jewish Labour is unconnected with the choice of the individual immigrant. In the great majority of cases the immigrant would have no chance of a permit, unless he were *persona grata* to the Labour authorities.

The following is an extract from the Memorandum submitted to the "Palestine Commission of Enquiry" (i.e., the Commission on the Disturbances of August, 1929) by the General Federation of Jewish Labour. After describing its many and important activities in Palestine, it says:

"...The Federation exercises a decisive influence upon Zionist youth in the Diaspora, anxious to bring about the fulfilment of the Zionist ideal by their own labour. Practically all over Europe there exist 'Hehalutz' (the Pioneer) organizations training Jewish boys and girls in agriculture and industry for the purpose of taking a direct part in the upbuilding of Palestine. These organizations, which supply the bulk of the human material for the Zionist work in Palestine that is based on manual labour, are organically linked with the Histadruth (i.e. the General Federation) which controls their educational work. An immigrant Halutz automatically becomes a member of the Histadruth upon his arrival in Palestine..."

A further quotation bearing on this point is the following, extracted from a communication from Agudath Israel, the body of orthodox Jews:

"...We do not think that there is any ground for the anxiety expressed in the Report of the Shaw Commission regarding the alleged party influence on the distribution of certificates, but the attitude towards immigrants of the religious class has been very unsatisfactory up to the present. In Poland, the chief source of Palestine Jewish immigration where orthodox Jewry, i.e. Agudath Israel, holds a very important position, young men of this class were refused immigration certificates, in spite of the fact that such religious people have a still greater longing for Palestine owing to the holiness of the land and to the respective religious bidding..."

From the above it is evident that though the detailed facts alleged before the Commission may not have been exact, the statement made did in essence convey a general description of the position, which is not by any means far from accurate.

Preparation of Labour Immigration Schedules. The preparation of the Labour Immigration Schedules is governed by Regulation 8 made under the Immigration Ordinance. Twice in each year the Jewish Agency presents a memorandum giving the number of men and women immigrants whom they consider will be needed for new employment during the period under review, and exposing the reasons in detail. This memorandum is considered by the Chief Immigration Officer in the light of information received also from other sources, as, for instance, the Director of Public Works, the General Manager of the Palestine Railways, the principal employers of labour, the General Federation of Jewish Labour. Information which has come to officers of the Immigration section in the course of their regular work and investigations is also taken into consideration.

The information available from all sources is then tabulated in the following form:

- A. Jewish Unemployed.
- B. Jews whose employment will cease during the half year.
- C. Total.
- D. Additional Jewish labour required by larger employers and public bodies.
- E. Estimated requirements of small employers.
- F. Reserve.
- G. Total.

Assuming that G exceeds C, the difference is recommended to the High Commissioner as the figure for the Schedule and this recommendation is considered by him in Executive Council.

The Reserve to which reference is made is a number of 300 placed at the disposal of the Chief Immigration Officer to meet special cases which may occur during the six months, as for instance applications for particular skilled men wanted by an employer for his work, the need having arisen after the preparation of the Schedule. This reserve is authorised by Regulation 9 (1).

Procedure adopted after schedule approved by High Commissioner. A schedule having been approved by the High Commissioner, the necessary number of immigration certificates is prepared. Of these the required number is reserved for private employers in Palestine whose applications have been approved and whose candidates are qualified for the Schedule. Certificates are also reserved for working men and women within the ages laid down, who are found during the Schedule period to be in Palestine without permission. The remainder of the certificates less the " Reserve " (F. above) are placed at the disposal of the Jewish Agency , which is expected therefrom to provide to all Jewish young men and women (excepting wives) of the working class on whose behalf application is made by relatives for immigration certificates during the half year.

Authorization of Visas. The Jewish Agency is asked to indicate where the respective visas will be claimed and in reply a list is sent in the following form:

	Men	Women
Warsaw (say)	500	300
Berlin	200	100

etc., etc.

The original certificates are then sent in blank to the Agency for distribution to its representatives in the towns concerned, duplicates being despatched to the British Passport or consular officers in the same towns. Instructions are conveyed to Passport or Consular Officers intimating that visas may be granted to persons who fulfil the conditions laid down, and who are nominated by the Jewish Agency representative, and that those who are married may obtain visas at the same time for their wives and minor children. Visas should in no circumstances be granted to men and women to whom there is known political or medical objection, or objection on account of character.

Failure of the system. The system described above fails to work well in certain particulars. In many cases persons have been admitted who, if the facts had all been known, should not have received visas. A large number of these cases have been examined. A considerable number concern Yemenite Jews who immigrate from Aden. The following cases all concern immigration certificates which have been used during the last three months, and were issued by the representatives of the Jewish Agency at Aden:

- (i) A man aged 30 with a wife aged 20 and a son aged 12. This would imply that the son was born when his mother was eight years old.
- (ii) A man aged 28 with a wife aged 18 and their son aged 12. In this case the mother must have been six years old when the son was born.
- (iii) A man aged 23 with a wife aged 10 and their daughter aged 5.
- (iv) A man aged 35 with a wife aged 24 and their daughter aged 15.
- (v) A man aged 35 with his wife aged 25 and their daughter aged 16.
- (vi) A man aged 35 with his wife aged 26 and their son aged 15.
- (vii) A man aged 30 with a wife aged 22 and a son aged 12.

The Immigration Officer writes with reference to cases such as these: "... It would appear that the practice is growing up in Adenit is not unknown elsewhere of attaching wives and families to persons entitled to immigration certificates so that by this means the passport control of this Government may be evaded..."

The following is the copy of a letter dated 14th April, 1930 from an immigrant who has been in the country some years:

"...My wife arrived in Palestine on 26th November, 1925, together with (A.B.) as the latter's wife. She was unable to arrive as my wife because I, myself, entered as a traveller and was not yet in possession of a permission to remain in the country. Since my wife strongly wished to join me and meanwhile the wife of (A.B.) became ill (he was in possession of a permission to enter Palestine on her behalf) my wife and our son ... arrived on his passport.

"(A.B.) left the country approximately in May, 1926, for Canada via Jaffa Paris. I am unaware of the exact date of his departure.

Respectfully, Y.Z.

Note: I cannot recollect whether the first name of Mr. (B) was (A) or (C)."

The above illustrates two typical cases of irregularity. The writer had entered as a Traveller and remained without permission. The wife was introduced on an immigration certificate by fraud.

Weakness of, and responsibility under the present system. The second case and the cases of the Yemenites discussed earlier indicate a weakness in the present system. The authority responsible for the issue of the certificates is the local representative of the Jewish Agency. He is also responsible for seeing that the person who actually travels, is the person for whom the certificate was issued. It is true that the Yemenite cases should have been detected by the officer who dealt with the visa. The facts were not concealed. They were actually stated on the passport. But the primary responsibility rests with the local agent of the Jewish Agency.

Selection of immigrants abroad. In the Memorandum of the Jewish Agency on Immigration, the subject of the selection of the emigrants abroad and of the care with which they are chosen and assisted till their arrival at their destination is described in full. The following is a quotation from that Memorandum:

"...The selection of the immigrants for Palestine is the first and paramount responsibility of the Palestine Offices abroad, which represent all the Zionist circles interested in the upbuilding of Palestine. These Offices act on the periodical instructions of the Immigration Department of the Jewish Agency, which in turn are given after consultation with the Immigration Board."

It is clear therefore that the Jewish Agency accepts the fullest responsibility for these cases of irregularity. That fact, however, does not render it any the easier to rectify matters, when the immigrant has arrived in Palestine.

Government control abroad. It is difficult for the Passport Officer or for the Consular Officer to examine all these cases minutely. At the same time it is most important that they should be so examined, both in order to prevent persons being admitted to Palestine who have no right to enter, and to protect the country from characters who may be undesirable. The Immigration Department used to have its own representative at Warsaw to deal with immigration from that centre. The post was abolished for reasons of economy. It is desirable that the post should be reconstituted. It is also desirable that there should be officers representing the Immigration Department in all the centres whence immigration is on a large scale. Only thus will it be possible to ensure both against irregularities in connection with the certificates and against the immigration of undesirables.

Travellers remaining in Palestine. The case of the traveller who enters with permission to remain for a limited time and then stays on without sanction to do so, is exceedingly common. It is calculated that the numbers of such cases were 2,400 in the year ending June 30th, 1928, 3,400 in the following year and 2,000 in that ending on June 30th, 1930, that is to say, that in the last three years 7,800 persons stayed in Palestine without permission.

Evasion of the frontier control. Another serious feature of immigration is the number of persons who evade the frontier control and enter Palestine without formality of any kind. It is exceedingly difficult to maintain any effective control of the various frontiers of Palestine. At the present time such control as exists is carried out at police posts on the roads. The immigrant who wishes to evade the control naturally leaves the road before reaching the frontier and takes to the footpaths over the Hills. Mr. Dowbiggin, who recently enquired into the police of Palestine, remarked on the fact that this duty of controlling immigrants is not a duty which the police should be called upon to perform. It is eminently a duty for the Immigration Department, and it is understood that the Palestine Government is about to replace the Police who are employed on this duty by officials of that Department.

Discouragement of illicit entry. As to the treatment of such immigrants when they are discovered, it should be the rule that they are at once returned to the country whence they came. The rule may possibly work harshly in individual cases, but unless it is understood that detection is invariably followed by expulsion the practice will not cease. It is probable that it will cease entirely as soon as it is discovered that the rule is actually in force.

The case of the "pseudotraveller" who comes in with permission for a limited time and continues in Palestine after the term of his permission has expired is more difficult. Each case requires consideration on its merits. Where the case is flagrant, recourse should certainly be had to expulsion. In cases of no special flagrancy, and where there is no objection to the individual, it is probably sufficient to maintain the present practice, under which he is counted against the Labour Schedule, though this method does a certain injustice to the Jewish immigrant outside the country whose place is taken by the traveller concerned.

Immigration and the General Federation of Jewish Labour. In order to understand the connection between the question of immigration and the labour movement in Palestine it is necessary to have some idea of the activities and policy of the General Federation of Jewish Labour. This powerful Federation is in reality far more than a federation of labour in the ordinary sense. In the Memorandum which the Federation submitted to the Commission on the Disturbances it describes itself and its own activities as follows:

"The General Federation of Jewish Labour (Histadruth Haovdim Haivrim Haklalit) is the largest organised body within the Jewish population of Palestine. It numbers 27,000 members, men and women, and encompasses the whole range of the organised activities of the Jewish working class in town and country. It embraces all the Trade Unions and all the different types of workers' cooperatives in colonisation, production, consumption, contracting and credit. Workers' cooperative settlements on the land affiliated with the Histadruth cover practically the whole field of the agricultural colonisation carried out by the Zionist Organisation during the last twenty five years. Out of the total number of 123 Jewish agricultural communities, settlements of this type number 46. The Federation conducts educational work among adult and adolescent workers and workers' children for which purpose it has built up a network of schools, libraries and reading rooms in all labour centres. It issues a daily paper and an agricultural journal and publishes books and pamphlets on social, educational and scientific subjects. It carries on a medical and sanitary service through the Workers' Sick Fund, which maintains hospitals, clinics, dispensaries, convalescent homes, and scores of physicians and nurses. The Federation represents a widespread social organism, its members and their families accounting for over a quarter of the Jewish population... The Labour Federation constitutes an important factor within the world Zionist movement. At the last Zionist Congress more than a quarter of the total number of delegates represented such Zionist circles, both in Palestine and abroad, as are identified with the Federation..."

Settlement of cases in which members are concerned. This Federation refuses to allow its members to have recourse to the Courts of the land in cases of dispute with another member. It has its own Courts of first and second instance and its Labour High Court to which appeals from the subordinate tribunals lie.

Jewish labour as the keystone of the Jewish National Home. It looks upon Jewish Labour (which it most effectively represents) as the keystone of the Jewish National Home. By permission the following is quoted from a letter of Dr. Arlosoroff, one of the members of the Executive of the Federation. Referring to that view, he says:

"...*(a)* The upbuilding of the National Home means not only the return of a homeless and drifting race to the soil; but, at the same time, the return of a people which for centuries have been cut off from the sources of productive work to a life of labour and toil, the life of a self-supporting community.

"*(b)* Without the manifold kinds of manual work which naturally form part of a people's everyday life being undertaken by Jews, the National Home in Palestine could never attain to that degree of selfreliance and coherence without which it cannot have any meaning whatever in modern Jewish life.

"*(c)* The National Homewhich is not the profit hunting enterprise of a Chartered Company must not be built upon the foundation of cheap native labour exploited by immigrant capitalism.

"*(d)* Jewish enterprise in Palestine is the result of a conscious effort on the part of various Jewish groups and individuals to cooperate for the purpose of the National Home; it is based on the influx of Jewish capital public and private and should therefore provide the natural centre of absorption for Jewish labour.

"*(e)* The young Jewish immigrants, most of whom are coming to this country with the intention of settling on the land, need a training ground for their future independent career as farmers or planters; employment at Jewish plantations or farms during a number of years provides the necessary training."

The above note puts shortly the argument for the admission of Jewish labour in the interest of building up the Jewish National Home, though there may already be other labour in the country competent to do the tasks available. In another letter the Executive Committee of the General Federation wrote:

"...When, therefore, immigration is restricted by administrative measures, not only is the inalienable Jewish right of return to Palestine assailed but an obstacle is also placed in the way of the country's general progress. At this point our meaning must not be misunderstood. We are not basing our claims to unrestricted immigration on the benefits which the Jewish influx confers upon the other elements of the population. We believe ourselves to be fully entitled to serve the interests of the Jewish masses and to let this consideration determine our line of action ... This is our stand in principle, but it is our privilege to point to the fact that in practice our immigration and settlement, far from ousting other elements, has actually spelt more plentiful employment and a higher standard of life for the rest of the population ... The checks to Jewish immigration are bound to hamper the country's progress and can therefore bring no good to any part of its population ... Our basic right recognised by the Mandate, is to bring in without hindrance as many Jews as Palestine can be made to absorb by its natural possibilities and by our own constructive efforts. We are, therefore, opposed to any restriction of immigration which is not based on the prospects of employment, but upon such political or economic reasoning as fall outside the scope of Jewish efforts. It follows that the control of immigration must be left in the hands of the Jewish Agency, this being the only responsible body that is both under an obligation and in a position to strike a balance between the needs of immigration and the constructive efforts of the Jewish people."

The General Federation of Jewish Labour has adopted a policy which implies the introduction into Palestine of a new social order, based on communal settlements and the principle of self labour. Where self labour is impossible, it insists on the employment of Jewish labour exclusively, by all Jewish employers. It has been sufficiently powerful to impose the policy on the Zionist Organisation, to the extent that, as it points out in the memorandum from which a quotation has been given above, 46 of the Zionist colonies are based on the principle of communal settlement. This principle was condemned both by the Experts in their report and by the Joint Palestine Survey Commission, but that fact has had small effect either on the Labour Federation itself or on the Zionist Organisation, for communal labour colonies are still being constructed.

The question of the power, the principles and the activities of the Federation were discussed by Dr. El-wood Mead and his Associates, and at pp. 51 to 53 of the Experts' Report they wrote as follows:

"The activities of organised labour and its conception of the extent to which it should participate in the founding and organisation of settlements and in the selection of settlers was candidly set forth at a conference between the Commission and five representatives of the Agricultural Workers' Association and four members of the General Federation of Jewish Labour. At this conference the Commission asked these representatives to explain their relation to rural colonisation and what the Federation or its subsidiary branch, the Agricultural Workers' Union, sought to accomplish. The principal reply was made by Mr. Shertok, who is a labour official, and an editor of a Palestine labour paper. He is a man of ability, sincerity and great influence in the organisation. A part of his statement is incorporated:

"In respect to the agricultural wageearning workers it (The Jewish Federation of Labour) acts as a Trade Union Executive, negotiates conditions of employment, etc., but in respect to the settlements it is not a trade union at all, but is more or less an economic authority, that is, it is responsible on behalf of all these people towards the Zionist Executive, the Keren Hayesod, etc., for the plan of settlement, the yearly budget, and also it is responsible for the human composition of these settlements. The Union as such has the say as to who is going to settle and how these groups are going to combine. The Union is the authority for all these settlements.'

"In further explanation of the colonising activities of the General Federation of Labour and of the Agricultural Workers' Union, Mr. Shertok said:

"We must try and bring in people and press for more employment and make all sorts of arrangements that will facilitate penetration of a Jewish working class element in these colonies. When we come to the Zionist Executive with a claim for new settlement and are told that it is impossible at the moment we do not always rest content with such an answer. We know the land, and so we can come forward with proposals, we make suggestions, we tell them that we are going to help them, and we also give suggestions, sometimes, as to obtaining financial means.'

"In response to the Commission's statement that settlers were suffering great hardships and money was being wasted by founding settlements faster than the funds at the control of the Executive warranted, Mr. Shertok replied:

"Your contention may be valid only on one assumption, it is that the Zionist Organisation, however small its means may be, has an assured influx of money, which is not the case. This is the most decisive factor. You say it is better to go slowly but surely, and then it will go quicker in the end, but the thing is that the Zionist Organisation gets its money from Jews abroad. Jews are giving money for Palestine for a variety of psychological reasons. They are making great financial sacrifices; and the most important factor is the work that is being done in Palestine. Perhaps it will be true to say that not Keren Hayesod made the Emek, but the Emek made the Keren Hayesod. The fact that land was bought and people rushed to that land, made great sacrifices, contented themselves with very little, gave an impetus to Zionists abroad to give money, and to Jews at large, because they saw what things were being done in Palestine."

The Commission feels strongly that this belief that it is necessary to establish new colonies, regardless of ability to equip them properly, in order to secure money from abroad is a delusion. It is confident that the interest in a national home does not have to be sustained by wasting money or squandering the time and efforts of settlers as is now being done. Furthermore, the financial situation which is being created will discredit the Zionist movement unless promptly changed.

The financial and economic statements that have been secured ought to be carefully studied by those interested in this matter. "It is the view of the Commission that activity of a particular group or party is undesirable; that the influence of the Jewish Federation of Labour is giving these colonies a character not in harmony with the ideals and aspirations of the Jewish race. It is believed that the opportunity to live in the open country ought to be available to the Jewish people regardless of their views on social or economic questions. To place one party so largely in control is a discrimination against many who would be valuable additions to the rural life of Palestine.

"The Commission has been unable to escape the conclusion that the rate at which colonies have been founded, the selection of settlers for those colonies, and the organization and equipment of the Colonization Department have been largely influenced, if not controlled, by the General Federation of Jewish Labour. "We are therefore of the opinion, as already stated in our major conclusion No. 4, ' that the Department of Agricultural Colonization should be reorganized and placed in charge of officials committed to the primary aim of creating a self-sustaining agriculture, rather than of establishing a new social and economic order.'

"The Commission has no opposition to labour. On the contrary, its members believe in organised labour, but it has the same opposition to labour control and colonization in Palestine that it would have to control by bankers, lawyers or any particular party or economic group..."

In Sir John Campbell's "Report on the Jewish Settlements", published in the same volume, he wrote at p. 436.

"...Effective practical control has in a large measure passed out of the hands of the Palestine Executive into the hands of a political organization. The Labour Federation has, in practice, controlled the situation. From the initial selection of the immigrants, down through finance and technical departments to the choice of the men to be settled, the place where they are to be settled, the resources to be placed at their disposal, the plan to be followed in establishing them, the apportionment of funds as between different classes of settlers, the Labour Federation has governed the situation. In other words, the body which is technically and ostensibly responsible for the work has not in practice effectively controlled that work; power has been, more or less completely divorced from responsibility."

These extracts from the reports of the Experts describe the position as it is today with remarkable accuracy. The General Federation of Jewish Labour continues to carry out, at the expense of the generosity of World Jewry a social and economic experiment of great interest, but of questionable value. The Jewish Agency either approves of this experiment or is impotent to suppress it.

The sources of immigration. Of the Jewish immigrants over 70 per cent, come from Poland, Russia and B/Romania. Of recent years there has also been a large influx of Yemenite Jews. In a supplement to the Memorandum of the Jewish Agency submitted for the purposes of this enquiry, the reasons for the extent of the immigration from these four countries is explained. With reference to Poland it is said:

"...This situation was aggravated by the fact that there simultaneously arose amongst the Poles themselves a movement to enter that field of activity which was previously controlled by the Jews. This economic penetration was accompanied by a national economic struggle, in which State and people worked together to eject the Jews from their former economic positions, making considerable use of the cooperative movement for this purpose. All these factors combined to bring ruin upon the Jews of Poland, rendering immigration on a large scale imperative. It is particularly for the Jewish youth of Poland, which aspires to go over to manual labour and productive pursuits, that Palestine affords the essential solution."

In regard to Russia it records:

"...The Jewish religion also has been singled out for malicious and savage persecution. Thus for the Jews of Russia the appalling economic conditions to which they have been reduced, and the political and religious persecution to which they are continuously exposed, make emigration the only possible alternative to economic extinction on the one hand and racial and moral degeneration on the other..."

As to Roumania it is recorded:

"With the postwar annexations by Roumania of Bessarabia, Bukovina, and Transylvania, the Jewish population rose from 960,000 souls, whose economic condition is aggravated by the fact that a

considerable proportion of them those of Bessarabia have been cut off from their former economic hinterland in Russia. Political depression and periodical anti-Semitic excesses are further factors in the Palestine movement among the Jews of this country, where Zionism has been strong since the founding of the first Jewish Colonies in Palestine and the inception of modern Zionism..."

In regard to the Yemen it is written in the supplement:

"...The Jewish community dates back to pre Islamic times and estimates as to its numbers vary from forty to sixty thousand souls. These Jews, are deprived of all civil rights, while there is in force a monstrous decree that all orphans who are minors become wards of the Imam, and must adopt Islam, a decree which in recent years has been enforced more rigorously than previously. The Jews of the Yemen are for the most part skilled workers in handicrafts or agriculturists, while being bred to life in the Orient they very readily assimilate Palestinian conditions. The journey from the Yemen to the coast of Aden takes twenty days; and is fraught by perils of brigandage and murder, yet by this terrible route some 2,000 Yemenite Jews have entered Palestine since the War. Of these no less than 600 entered during the past year, their departure from the Yemen being largely stimulated by fear of the decree as to the forcible conversion of orphan children..."

The above is a very frank explanation of the reasons which have actuated the movement from these four countries to Palestine. By the Zionist Palestine is regarded as the haven of refuge for the distressed Jew, and the National Home is being peopled to a great extent for the time being, by those who escape from countries where distress is most pronounced.

Immigration and Unemployment. It is widely believed and commonly alleged among the Arabs that unemployment among them is due to Jewish immigration and the competition of Jewish labour. In so far as Jewish labour is employed on works which are being carried out solely with imported Jewish capital, there is no basis for the belief. It is however impossible to ascertain whether labour has been imported in excess of what is necessary for these purposes. Indeed from the fact of the increased employment of Jewish Labour on other enterprises, as for instance in the Public Works Department, on the railways, in building enterprises such as Hotel, Y.M.C.A. buildings and other edifices not paid for by purely Jewish capital, it might be argued that more Jewish labourers have been imported than are necessary for purely Jewish requirements, and that, to this extent, the Arab labour market has been adversely affected by Jewish immigration. On the other hand, there is no doubt that the development which has followed on Jewish immigration during the last nine years, has provided additional openings for Arab labour. The expansion of the orange trade alone requires the services of a large number of Arab porters and boatmen at the ports. The same may be said of the large imports of machinery and material in connection with the Jordan Concession, with the Dead Sea Concession, and with the construction and working of the "Nesher" Cement Company. All of these have provided a certain amount of work for Arabs, chiefly on the heavier and more menial tasks. In many directions Jewish development has meant more work for the Arabs, and it is a fair conclusion that the competition of imported Jewish labour is equalized by those increased opportunities.

Figures in regard to the numbers of unemployed. No statistics of unemployment, except those provided monthly by the Immigration Department, exist, and these are admittedly unreliable. The reported figures for the current year are as follows:

Month.	Jews.	Arabs.	Total.
1930	850	2,000	2,850
January	800	2,400	3,200
February	600	2,300	2,900
March ...			
April ...	1,000	2,400	3,400
May ...	650	2,200	2,850
June	1,300	2,600	3,900

The information on which the monthly unemployment figures are based is obtained, under existing arrangements, by officers of the Immigration Department in Jerusalem, Jaffa and Haifa, and by Police Officers elsewhere. Enquiries into changes in wage rates and into conditions of labour are made by the same officers. Other Departments may be and are from time to time consulted, and readily communicate any available information, but in their case also the machinery necessary to an effective enquiry does not exist. The staff of the section of the Immigration Department responsible for collecting labour information was reduced to a minimum in 1928 for reasons of economy, and since that time the work in connection with immigration proper, including, as it does, reference to London and to the Commandant of Police in every case of a visa for Palestine, in favour of a resident in Russia, has resulted in superficial and hurried preparation of the estimates of Arab unemployment. It is reported that information collected by the Police is even less satisfactory. The duty is one for which the Police officers have no training, no time and no aptitude. Enquiries necessary for the preparation of unemployment returns are in no sense a police function. In fact, in this instance they are called upon to perform a duty with which they should never have been charged.

For the Jewish authorities, with their extensive system of Labour Exchanges and the Statistical Department of the Labour Federation, it is an easy matter to provide information on the subject of Jewish unemployment which may be regarded as accurate and exact. In the case of Arab unemployment, no adequate machinery exists which would enable an opinion, even approximately accurate, to be formed at any given moment.

Arab unemployment. At the same time there can be no doubt that there is at the present time serious unemployment among Arab craftsmen and among Arab labourers. For this unemployment there are several causes. Motor transport, largely in the hands of the Jews, is driving the camel and the donkey off the roads, and with them the Arab camel driver and the Arab donkeyman. The motor car, again largely owned and driven by Jews, is displacing the horsedrawn vehicle and its Arab driver. The increased use of cement, reinforced concrete and silicate brick, all manufactured by Jews, is replacing dressed stone for constructional purposes, and so displacing a large number of stonedressers and stonemasons, nearly all of whom are Arabs. The Arab quarrymen are also being displaced.

But probably the most serious cause of additional unemployment is the cessation of conscription for the army, prevalent under the Turkish Government. The young men now remain in the villages. Formerly they were despatched to the Yemen or to Anatolia, and many, indeed the majority, of them, failed to return. In Jewish circles the story of Arab unemployment is regarded as a myth. There are also individual members of the British Colony at Jerusalem who do not consider it serious. It is difficult to form an opinion, impossible to dogmatise, on the subject of Arab unemployment, but careful consideration of available information on the subject supports the belief that such unemployment not only exists but is serious and widespread. The estimate submitted by the Supreme Moslem Council, that altogether from 30,000 to 35,000 Arabs are unemployed, may be discarded. The figures were described as "fairly reliable." No explanation was offered as to the authority by whom they were supplied. There is, however, ample other evidence. A note by Miss Margaret Nixon, Government Welfare Worker, records that from her personal knowledge there is very serious unemployment among Arabs of the artisan class in Jerusalem. She suggests that the reason lies in the refusal of Jewish employers to engage Arab labourers in view of the riots of last August. Enquiry was made from a British Police Officer who had made a personal investigation into the question at Haifa. He reports that in that town alone 2,050 Arabs are unemployed, including 200 carpenters and 300 stonemasons. From Trans-Jordan it was ascertained that a report that further recruits were required for the Frontier Force resulted in "well over" 4,000 men, mainly from Palestine and Northern Trans-Jordan, besieging the Headquarters of the Force in hope of employment. In Rarnleh there were 120 applicants for the post of scavenger overseer on a salary of £2.750 mils (£2 15s.) a month.

The Director of the Public Works Department was consulted on the question and stated that there was no difficulty whatever in obtaining all the labour required for his Department. The programme of that Department for the future is important and includes 12 or 13 buildings which will cost from £140,000 to

£150,000. In his opinion, even if Jewish immigration were to cease altogether, there would be no difficulty in obtaining the personnel necessary to complete these undertakings. The Resident Engineer of the Haifa Harbour Works wrote on this subject:

“...There is no question but what there is a very great deal of unemployment in the Arab section of the population, and I have little doubt that, so far as the Harbour Works are concerned, labour requirements could be met two or three times over. Just as an illustration, about a fortnight ago we engaged some 40 additional men to work at the Quarries near Athlit. The news that more men had been started quickly spread, and on one morning last week I myself saw a huge crowd of Arabs seeking work, and they must have numbered some 400 or 500 men...”

Many of the Area and District Officers were consulted. They expressed an unanimous opinion that Arab unemployment is serious and general. In the face of this information from independent sources it is impossible to avoid the conclusion that unemployment among the Arabs is a serious feature of the economic life of Palestine at the present time. Much information was also volunteered as to the trend of Arab wages, from which it would appear that unemployment, as is natural with unorganised labour, is affecting the standard of life. The information obtained indicates that in the case of skilled artisans, carpenters and stonedressers the fall in wage rates amounts to 50 per cent. A competent artisan can still earn 15 to 20 piastres (3s. to 4s. per day). A fellah workman is content to accept 8 to 10 piastres (Is. 8d. to 2s.). The Deputy District Commissioner of Jerusalem stated that this year (1930) tenders for municipal contracts were at half the rates demanded in 1929, the decrease being due to the fall in Arab wages. The tales told by Arab workmen themselves were impressive. Several of them were men who had enjoyed a certain measure of ease and prosperity in the past, but whose conditions had deteriorated during recent years. There were mastermasons who used to employ a number of subordinates, yet now are not only not in a position to employ any assistants, but are themselves destitute, owing to the inability to find work. There were carpenters who produced excellent certificates and are in the same plight. There were labourers who are willing to accept any wage if only they could obtain work. All of them ascribed their misfortunes, probably quite erroneously, to Jewish competition.

Further immigration and its effect on Arab unemployment. It is thus evident that Arabs are unemployed in at least considerable numbers, and that the fact is resulting in a distinct reduction of the standard of life among the Arab labouring class. As has been pointed out, the policy of the Jewish Labour Federation is successful in impeding the employment of Arabs both in Jewish colonies and in Jewish enterprises of every kind. There is therefore no relief to be anticipated from an extension of Jewish enterprise unless some departure from existing practice is effected.

Recent increase in Jewish unemployment. There is also evidence of increasing unemployment among the Jews at the present time. The return of unemployment for the month of June showed that 1,300 Jews are out of work as compared with 650 in the previous month. The Labour paper, "Davar," published by the General Federation of Jewish Labour, wrote on 8th July:

“...Conditions of employment during the last weeks have grown worse ...Hundreds of cheap labour are employed in seasonal work ...And the Jewish labourer goes idle ...The help from our central organisations is required in order to avoid undesired developments, especially at the present time.”

Next day it wrote:

“...The present situation requires the mobilisation of all public forces to meet the danger. Many of the employers in the colonies have recently forgotten all shame when dealing with the question of Jewish employment.”

The Chief Immigration Officer writes on this question, after a visit to the large village of Petach Tikvah:

"...The presence of men and women without work could not be concealed. The representative of the local trade union admitted about 200 unemployed .but assured us that this was merely a temporary matter... The local police estimated unemployment at between 300 and 350, a figure that is probably correct..."

The reason for the unemployment probably lies in the fall in the price of oranges, which renders it difficult for the growers to pay the higher rate of wages for Jewish pluckers, and so they employ Arab or Yemenite labour.

Duty of Government in regard to immigration. A serious question thus arises in connection with the immigration of Jewish labour, and with the labour schedule which regulates that immigration. There appears to be no question as to the policy which should be adopted by the Palestine Government in this matter. It is the duty of the Government to look upon the country as one unit. The solution of the question facing the Government, in determining the number of Jewish labourers to be admitted, must depend, not on the amount of Jewish unemployment in reference to anticipated employment in the half year for which the schedule is framed, but on unemployment generally in Palestine. It is wrong that a Jew from Poland, Lithuania, or the Yemen, should be admitted to fill an existing vacancy, while in Palestine there are already workmen capable of filling that vacancy, who are unable to find employment. This policy will be unacceptable to the Jewish authorities,

Employment of Arabs in Jewish concerns. One of the Executive of the Jewish Labour Federation put the case quite clearly. He said, "We would not initiate the work if we were compelled to employ Arab labour. The Zionist object in development is to employ Jews. Unless Jews can be employed we fail in our object." The principle underlying this statement is logical and comprehensible. The Jews do not spend their capital in the development of Palestine in order that Arab unemployment should be overcome. Nevertheless, by the Government, Palestine must be treated as an entity and there must be no discrimination between the races which it contains. If there is unemployment, whether Jewish or Arab, it is clearly the duty of the Government to prevent immigration if such immigration will intensify that unemployment or prevent its cure.

"Derived Demand" There is one special case to which the principles enunciated above will not apply. It has been pointed out that Jewish capital will not be brought into Palestine in order to employ Arab labour. It will come in with the definite object of the employment of Jewish labour and not otherwise. The principle of "derived demand" would justify the immigration of Jewish labour even when there are Arab unemployed in the country if the newly imported Jewish labour is assured of work of a permanent nature, through the introduction of Jewish capital to provide the work on which that labour is to be employed. It is clearly of no advantage to the unemployed Arab that Jewish capital should be prevented from entering the country, and he is in no worse position by the importation of Jewish labour to do work in Palestine for which the funds are available by the simultaneous importation of Jewish capital. In fact, he is better off, as the expenditure of that capital on wages to Jewish workmen will cause, ultimately, a demand for the services of a portion of the Arab unemployed. It is in this way that the principle of "derived demand" works in his case.

The Government, however, must be well assured that the employment for which the Jewish labour is imported is permanent in its nature, that this labour will not be employed for a time and then thrown on to the labour market. This would only aggravate the unemployment position in the country.

It would be justifiable that the Government should demand from the Jewish Organisations that a security fund should be initiated, to assure against Jewish unemployment in all such cases. If a substantial sum were deposited with the Government as a guarantee, to provide for the maintenance of overimported labour, in case of unemployment, it would be a much easier task for the Government to deal with the Labour Schedule. Negotiations on this subject might be undertaken between the Palestine Government and the Jewish Agency for Palestine.

Unemployment statistics and Government Employment Exchanges. The principle that the preparation of the Labour Schedule shall depend on the total unemployment in Palestine demands that the existence of that unemployment shall be accurately determined. As has been shown above, no machinery exists at the present time which permits of an accurate estimate of Arab unemployment. Such machinery must be devised. In the towns this result could be obtained by the creation of Government Employment Exchanges, with which the existing Jewish exchanges might be amalgamated. Arrangements to facilitate the employment of the unemployed is the function of a Government rather than that of one section of the population. The existence of Employment Exchanges would permit of a comparatively accurate estimation of the number of Palestinian unemployed, whether Arab, Jew or other, at any moment.

In the villages, the question is of great difficulty. Registration of unemployment might be entrusted to the Area and District Officers, who could obtain the information through the Mukhtars (Headmen) of the villages. The question of machinery is one for the Palestine Government, but whatever machinery may be employed it should be such as will afford to the Government at any time, or at such stated intervals as may be laid down, accurate information as to the total number of unemployed, classified according to their occupations. Only when such reliable information is available will it be possible to prepare the immigration schedule on a rational basis.

Seasonal and occasional labour. There are two obvious dangers against which provision must be made in the execution of any measures dealing with the registration of unemployment. The first lies in the large amount of casual and temporary unemployment of the agricultural labourer and indeed of the small Arab cultivator. Of this class many individuals flock to the towns in order to earn something in addition to what is yielded by the land. The agricultural labourer is paid entirely in kind, while, in the case of the small cultivator, unless he can eke out his income during the agricultural off-season, he is frequently unable to obtain the cash necessary to pay his taxes or his moneylender, and for the year's purchases which are essential for his household. There can be no valid reason for refusal to register as unemployed temporary labourers of this kind, if they are in fact in the labour market, and in fact unemployed. The regulations of the employment exchanges should, however, be so framed as to ensure that the names of persons of this class seeking employment should be removed when seasonal activity causes them to return from the towns to the villages.

Importation of other than Jewish labour. Further, it is clear that if unemployment is a valid reason for preventing Jewish immigration, it is also a reason for preventing importation of labour of other nationalities. At the time of writing, even with marked unemployment among Arabs, Egyptian labour is being employed in certain individual cases, and its ingress has been the subject of adverse comment in the Press.

Prevention of illicit immigration. Finally, in closing the front door, steps should be taken to ensure that the backdoor should not be kept open for would-be immigrants into Palestine. The Chief Immigration Officer has brought to notice that illicit immigration through Syria and across the northern frontier of Palestine is material. This question has already been discussed. It may be a difficult matter to ensure against this illicit immigration, but steps to this end must be taken if the suggested policy is adopted, as also to prevent unemployment lists being swollen by immigrants from Transjordan.

Arab unemployment as a political pawn. The question of unemployment and immigration has been treated solely from the economic standpoint. It has immediate political repercussions with which this enquiry is not concerned, but which must receive consideration from His Majesty's Government in arriving at a decision. Two of these repercussions will require particular attention:

First, Arab unemployment is liable to be used as a political pawn. Arab politicians are sufficiently astute to realise at once what may appear an easy method of blocking that immigration to which they are radically averse, and attempts may and probably will be made to swell the list of Arab unemployed with names which should not be there, or perhaps to ensure the registration of an unemployed man in the books of more than one exchange. It should not prove difficult to defeat this manoeuvre.

Article 6 of the Mandate and its effect on immigration. Second, there is the repercussion on the policy of the Jewish National Home. It is evident that any interference with freedom of immigration is a limitation to the admission of Jews who desire to take part in the local constitution of that Home. Article 6 of the Mandate, however, directs that the rights and position of other sections of the population shall not be prejudiced by Jewish immigration. Clearly, in cases in which immigration of Jews results in preventing the Arab population obtaining the work necessary for its maintenance, it is the duty of the Mandatory Power, under the Mandate, to reduce, or, if necessary, to suspend, such immigration, until immigration will not affect adversely the opportunities of the Arab for employment. Elsewhere in this report the exclusion of Arab labour from the land purchased by the Jewish National Fund has been discussed, and it is pointed out that this exclusion is liable to confirm a belief that it is the intention of the Jewish authorities to displace the Arab population from Palestine by progressive stages. This belief, which, however unfounded it may be, is unfortunately very widely held, will be confirmed when it is realised that the immigration of Jewish labour is permitted while the Arab cannot earn his daily bread. On general grounds, therefore, as well as in order to carry out the terms of Article 6 of the Mandate, it is necessary that the existence of Arab unemployment should be taken into consideration when determining the number of Jews to be admitted at the time of preparation of the Labour Schedule.

Suspension of the Labour Schedule. A question which has developed marked political importance is that of the suspension of immigration under the Labour Schedule which was ordered by His Majesty's Government at the end of the month of May of the present year. That Schedule was prepared in the ordinary way and sanctioned by the High Commissioner. Its suspension caused the greatest excitement, which has even now not altogether subsided. At the time there is no doubt that the recommendations of the Chief Immigration Officer, and the decision of the High Commissioner were justified by the prospects of work in Palestine. Since that time conditions have changed and there are at the moment signs of an economic crisis in Palestine. Prices have fallen suddenly and heavily. As has been shown in this Chapter, unemployment is widespread and is increasing. The immediate outlook for industry is bad. Economically it would be unwise to allow into the country a large number of additional workmen for whom work must be found, when there is at the moment difficulty in finding work even for Jewish workmen.

To leave the economic argument for a moment, it is said that there is an important psychological aspect of the question which escapes the notice of an enquiry purely economic. The suspension of labour immigration, it is alleged, has created the impression that the British Government is, if not hostile at least apathetic in the matter of the National Home and that this attitude finds its expression in the suspension in question. As a result of the impression so created, the flow of capital to Palestine and of subscriptions for the settlement work in that country have both been affected. The capitalist doubts the security of his capital. The benevolent questions the utility of his subscription if the National Home is in the end to prove a phantom.

Those who use these arguments, and they are universally used among the Jewish community, suggest that there is in fact no danger in reopening immigration. On the contrary they are of the opinion that the cancellation of the order of suspension would at once restore confidence, stimulate the flow of money to Palestine, and so prevent the very economic difficulty which is anticipated.

There is weight to be attached to these opinions and those arguments. They are held and used by those who have the most acute knowledge of Jewish psychology. Yet from the purely economic standpoint, it has to be said that to cancel the suspension would be to take a risk, not justified by the economic position of the moment. It is not the province of this report to suggest whether it would or would not prove justifiable from the political standpoint.

Preparation of the Labour Schedule: Proposed change in method. It is probable that a slight change in the method of preparation of the Labour Schedule would tend to increase the amicable relations between the Jewish authorities in Palestine and the Immigration Department. There is no reason why the Schedule should not be prepared by the representatives of the Jewish Agency and of the Immigration Department

working together. If thought desirable some commercial authorities outside the Agency and the Government might be called into council as, for example, the Manager of Barclay's (Overseas) Bank at Jerusalem and the Manager of the Anglo Palestine Company, each of whom is in intimate touch with the economic position in Palestine.

If the representatives of the Agency and the Department were in full agreement the agreed schedule would be submitted for the orders of the High Commissioner, who would doubtless accept it as it stood. If on the other hand there were disagreement on any of the items of the Schedule, the items on which agreement had been reached might be submitted under the signature of both parties, and separate schedules submitted in respect of items on which there was disagreement. The High Commissioner would then pass such orders as he thought fit.

Formation of a Department of Immigration, Labour and Travel. At the present time the Immigration work is done by a section of the Police Department. The work is very voluminous and important and it is unsuitable that it should be connected in any way, even nominally, with the Police. The amount of work and the size of the staff both justify the creation of a Department of Immigration, specially as the Immigration staff deal also with Travel and with Labour. In view of the additional work which will fall upon this staff in consequence of the necessity to create a service for the registration of unemployment, it is exceedingly desirable that the Immigration Service should be detached from the Police Department and constituted a Department of Immigration, Labour and Travel.

CHAPTER XI. CONCLUSION.

In this Report the subjects of Land Settlement, Development and Immigration have been examined in that order as it is evident that the question of Immigration depends on the action taken in respect of the first two. It now remains to make a resume of the facts which have been established in the course of this enquiry.

LAND.

Land available for settlement. (Chapter II.): It has emerged quite definitely that there is at the present time and with the Present methods of Arab cultivation no margin of land available for agricultural settlement by new immigrants, with the exception of such undeveloped land as the various Jewish Agencies hold in reserve.

Government Lands. (Chapter I. Section (Hi): The most important of lands, the property of the Government at the time the Mandate was given, were the Beisan area and the Huleh Basin. Of these the Beisan area was settled, in accordance with the terms of the Mudawwara Agreement of 1921, with the Arabs already in occupation or who had claims to possession. The Huleh Basin was subject to a concession already granted by the Ottoman Government which was confirmed by the Palestine Government. Of other considerable areas the Kabbara Swamp, the Caesarea Sanddunes and a portion of the lands of Athlit, an area in the neighbourhood of 39,000 dunams, were ceded to the P.I.C.A. It is an error to imagine that the Government is in possession of large areas of vacant lands which could be made available for Jewish settlement. In fact free areas are negligible in extent. The Government claims considerable areas which are occupied and cultivated by Arabs. Even were the title of the Government admitted, and it is in many cases disputed, it would not be feasible to make those areas available for settlement in view of the impossibility of finding other lands on which to place the Arab cultivators.

The provision of a margin depends on material progress in the development of the land already included in holdings. It has been shown that the area of cultivable land in Palestine (excluding the Beer-Sheba region) is 6,544,000 dunams, considerably less than has hitherto been estimated. It has also been shown that, while an area of at least 130 dunams is required to maintain a fellah family in a decent standard of life in the unirrigated tracts, the whole of the cultivable land not already in the hands of the Jews would not afford an average lot in excess of 90 dunams, were it divided among the existing Arab cultivators. (*Chapter III.*) For

an average holding of 130 dunams, about eight million dunams of cultivable land would be required. It also appears that of the 86,980 rural Arab families in the villages, 29.4 per cent, are landless. It is not known how many of these are families who previously cultivated and have since lost their land. This is a matter which should be ascertained in the course of the Census which is to take place next year.

Present agricultural policy. The condition of the Arab fellah is little if at all superior to what it was under the Turkish regime. No definite policy of agricultural development of the country held by the Arabs has been adopted. The sole agencies which have pursued such a consistent policy have been the Jewish Colonisation Departments, public and private. With this exception agricultural progress of any kind has been haphazard and of small extent or value.

Jewish and Arab advantages and disadvantages.

(Chapter V.) The Jewish settlers have had every advantage that capital, science and organization could give them. To these and to the energy of the settlers themselves their remarkable progress is due.

(Chapter VI.) The Arab has had none of these advantages and has received practically no help to improve his cultivation or his standard of life. The Arab population has increased with great rapidity and the land available for its sustenance has meanwhile decreased by about a million metric dunams which have passed into the hands of the Jews.

Compensation of Beduin for loss of grazing rights. (Chapter VI.) The problem of the Beduin requires careful investigation, in order that their rights may be ascertained. Where those rights conflict with the requirements of the State for agricultural development, the Beduin should be compensated, if those rights are annulled.

Alterations of terms under which Jewish National Fund purchases and leases land. (Chapter V. Section (Hi).) Reference has been made to the terms on which the Jewish National Fund purchases and leases its land. It is there recorded that those terms are objectionable and should be radically altered.

Government's duty under the Mandate. It is the duty of the Administration, under the Mandate, to ensure that the position of the Arabs is not prejudiced by Jewish immigration. It is also its duty under the Mandate to encourage the close settlement of the Jews on the land, subject always to the former condition. It is only possible to reconcile these apparently conflicting duties by an active policy of agricultural development, having as its object close settlement on the land and intensive cultivation by both *Arabs and Jews*. To this end drastic action is necessary.

Agricultural Development Scheme. (Chapter VII.) A methodical scheme of agricultural development should be thought out and undertaken, which will ensure the use of the land of the country to better purpose than has been the case hitherto. This development should have two distinct aims:

Improvement of the Fellah's methods. (Chapter VII.) In the first place, to improve the method of cultivation of the Arab fellah in the dry tracts, and also to extend irrigation wherever that is possible, so that the fellah will be able to gain a reasonable livelihood from a smaller area of land than that which has been essential hitherto.

Rearrangement of holdings. In the second place to rearrange holdings of land, that there will be a margin for further settlement in accordance with the terms of Article 6 of the Mandate.

Development of irrigation If such development is undertaken in accordance with a definite plan and the cultivable land of the Plains of Palestine improved, as in many places it can be improved, by the provision of water for irrigation, there will unquestionably be sufficient land both for Arabs and for additional Jewish settlement. The results desired will not be obtained except by years of work.

Jewish reserves of land. It is for this reason peculiarly fortunate that the Jewish organizations are in possession of a large reserve of land not yet settled or developed. Their operations can continue without a break while the general scheme of development is being worked out and brought into operation.

Control of disposition of land. Until the scheme is worked out the control of all disposition of land must of necessity rest with the authority in charge of the development. Transfers should only be permitted in so far as they do not interfere with that scheme.

Powers for Government purchase of land. In order that any scheme of development should be a success, the authority controlling development must be able to obtain the land which it is intended to develop. It may be possible that arrangements to this end can be concluded amicably between the Government and the owner of land required. In such cases naturally the Government would buy the land. It should also have the power to purchase at a valuation all land for sale in the market. On the other hand in any case in which the Government refuses to sanction a sale of land, the would-be vendor should have the right to demand that the Government take over that land at a valuation. It may be however that the Government will not be able to acquire the land it needs by private arrangement or by purchase at a valuation. In such a case it already has the power to act, under the Expropriation of Land Ordinance No. 28 of 1926, and to acquire the land at a valuation, as being required for a public purpose.

Development Commission. The development of the land could best be ensured by the appointment of a Development Commission, invested with the necessary powers. It is desirable that there should be a Chairman of British nationality, one Arab Commissioner and one Jewish Commissioner.

Responsibilities of the Development Commission. The Commission would not only undertake the development of the land but would also be responsible for its colonisation, both by Arab and by Jew. Until the survey is finished and the census is taken next year, it is impossible to say what the actual area available for cultivation may be and the number of Arab families whom it may be necessary to displace.

Available areas in the plains. The Jewish Agency has made a calculation which indicates that there is room for 54,900 additional families in three of the five plains, namely, the Maritime Plain, the Huleh Plain, and the Jordan Valley, including Beisan. This is the result of a careful and detailed examination of the cultivable area and of the possibilities of development. It is true that the figures adopted in this calculation differ from those of the Director of Surveys in certain areas, and it would not be possible to accept the estimate as strictly accurate. It is at the same time certain that a large number of additional families can be provided with improved holdings in these areas.

It is impossible to give anything like a reliable estimate of the number of families who could be accommodated in Palestine, if the whole country were adequately developed. The development of 100,000 dunams in certain areas of the Maritime Plain might perhaps provide sufficient land for the settlement of 5,000 to 6,500 families. Accommodation would probably be thus provided in such an area for the families already on the spot, together with 2,000 families of Arabs from the congested areas in the Hills and 2,000 families of Jewish settlers. A similar area in Beisan would accommodate possibly only one half or two-thirds of the number of new families. Everything depends on water for irrigation and markets for the produce. But there can be no doubt that systematic and methodical development over a series of years will change the whole aspect of agricultural Palestine, and admit of a largely increased population.

Coordination of Development Schemes. Any scheme of development should provide for the settlement both of Jews and of Arabs on the developed area, and should take into consideration the plans of colonisation of the Jewish agencies, in order that development by those agencies and by the Commission might be coordinated. It might well prove possible to combine two schemes of development in certain areas with mutual advantage and with considerable economy.

Cost of settling a family. It is assumed that the average expenditure on settling one Arab family will be about £60. This does not provide for anything luxurious in the way of settlement. The Arab builds his own house. It costs him £10 per room. If he builds a house of two rooms, £40 will remain, which will be sufficient to provide him with a good cow, an iron plough and a harrow. The family will already have cattle and implements and it will not be necessary to provide maintenance. Though the standard of life of Arab and Jew differ materially, no difference could be made either in the size of holding allotted or in the amount granted for settlement. If the Jew desires a more liberal settlement, and he will desire it, clearly he must obtain its cost elsewhere than from the Development Commission.

Distribution of developed land. The distribution of the developed land should be made to Jews whose names are borne on lists supplied to the Commission by the Jewish Agency, and to Arabs named by the District Commissioners. The claim of would-be settlers of both sections of the population should be considered simultaneously, and the Commission must have the final decision on the claims.

Cooperation between Jewish agencies and the Development Commission. The scheme proposed depends for its success on loyal cooperation of the Jewish Colonisation Agencies with the Development Commission. The Commission should be in constant touch with those agencies, and their schemes of development, though intended for Jewish settlement alone, must be so framed as to fall in with the scheme for the development of the country as a whole. This is the only way in which the provisions of Article 6 of the Mandate can be observed and close settlement of Jews on the land encouraged while the position of the other sections of the population is not prejudiced. There will doubtless be difficulties at the commencement in coordinating Jewish plans with those of the Commission, but with goodwill on either side and a realization of the common object those difficulties should be capable of resolution.

Artificial inflation of land values. It is also only by cooperation that artificial inflation of the price of the land will be prevented. At the present time, the price of land in Palestine has risen to an exaggerated height, owing to the determination of the various Jewish purchasing agencies to buy, at all hazards and at any price, land which comes into the market, and the fact that the owner knows that if he only holds, he can get his price. As the price of the land, or an adequate percentage on that price in the form of rent must be collected from the population to be settled, the scheme will fail if the land is bought at an unreasonable price, such as the present price. It is thus an essential condition of success that the land should be bought at a reasonable price. This is only possible either by agreement between the Government and the Jewish purchasing agencies or by Government control over dispositions of land. The object desired might be attained by a "gentleman's agreement" between the Jewish Agency and the Commission. Control, however, would be essential in any case in order to prevent the incursion of third parties desirous of speculating in land.

Ascertainment of the number of landless Arabs. The forthcoming census should be used in order to ascertain the number of Arabs who have become landless. It would also be well if the number of fellahin who have not a holding on which they are able to maintain a reasonable standard of life could be ascertained through the Area and District Officers. These two classes are dealt with by Mr. Snell in his Note of Reservations. to the report of the Commission on the Disturbances. He says on page 177 "The Arab, on the other hand, should be secured in the possession of sufficient land to provide him with a decent standard, of life ..." and on p. 181, "...If there are still Arabs who are landless through the failure of the Palestine Government to apply administratively the provisions of the Land. Laws in force in that country, steps should be taken by the Government to settle them on the land at the public expense.

Migration: Its difficulties. The task of a Development Commission will not be easy. It will involve, among other problems, that of migration. Evidently it will not be possible to increase the size of a fellah's holding in the Hills, except by arrangement which will involve the transfer of some other fellah from the Hills elsewhere and the use of the latter's holding to increase that of the former in the attempt to create a "lot viable."

"The process of migration involves many difficulties ...of which not the least is the understandable objections of the occupiers in the neighbourhood of the new holding to immigrants being given land to which they consider they and their families have a prior claim. Much tact and foresight are necessary in planning migration schemes and inducing holders to migrate to a part of the country where the local associations... would be strange to them ...Though migration formed a definite part of the policy of the late Congested Districts Board in dealing with their Estates ...the inherent difficulties ...prevented a development of the policy on a very extensive scale ...The now almost universal scope of land purchase in Saorstát Éireann makes it possible to effect more extensive schemes of migration."

The above is a quotation from the Report of the Irish Land' Commissioners for the year ending 31st March, 1929. There is no doubt that similar difficulties will be encountered in any policy of development which entails migration as a consequence. In the case of the fellah, however, the conditions under which he lives are so unbearable that the difficulty of migration is not likely to be presented to the same degree. He is always migrating, even at the present time. He goes to any spot where he thinks he can find work. Many have left the country altogether. Emigration of a similar nature is understood to be common both in Syria and in 'Iraq.

Relations with the Department of Agriculture. The relations between a Development Commission and the existing Department of Agriculture will require determination and definition. There is danger both of jealousy and of overlapping. Both of these dangers are evitable. The object of the two agencies is identical, namely, the improvement of the condition of the smallholder. If the relations between the Commission and the High Commissioner are close and cordial, as must be the case if the scheme is to have full success, those between the Commission and the Department should not fail to be satisfactory.

Spheres of action of the Development Commission and Department of Agriculture. The broad principle of division between the two agencies is the following: It is the duty of the Development Commission to improve the land for the cultivator; to introduce irrigation if possible, to regulate the size of the holding so that it shall be appropriate, and to arrange for its occupation either by migration of Arabs already in the country, or by the settlement of Jews who have immigrated under the auspices of the Jewish organizations. It is the duty of the Department of Agriculture to look after the technical side of the cultivator's life, to provide him with education and, if possible, training, to render him more capable than he is at present to use the improved land to the best advantage when it is made available for him by the Development Commission.

There will be borderline cases. For instance, it is conceivable that the Development Commission may establish nurseries to provide trees for the improved land. The Department of Agriculture may also have nurseries to provide trees for the cultivators generally. But by the application of ordinary commonsense, there should in practice be no difficulty in arranging the spheres of action of the two authorities.

Hydrographic Survey. It has been recommended that the Government should institute a hydrographic survey of Palestine. This is essential to satisfactory development of the country and to methodical development of irrigation. Meanwhile one of the first tasks of a Development Commission will be the examination of the available water resources, in order that development may commence where there is the most immediate likelihood of success. They will require the services of the irrigation engineer of the Government for this purpose.

Urgency of Irrigation Legislation (Chapter VII). The contemplated legislation to regulate irrigation and to render it more efficient should be passed as soon as possible. The control of all irrigable water should remain with the Government, and all surplus water above that on which rights have been or may be established should be its property. It is regrettable that the Government has in one case parted with the irrigation rights in an important source to a concessionaire, and steps should be taken to ensure that in that case satisfactory arrangements are made for a supply of water for irrigation at an early date.

Formation of an Irrigation Department. It is not desirable that the irrigation services should be a branch of the Agricultural Department and subject to the Director of that Department. They should be constituted a separate service with a Department dealing only with irrigation.

Occupancy Right. The question of the creation of occupancy right of the agricultural tenant is discussed. No measure short of such right will suffice to secure the tenant against ejection or the imposition of an excessive rental. The bestowal of the right will, it is true, reduce the market value of the property on which the tenant is settled, but it is essential that his tenure should be rendered more secure than it is at the present time. Legislation should be introduced as soon as is possible to confer on the tenant in Palestine that right, which exists all over India. This legislation should also secure the tenant against increases in his rent except under the orders or with the sanction of a Court. A register of all tenancies should be compiled in the course of the settlement now in progress.

Partition of Mesha'a (Chapter IV). The tenure in common known as mesha'a which prevails in nearly half of the Arab villages of Palestine has been described and discussed, and it has been recorded that this system is a great obstacle to any agricultural development of the country. It is essential that steps should be taken to partition the mesha'a villages as expeditiously as possible.

Acceleration of land settlement (Chapter IV). It has been pointed out that the maintenance of the record of rights which is now being prepared, and of a register of tenancies, is a necessary condition of good administration of the agricultural tracts. The work of the settlement, which is extremely complicated, is proceeding very slowly, and should be accelerated, if that is possible. If the delay is due to the expense of the settlement, and the inadequacy of the Settlement Budget, that Budget should be increased. The work is so important to the Government for its general purposes, and so essential to activities of a Development Commission, that no avoidable delay should be tolerated.

Abolition of imprisonment for debt (Chapter VI.) Imprisonment for debt is an anachronism and should be abolished.

Redistribution and reduction of taxation (Chapter VI). Agricultural taxation is excessive in Palestine at the present time. The Tithe is based on prices of produce which have fallen by about 50 per cent, since the Tithe was commuted. Until arrangements can be made so to redistribute the burden of taxation that it will fall more fairly in accordance with the financial ability of the taxpayer, the Tithe should, if possible, be suspended. If that is not possible, it should vary with the average market price of produce.

Registration fees Reduction of fees. The fees at present charged for the registration of dispositions of land, especially those on sale, mortgage and succession, are so high as to prevent the registration of changes in title consequent thereon. It is desirable, in the interests of the maintenance of an accurate record of rights, that these fees should be reduced.

AGRICULTURE.

Coordination of Agricultural Scientific Services (Chapter VII, Section A). It is urgently necessary that steps should be taken to prevent overlapping between the scientific establishments of the Government, of the Jewish Agency and of the Hebrew University. It is preferable, and would be more economical, that the Government, rather than duplicate such services, should grant a subvention or should make payments for services rendered.

Increase of Department of Agriculture's Budget (Chapter VII). It is a question whether the Agricultural Department should maintain certain minor Services, as, for instance, the Fisheries Service and the Agricultural Service, with its present limited Budget. The existing Budget is insufficient for the work which the Agricultural Department should perform. It should be increased.

Demonstration plots (Chapter VII). Of all the agencies of an agricultural department in a country of smallholders none is more valuable than the Demonstration Plot. It is also one of the most economical methods of bringing practical and practicable improvements to the notice of the peasant cultivator. It is suggested that this method might well be adopted by the Agricultural Department, in Palestine.

Distribution of trees (Chapter VII). Another valuable agency for improvement of the holding of the peasant is the distribution of trees either at cost price or below it.

Separation of the Forest Service (Chapter VII). The Forest Service is not one which should be attached to the Agricultural Department. It should be constituted as an independent service.

EDUCATION.

Increase of Budget of Department of Education. The educational budget is by far too small for the requirements of the country, and it is recommended that it should be increased.

Agricultural course for Schoolmasters (Chapter VII). Agricultural development is dependent on the spread of elementary education. It is desirable that all village schoolmasters should be given a six months' course at an agricultural school, and that the curriculum of the village school should include elementary instruction in agriculture. Each village school should have a small plot of land which will serve as a school garden and demonstration plot. There should be close cooperation between the Departments of Education and of Agriculture.

COOPERATION.

Encouragement of cooperation between Arab and Jew in Orange Industry. (Chapter VII, Section D.) The Jewish Communities are very well served by a series of efficient Cooperative Societies. It would be to the general advantage of the country if these societies or such of them as are suitable for the purpose, could be made available to Arab members. It would be of special value if the orange grading and packing Society "Pardess" could enlist Arab orange growers. into its membership.

Constitution of Cooperative Credit Societies. The constitution of Cooperative Credit Societies among the fellahin is an essential preliminary to their advancement. The whole question is being examined at the present time, by Mr. Strickland, on behalf of the Palestine Government.

AGRICULTURAL DEVELOPMENT

Government acquisition of the Huleh Concession. (Chapters I and VII, Section C.) If the Huleh Concession falls in, the land should be retained by the Government for development purposes. This area is one of the most fertile in the whole of Palestine and provision could be made for a large number of families on a comparatively small developed area.

Limitation of orange cultivation. (Chapter VIII, Section (a).) The area under the orange is increasing with very great rapidity. It appears doubtful whether the market will be able to digest the amount of fruit which will be produced at the end of the next five years, when all groves now planted will be in bearing. Generally there is an optimistic spirit among the growers, but it would seem to be the path of wisdom to await the result of the recent rapid extension before further increasing the area.

Development of other fruit crops. (Chapter VIII, Sections (b), (c), (e), (f).) Attempts should be made to encourage the cultivation of other fruits and valuable crops, rather than to depend entirely on one crop. The grape fruit offers good prospects. The Palestine fruit is excellent and it grows in soil which is too heavy for the orange. The prospects for the banana do not appear bright, but attempts should be made to develop the markets in Eastern Europe.

Import duty on melons in Egypt. (Chapter VIII, Section (d).) The Egyptian Government has placed an import duty on Palestinian melons which is likely to restrict the trade. The Damascus Municipality has imposed an octroi duty on the same fruit.

Improvement of grades of tobacco. (Chapter VIII, Section (g).) Efforts should be made to foster the cultivation of a better grade of tobacco, experts in manipulation and in packing being employed to teach the cultivators. There is every prospect that high quality tobacco could be grown in Palestine. It is probably advisable that, at least for the present, the cultivation of tobacco should be restricted to the northern part of the country, where the better qualities of leaf can be grown.

Amendment of minimum area of tobacco. (Chapter VIII.) There is no good reason for the present rule, which prevents the cultivation of tobacco on an area of less than two dunams. It would be sufficient if the area were restricted to a minimum of half a dunam. The interest of the cultivators should be considered, as well as that of the manufacturer, in framing legislation governing the cultivation of tobacco.

Improvement of quality of olive oil and pruning of trees, (Chapter VIII, Section (h).) Steps should be taken to teach the cultivator the method of producing olive oil of better quality than that now manufactured by the small grower. It would also be an advantage that instructors in pruning olive trees should be employed to tour the country and to teach the peasants the correct method of pruning their trees.

Steps to revive the barley export trade. (Chapter VIII, Section (j).) The question of the export trade in barley deserves consideration. That trade, which was of a certain importance before the war, has not revived since the Armistice. The reason for its failure to revive should be examined, and the purchase of a cleaning plant again be considered.

Encouragement of sericulture and production of honey. (Chapter VIII, Section (k).) If serious efforts are contemplated to this end it is necessary to make a more adequate provision in the budget on their account than is done at present.

Possibility of a canning industry for dairy produce. (Chapter VIII, Section (l).) The market for dairy products is circumscribed and it will soon be impossible locally to dispose of the dairy products of the country. Prices are already falling. It is necessary that an attempt should be made to cultivate the foreign market for dairy produce. The possibility of a canning industry for dairy products, and of the manufacture of cheese for export should be examined.

Palestinian industry. (Chapter IX.) The larger manufacturing industries are dependent on the protection afforded by the import tariff. It is questionable whether in certain cases the protective tariff is justified by the results. In the case of the cement industry, the tariff appears to have been raised unnecessarily.

Reduction of excise on wines. (Chapters VIII, Section (j), and IX.) The wine industry is very heavily taxed in licence fees and Excise duty, which are passed on to the grape growers. These already pay the ordinary agricultural taxes, tithes and *werko*. In view of the present agricultural depression it would be advantageous, if possible, to reduce these taxes. The smaller manufacturing industries are succeeding in many cases. This type of industry seems specially suited to the country.

Position of industries. (Chapter IX.) There is not any reason to believe that Palestine offers special attractions to large industrial concerns. The industries likely to succeed are those that are based on local products or, being based on imported products, show special vitality. It would be a speculation dangerous to the economic future of the country, if an attempt were made to start a textile industry in Palestine on a large scale.

Encouragement of Arab industries. (Chapter IX.) Indigenous Arab industries exist and should be encouraged.

Preparation of Labour Immigration Schedules. (Chapter X.) It is recommended that in the future the Labour Immigration Schedules should be prepared by the representatives of the Jewish Agency and of the Immigration Department in consultation, with the help of nonofficial persons acquainted with the economic position of Palestine, as, for instance, leading bankers.

Immigration officer at towns abroad. (Chapter X.) It is suggested that a representative of the Immigration Department should be stationed at each of the towns whence immigration to Palestine is most common.

Expulsion of illicit immigrants. (Chapter X.) Proposals are made, that in the case of illicit entry into Palestine, the entrant should invariably be returned to the country whence he came, and that in the case of "pseudotravellers" unless there are reasons to the contrary, the same procedure should follow detection.

Registration of Unemployment and Labour Exchanges. (Chapter X.) The whole question of Arab unemployment should form the subject of study and steps should be taken to create a machinery for the registration of Arab unemployment. Government Employment Exchanges should be created, without which determination of the number of Arab unemployed is not possible. If there are Arab workmen unemployed it is not right that Jewish workmen from foreign countries should be imported to fill existing vacant posts.

Constitution of a separate Department of Immigration, Travel and Labour. The Immigration Office, which is now a section of the Police Department, should be constituted a separate Department.

Part of expenditure of Development Commission recoverable. Both the expenditure necessary for the purchase of land in connection with a Development Commission, and the expenditure of the Commission itself are largely in the nature of outlay which will in time be repaid. This outlay is in fact reproductive expenditure. Of the advances for development, 85 per cent, to 90 per cent, should prove recoverable.

Intensive development of rural Palestine essential. In closing this Report I desire to record my opinion that the observance of the Articles of the Mandate, and specially of Article 6 of the Mandate, presents extraordinary difficulty. The sole way in which the Mandate can be carried out is by the intensive development of rural Palestine. It will not be sufficient to develop a small portion. The unique condition of success is the development of the whole, which, as has been said before, is a task requiring not only years of work, but also material expenditure. There exists no easy method of carrying out the provisions of the Mandate. Development is the only way. Without development, there is not room for a single additional settler, if the standard of life of the fellahin is to remain at its present level. With development that standard could be raised so that it would permit reasonable conditions of livelihood to that backward class of the community and a margin of land could at the same time be provided for additional colonisation.

The introduction of settlers possible if development carried out. It is my personal belief, founded on the enquiries which I have made and on my inspections, that with thorough development of the country there will be room, not only for all the present agricultural population on a higher standard of life than it at present enjoys, but for not less than 20,000 families of settlers from outside.

Necessity of joint endeavour. Any scheme for development presents serious difficulties. Unless such a scheme is accepted by both Jew and Arab it may very well fail. Of both it will require the support if it is to have the desired result, namely, the advancement of a neglected but historic country in the path of modern efficiency, by the joint endeavour of the two great sections of its population, with the assistance of the Mandatory Power.

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APPENDICES²⁰

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²⁰ The actual document is followed by 32 pages of annexes, containing statistics on such issues as land areas, population, land registration, Zionist settlements, investments, allocation of funds, tax rates, incomes, and prices, agricultural production and immigration/emigration; a pdf-version of this can be seen at: <http://domino.un.org/pdfs/appendices.pdf>

**STATEMENT OF POLICY BY HIS MAJESTY'S GOVERNMENT,
PRESENTED BY THE SECRETARY OF STATE FOR THE COLONIES TO PARLIAMENT
BY COMMAND OF HIS MAJESTY - THE "PASSFIELD" WHITE PAPER,
UNITED KINGDOM, 1 OCTOBER 1930**

[The Paper - issued by Colonel Secretary Lord Passfield - adopted the recommendations of the Hope-Simpson Report (see above); it is seen as a first attempt of British disengagement from its "Jewish homeland" commitments layed down in the Balfour Declaration. Following strong Zionist protests, however, British PM MacDonald sent Chaim Weizman a 'Black Letter' a few months later (see entry dated 13 Feb. 1931), nullifying the clauses of the White Paper.]

1. The Report of the Special Commission, under the Chairmanship of Sir Walter Shaw, which was published in April, gave rise to acute controversy, in the course of which it became evident that there is considerable misunderstanding about the past actions and future intentions of His Majesty's Government in the United Kingdom in regard to the administration of Palestine. It was realised that the publication of a clear and full statement of policy, designed to remove such misunderstanding and the resultant uncertainty and apprehension, was a matter of urgent importance. The preparation of such a statement, however, necessitated certain essential preliminary steps which have inevitably delayed its completion.

The Report of the Shaw Commission drew attention to certain features of the problem, which, in the opinion of His Majesty's Government, called for prompt and full investigation, in view of their important bearing upon future policy. It was therefore decided to send to Palestine a highly qualified investigator (Sir John Hope Simpson) to confer with the High Commissioner and to report to His Majesty's Government on land settlement, immigration and development. Owing to the dominating importance of these subjects, and their close inter-connection, His Majesty's Government recognised that no statement of policy could be formulated without first taking into account a full and detailed exposition of the situation in Palestine under these three important heads, such as Sir John Hope Simpson was eminently qualified to furnish. Considerable pressure has been brought to bear upon His Majesty's Government to anticipate the receipt of Sir John Hope Simpson's Report by a declaration of policy, but, while appreciating the urgent need for as early a declaration as possible, His Majesty's Government felt bound to adhere to their decision to await the receipt of Sir John Hope Simpson's Report, especially having regard to the evidence which was accumulating as to the extreme difficulty and complexity of the problem and the need for the fullest investigation of the facts before arriving at any definite conclusions.

Sir John Hope Simpson's Report has now been received, and the present statement of policy has been framed after very careful consideration of its contents and of other information bearing upon the Palestine situation which has recently become available.

2. In a country such as Palestine, where the interests and aims of two sections of the community are at present diverse and in some respects conflicting, it is too much to expect that any declaration of policy will fully satisfy the aspirations of either party. His Majesty's Government have, however, permitted them-selves to hope that the removal of existing misunderstandings and the more precise definition of their intentions may go far to allay uneasiness and to restore confidence on both sides. It will be the endeavour of His Majesty's Government, not only by the present statement of policy but by the administrative actions which will result from it, to convince both Arabs and Jews of their firm intention to promote the essential interests of both races to the utmost of their power, and to work consistently for the development, in Palestine, of a prosperous community, living' in peace under an impartial and progressive Administration. It is necessary, however, to emphasise one important point, viz., that in the peculiar circumstances of Palestine no policy, however enlightened or however vigorously prosecuted, can hope for success, unless it is supported not merely by the acceptance, but by the willing co-operation of the communities for whose benefit it is designed.

It is unnecessary here to dwell upon the unhappy events of the past year and the deplorable conditions which have resulted from them. His Majesty's Government feel bound, however, to remark that they

have received little assistance from either side in healing the breach between them during the months of tension and unrest which have followed on the disturbances of August 1929, and that to the difficulties created by the mutual suspicions and hostilities of the two races has been added a further grave obstacle, namely, an attitude of mistrust towards His Majesty's Government fostered by a press campaign in which the true facts of the situation have become obscured and distorted. It cannot be too strongly emphasised that on the establishment of better relations between Arabs and Jews depend the future peace and prosperity of the country which is dear to both races. This is the object which His Majesty's Government have constantly in view, and they feel that it is more likely to be attained if both sides will willingly co-operate with the Government and with the Palestine Administration, and endeavour to realise that, in the discharge of their mandatory obligations and indeed in all their relations with Palestine, His Majesty's Government may be trusted to safe-guard and promote the interests of both races.

3. Many of the misunderstandings which have unhappily arisen on both sides appear to be the result of a failure to appreciate the nature of the duty imposed upon His Majesty's Government by the terms of the Mandate. The next point, therefore, which His Majesty's Government feel it necessary to emphasise, in the strongest manner possible, is that in the words of the Prime Minister's statement in the House of Commons on the 3rd April last, "a double undertaking is involved, to the Jewish people on the one hand and to the non-Jewish population of Palestine on the other."

Much of the agitation which has taken place during the past year seems to have arisen from a failure to realise the full import of this fundamental fact. Both Arabs and Jews have assailed the Government with demands and reproaches based upon the false assumption that it was the duty of His Majesty's Government to execute policies from which they are, in fact, debarred by the explicit terms of the Mandate.

The Prime Minister, in the statement above referred to, announced, in words which could not have been made more plain, that it is the intention of His Majesty's Government to continue to administer Palestine in accordance with the terms of the Mandate, as approved by the Council of the League of Nations. "That" said Mr. Eamsay MacDonald, "is an international obligation from which there can be no question of receding." In spite of so unequivocal a statement, the hope seems to have been entertained that, by some means or other, an escape could be found from the limitations plainly imposed by the terms of the Mandate. It must be realised, once and for all, that it is useless for Jewish leaders on the one hand to press His Majesty's Government to conform their policy in regard, for example, to immigration and land, to the aspirations of the more uncompromising sections of Zionist opinion. That would be to ignore the equally important duty of the Mandatory Power towards the non-Jewish inhabitants of Palestine. On the other hand, it is equally useless for Arab leaders to maintain their demands for a form of Constitution, which would render it impossible for His Majesty's Government to carry out, in the fullest sense, the double undertaking already referred to. His Majesty's Government have reason to think that one of the reasons for the sustained tension and agitation on both sides has been the creation by misguided advisers of the false hope that efforts to intimidate and to bring pressure to bear upon His Majesty's Government would eventually result in forcing them into a policy which weighted the balances in favour of the one or the other party.

It becomes, therefore, essential that at the outset His Majesty's Government should make it clear that they will not be moved, by any pressure or threats, from the path laid down in the Mandate, and from the pursuit of a policy which aims at promoting the interests of the inhabitants of Palestine, both Arabs and Jews, in a manner which shall be consistent with the obligations which the Mandate imposes.

4. This is not the first time that His Majesty's Government have endeavoured to make clear the nature of their policy in Palestine. In 1922 a full statement was published and was communicated both to the Palestine Arab Delegation, then in London, and to the Zionist Organisation. This statement met with no acceptance on the part of the Arab Delegation, but the Executive of the Zionist Organisation passed a Resolution assuring His Majesty's Government that the activities of the Organisation would be conducted in conformity with the policy therein set forth. Moreover, in the letter conveying the text of this Resolution to His Majesty's Government, Dr. Weizmann wrote:—

"The Zionist Organisation has, at all time, been sincerely desirous of proceeding in harmonious co-operation with all sections of the people of Palestine. It has repeatedly made it clear, both in word and deed, that nothing is further from its purpose than to prejudice in the smallest degree the civil or religious rights, or the material interests of the non-Jewish population."

The experience of the intervening years has inevitably brought to light certain administrative defects and special economic problems, which have to be taken into account in considering the welfare of all sections of the community. Nevertheless, the statement of policy, issued after prolonged and careful consideration in 1922, provides the foundations upon which future British policy in Palestine must be built up.

5. Apart from proposals for the establishment of a Constitution in Palestine which will be dealt with in later paragraphs, there are three important points dealt with in this statement which must now be recalled:—

(a) *The meaning attached by His Majesty's Government to the expression "the Jewish National Home," which is contained in the Mandate.*

On this point, the following passage may be quoted from the 1922 Statement:—

"During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organisation for the control of its schools. It has its elected Chief Eabbinate and Eabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language and a Hebrew press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organisation, its own language, its own customs, its own life, has in fact "national" characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognised to rest upon ancient historic connection." This, then, is the interpretation which His Majesty's Government place upon the Declaration of 1917, and, so understood, the Secretary of State is of opinion that it does not contain or imply anything which need cause either alarm to the Arab population of Palestine or disappointment to the Jews."

(b) *The principles which should govern immigration.*

On this point the statement of policy continues as follows:-

"For the fulfilment of this policy it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment. Hitherto the immigration has fulfilled these conditions. The number of immigrants since the British occupation has been about 25,000.

"It is necessary also to ensure that persons who are politically undesirable are excluded from Palestine and every precaution has been and will be taken by the Administration to that end."

It will be observed that the principles enunciated above render it essential that in estimating the absorptive capacity of Palestine at any time account should be taken of Arab as well as Jewish unemployment in determining the rate at which immigration should be permitted. It is the intention of His Majesty's Government to take steps to ensure a more exact application of these principles in the future.

(c) *The position of the Jewish Agency.*

In the passage quoted below, an attempt was made to indicate the limitations, implicit in the Mandate, necessarily imposed upon the scope of the Jewish Agency provided for in Article 4 of the Mandate:—

"It is also necessary to point out that the Zionist Commission in Palestine, now termed the Palestine Zionist Executive, has not desired to possess, and does not possess, any share in the general administration of the country. Nor does the special position assigned to the Zionist Organisation in Article IV of the draft Mandate for Palestine imply any such functions. That special position relates to the measures affecting the Jewish population, and contemplates that the Organisation may assist in the general development of the country, but does not entitle it to share in any degree in its Government."

6. His Majesty's Government desire to reaffirm generally the policy outlined in the 1922 Statement, and, in particular, the three passages quoted above. On these three important points it is not thought that anything but barren controversy would result from an attempt further to elaborate their conceptions. It is recognised, however, in the light of past experience that much remains to be done to improve the practical application of the principles enunciated in the foregoing passages, and it is the intention of the Government, in consultation with the Palestine Administration, to take active steps to provide improved machinery for meeting the requirements of both Arabs and Jews, under these three heads. In particular, it is recognised as of the greatest importance that the efforts of the High Commissioner towards some closer and more harmonious form of co-operation and means of consultation between the Palestine Administration and the Jewish Agency should be further developed, always consistently, however, with the principle which must be regarded as basic, that the special position of the Agency, in affording advice and co-operation, does not entitle the Agency, as such, to share in the government of the country. Similarly, machinery must be provided to ensure that the essential interests of the non-Jewish sections of the Community should at the same time be fully safe-guarded, and that adequate opportunity should be afforded for consultation with the Palestine Administration on matters affecting those interests.

7. At this point it becomes desirable to remove any ground of misunderstanding that may exist as to the passages in the Mandate bearing upon the safeguarding of the rights of the non-Jewish community in Palestine. The passages in the Mandate specially bearing on this point will be found in—

Article 2. "The Mandatory shall be responsible for placing the country under such political administrative and economic conditions as will secure the establishment of the Jewish National Home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion."

Article 6. "The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions, and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes."

Article 9. "The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights."

Respect for personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Wakfs shall be exercised in accordance with religious law and the dispositions of the founders."

Article 18. "All responsibility in connection with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites, and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory, who shall be responsible solely to the League of Nations in all matters connected here-with, provided that nothing in this article shall prevent the Mandatory from entering into such arrangements as he may deem reasonable with the Administration for the purpose of carrying the provisions of this article into effect, and provided also that nothing in this Mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed."

Article 15. "The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief. The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired."

On the other hand, special reference to the Jewish National Home and to Jewish interests are contained in *Article 4* :—

Article 4. "An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish National Home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country."

The Zionist organisation, so long as its organisation and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish National Home."

Article 6. (Already quoted above.)

Article 11. "The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land."

The Administration may arrange with the Jewish Agency mentioned in Article 4 to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, in so far as these matters are not directly undertaken by the Administration. Any such arrangements shall provide that no profits distributed by such agency directly or indirectly, shall exceed a reasonable rate of interest on the capital, and any further profits shall be utilised by it for the benefit of the country in a manner approved by the Administration."

8. In the first place, it will be observed that Article 2 makes the Mandatory responsible for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race or religion; and

secondly, that the obligation contained in Article 6 to facilitate Jewish immigration and to encourage close settlement by Jews on the land, is qualified by the requirement to ensure that the rights and position of other sections of the population are not prejudiced. Moreover, by Article 11 "the Administration of Palestine is required to take all necessary measures to safeguard the interests of the community in connection with the development of the country." It is clear from the wording of this Article that the population of Palestine as a whole, and not any sectional interest, is to be the object of the Government's care, and it may be noted that the provision for arranging with the Jewish Agency for the construction or operation of public works, services and utilities, is only permissive and not obligatory, and could not be allowed to conflict with the general interests of the community. These points are emphasised because claims have been made on behalf of the Jewish Agency to a position in regard to the general administration of the country, which His Majesty's Government cannot but regard as going far beyond the clear intention of the Mandate. Moreover, attempts have been made to argue, in support of Zionist claims, that the principal feature of the Mandate is the regarding the Jewish National Home, and that the passages designed to safeguard the rights of the non-Jewish community are merely secondary considerations qualifying, to some extent, what is claimed to be the primary object for which the Mandate has been framed.

This is a conception which His Majesty's Government have always regarded as totally erroneous. However difficult the task may be it would, in their view, be impossible, consistently with the plain intention of the Mandate, to attempt to solve the problem by subordinating one of these obligations to the other. The British Accredited Representative, when appearing before the Permanent Mandates Commission on the 9th of June last, endeavoured to make clear the attitude of His Majesty's Government towards the difficulties inherent in the Mandate. In commenting on his statements in their report to the Council, the Permanent Mandates Commission made the following important pronouncement:—

"From all these statements two assertions emerge, which should be emphasised :—

- (1) that the obligations laid down by the Mandate in regard to the two sections of the population are of equal weight;
- (2) that the two obligations imposed on the Mandatory are in no sense irreconcilable."

"The Mandates Commission has no objection to raise to these two assertions, which, in its view, accurately express what it conceives to be the essence of the Mandate for Palestine and ensure its future."

His Majesty's Government are fully in accord with the sense of this pronouncement and it is a source of satisfaction to them that it has been rendered authoritative by the approval of the Council of the League of Nations.

It is the difficult and delicate task of His Majesty's Government to devise means whereby, in the execution of its policy in Palestine, equal weight shall at all times be given to the obligations laid down with regard to the two sections of the population and to reconcile those two obligations where, inevitably, conflicting interests are involved.

It is hoped that the foregoing explanation of the nature of the task imposed by the Mandate upon His Majesty's Government will make clear the necessity, already emphasised, for willing co-operation with the Palestine Administration and with His Majesty's Government on the part both of Arab and Jewish leaders.

9. The preceding paragraphs contain an exposition of the general principles which have to be taken into account as governing policy in Palestine and the limiting conditions under which it must be carried out. The practical problems with which His Majesty's Government are faced in Palestine must now be considered in detail.

These may be regarded as falling roughly under three heads :—

- (1) Security,
- (2) Constitutional development,
- (8) Economic and Social development.

They will be dealt with in that order.

(1) *Security.*

10. It is a primary duty of the Administration to ensure peace, order and good government in Palestine. In an earlier paragraph His Majesty's Government have intimated that they will not be moved from their duty by any pressure or threats.

Outbreaks of disorder in the past have been promptly repressed and special measures have been taken to deal with any future emergencies. It must be clearly understood that incitements to disorder or disaffection, in whatever quarter they may originate, will be severely punished and the powers of the Administration will, so far as may be necessary, be enlarged to enable it to deal the more effectively with any such dangerous and unwarrantable attempts.

His Majesty's Government have decided to retain in Palestine, for the present, two battalions of infantry; in addition to these, two squadrons of air craft and four sections of armoured cars will be available in Palestine and Trans-Jordan. It will be recalled that Mr. Dowbiggin, Inspector-General of Police, Ceylon, was sent to Palestine to enquire into the organisation of the Palestine Police Force. His elaborate and valuable report has been received and is under detailed consideration. Certain of his recommendations have already been carried out, including those involving an increase in the strength of the British and Palestinian sections of the Force and those providing for a scheme of defence for Jewish Colonies, to which reference was made in paragraph 9 of the statement with regard to British Policy in Palestine, published as Command Paper 8582. The remainder of the many recommendations in Mr. Dowbiggin's report are under consideration in consultation with the High Commissioner for Palestine, and further changes will be made when decisions are taken on these recommendations. His Majesty's Government avail themselves of this opportunity to reiterate their determination to take all possible steps to suppress crime and maintain order in Palestine. They desire to emphasise, in this connexion, that in determining the nature and composition of the security forces necessary for this purpose they must be guided by their expert advisers, and must aim at ensuring that the forces employed are suitable for the duties which they have to carry out, without regard to any political considerations.

(2) *Constitutional Development.*

11. Reference has already been made to the demands of Arab leaders for a form of constitution which would be incompatible with the mandatory obligations of His Majesty's Government. It is, however, the considered opinion of His Majesty's Government that the time has now come when the important question of the establishment of a measure of self-government in Palestine must, in the interests of the community as a whole, be taken in hand without further delay.

It may be convenient, in the first instance, to give a brief resume of the history of this question since the establishment of the civil administration.

In October 1920 there was set up in Palestine an Advisory Council composed in equal parts of official and nominated unofficial members. Of the ten unofficial members, four were Moslems, three were Christians and three were Jews.

On the 1st September, 1922, the Palestine Order in Council was issued, setting up a Government in Palestine under the Foreign Jurisdiction Act. Part 3 of the Order in Council directed the establishment of a Legislative Council to be composed of the High Commissioner as President, with ten other official members, and 12 elected non-official members. The procedure for the selection of the non-

official members was laid down in the Legislative Council, Order in Council, 1922, and in February and March 1928 an attempt was made to hold elections in accordance with that procedure.

The attempt failed owing to the refusal of the Arab population as a whole to co-operate (a detailed report of these elections is contained in the papers relating to the elections for the Palestine Legislative Council, 1928, published as Command Paper 1889).

The High Commissioner thereupon suspended the establishment of the proposed Legislative Council, and continued to act in consultation with an Advisory Council as before.

Two further opportunities were given to representative Arab leaders in Palestine to co-operate with the Administration in the government of the country, first, by the reconstitution of a nominated Advisory Council, but with membership conforming to that proposed for the Legislative Council, and, secondly, by a proposal for the formation of an Arab agency. It was intended that this Agency should have functions analogous to those entrusted to the Jewish Agency by Article 4 of the Palestine Mandate.

Neither of these opportunities was accepted and, accordingly, in December 1928, an Advisory Council was set up consisting only of official members. This position still continues; the only change being that the Advisory Council has been enlarged by the addition of more official members as the Administration developed.

It will be recalled that, under the terms of Article 2 of the Mandate, His Majesty's Government are responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish National Home and the development of self-governing institutions, and for safeguarding the civil and religious rights of the inhabitants. The action taken with regard to constitutional development in the early years of the Civil Administration is briefly described above.

With the object of enabling the people of Palestine to obtain practical experience of administrative methods and the business of government and to learn discrimination in the selection of their representatives, Lord Plumer, who was High Commissioner for Palestine from 1925 to 1928, introduced a wider measure of local self-government than had previously obtained under the British regime.

Sir John Chancellor considered the question of constitutional development on his assumption of the office of High Commissioner in December 1928. He consulted representatives of various local interests and, after a careful examination of the position, put forward certain proposals in June 1929. Discussion of the question was, however, suspended in consequence of the disturbances in August 1929.

12. His Majesty's Government have now carefully considered of this question in the light of the present stage of progress and development and with special regard to their obligation to place the country under such political, administrative and economic / conditions as will secure the development of self-governing institutions. They have decided that the time has arrived for a further step in the direction of the grant to the people of Palestine, of a measure of self-government compatible with the terms of the Mandate.

His Majesty's Government accordingly intend to set up a Legislative Council generally on the lines indicated in the statement of British policy in Palestine issued by Mr. Churchill in June 1922, which is reproduced as Appendix 5 to the Report of the Commission on the Palestine disturbances of August 1929.

His Majesty's Government trust that on this occasion they will secure the co-operation of all sections of the population of Palestine. His Majesty's Government desire to make it quite clear that while they would deeply regret an attempt on the part of any section of the population to prevent them from giving effect to their decision, all possible steps will be taken to circumvent such an attempt, if made, since they consider it in the interests of the population of the country as a whole that the further step now proposed should no longer be deferred.

His Majesty's Government would point out that had this Legislature been set up at the time when it was first contemplated the people of Palestine would by now have gained more experience of the working of constitutional machinery. Such experience is indispensable for any progress in constitutional development. The sooner all sections of the population show a desire to co-operate with His Majesty's Government in this respect, the sooner will it be possible for such constitutional development to take place as His Majesty's Government hope to see in Palestine.

There are obvious advantages to be gained by all sections of the population from the establishment of such a Council. It should be of special benefit to the Arab section of the population, who do not at present possess any constitutional means for putting their views on social and economic matters before the Government. Their representatives on the Council which is to be set up will, of course, be in the position, not only to present the views of the Arab section of the population on these and other matters, but also to participate in discussions thereon. A further advantage may accrue to the country as a whole from the establishment of the Legislative Council, viz., that the participation of representatives of both sections of the community as members of the Legislative Council, will tend to improve the relations between the Jews and the Arabs.

18. As stated above, the new Legislative Council will be on the lines indicated in the statement of policy issued in 1922. It will consist of the High Commissioner and 22 members, of whom ten will be official members and 12 unofficial members. Unofficial members of the Council will normally be elected by primary and secondary elections. It is, however, in the view of His Majesty's Government, so important to avoid the repetition of the deadlock which occurred in 1923 that steps will be devised to ensure the appointment of the requisite number of unofficial members to the Council in the event of one or more members failing to be elected on account of the non-co-operation of any section of the population, or for any other reason. The High Commissioner will continue to have the necessary power to ensure that the Mandatory shall be enabled to carry out its obligations to the League of Nations, including any legislation "urgently required, as well as the maintenance of order.

When difference arises as to the fulfilment by the Government of Palestine of the terms of the Mandate, a petition to the League of Nations is admissible under Article 85 of the Order in Council of 1922.

(3) Economic and Social Development

14. Under this head the practical problems to be considered are mainly concerned with, questions relating to land, immigration and unemployment. These three questions are intimately interrelated, with political "as well as economic aspects, and upon their solution must depend any advance that can be hoped for towards settled conditions of peace and prosperity in Palestine.

Since attention was drawn to these matters in the Report of the Shaw Commission, they have formed the subject of detailed investigations on the spot by a Committee appointed by the High Commissioner in April, to examine into the economic condition of agriculturists and the fiscal measures of Government in relation thereto, and also by Sir John Hope Simpson who, on instructions from the Secretary of State for the Colonies, proceeded to Palestine in May in order to examine the questions of immigration, land settlement and development.

15. As a result of these extensive and elaborate investigations, certain conclusions have emerged and certain facts have been established which will now be set out briefly:—

(1) Land.

It can now be definitely stated that at the present time and with the present methods of Arab cultivation there remains no margin of land available for agricultural settlement by new immigrants, with the exception of such undeveloped land as the various Jewish agencies hold in reserve.

There has been much criticism in the past in regard to the relatively small extent of State land which has been made available for Jewish settlement. It is, however, an error to imagine that the Palestine Government is in possession of large areas of vacant land which could be made available for Jewish settlement. The extent of unoccupied areas of Government land is negligible. The Government claims considerable areas which are, in fact, occupied and cultivated by Arabs. Even were the title of the Government to these areas admitted, and it is in many cases disputed, it would not be possible to make these areas available for Jewish settlement, in view of their actual occupation by Arab cultivators and of the importance of making available additional land on which to place the Arab cultivators who are now landless.

The provision of a margin available for settlement depends upon the progress made in increasing the productivity of the land already occupied.

16. It now appears, in the light of the best available estimates, that the area of cultivable land in Palestine (excluding the Beer-Sheba region) is 6,544,000 dunams. This area is considerably less than had hitherto been estimated, previous official estimates being in the neighbourhood of 10 to 11 million dunams.

It also appears that while an area of at least 130 dunams is required to maintain a fellah family in a decent standard of life in the unirrigated tracts, the whole of the cultivable land in the country, excluding the area already in the hands of the Jews, would, were it divided among the existing Arab cultivators, provide an average holding of not more than 90 dunams. In order to provide an average holding of 130 dunams for all Arab cultivators, about 8 million dunams of cultivable land would be required.

It also appears that of the 86,980 rural Arab families in the villages, 29-4 per cent, are landless. It is not known how many of these are families who previously cultivated and have since lost their land. This is one point, among others, upon which, at present, it is not possible to speak with greater precision, but which will, it is hoped, be ascertained in the course of the Census which is to be taken next year.

17. The condition of the Arab fellah leaves much to be desired, and a policy of land development is called for if an improvement in his conditions of life is to be effected.

The sole agencies which have pursued a consistent policy of land development have been the Jewish Colonisation organisations, public and private.

The Jewish settlers have had every advantage that capital, science and organisation could give them. To these and to the energy of the settlers themselves their remarkable progress is due. On the other hand, the Arab population, while lacking the advantages enjoyed by the Jewish settlers, has, by the excess of births over deaths, increased with great rapidity, while the land available for its sustenance has decreased by about a million dunams. This area has passed into Jewish hands.

18. Reference has been made to the energy evinced and the remarkable progress made in Jewish land settlement. It would be unjust to accept the contention, which has been advanced in the course of the controversy regarding relations between Jews and Arabs in Palestine, that the effect of Jewish settlement upon the Arab population has in all cases been detrimental to the interests of the Arabs. This is by no means wholly true, but it is necessary in considering this aspect of the problem to differentiate between colonisation by such bodies as the Palestine Jewish Colonisation Association (commonly known as the P.I.C.A.) and colonisation under Zionist auspices.

In so far as the past policy of the P.I.C.A. is concerned, there can be no doubt that the Arab has profited largely by the installation of the Colonies, and relations between the colonists and their Arab neighbours have in the past been excellent. The cases which are now quoted by the Jewish authorities in support of the contention that the effect of Jewish colonisation on the Arabs in the neighbourhood has been advantageous, are cases relating to Colonies established by the P.I.C.A. before colonisation financed from the Palestine Foundation Fund, which is the main financial instrument of the Jewish Agency, came into existence.

Some of the attempts which have been made to prove that Zionist colonisation has not had the effect of causing the previous tenants of land acquired to join the landless class have on examination proved to be unconvincing, if not fallacious.

19. Moreover, the effect of Jewish colonisation on the existing population is very intimately affected by the conditions on which the various Jewish bodies hold, utilise and lease their land. It is provided by the Constitution of the Enlarged Jewish Agency, signed at Zurich on the 14th August, 1929 (Article 3 (d) and (e)), that the land acquired shall be held as the "inalienable property of the Jewish people," and that in "all the works or undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed." Moreover, by Article 23 of the draft lease, which it is proposed to execute in respect of all holdings granted by the Jewish National Fund, the lessee undertakes to execute all works connected with the cultivation of the holdings only with Jewish labour. Stringent conditions are imposed to ensure the observance of this under-taking.

An undertaking binding settlers in the Colonies of the Maritime Plain to hire Jewish workmen only, whenever they may be obliged to hire help, is inserted in the Agreement for the repayment of advances made by the Palestine Foundation Fund. Similar provision is contained in the Agreement for the Emek Colonies.

These stringent provisions are difficult to reconcile with the declaration at the Zionist Congress of 1921 of "the desire of the Jewish people to live with the Arab people in relations of friendship and mutual respect, and, together, with the Arab people, to develop the homeland common to both into a prosperous community which would ensure the growth of the peoples."

20. The Jewish leaders have been perfectly frank in their justification of this policy. The Executive of the General Federation of Jewish Labour, which exercises a very important influence on the direction of Zionist policy, has contended that such restrictions are necessary to secure the largest possible amount of Jewish immigration and to safeguard the standard of life of the Jewish labourer from the danger of falling to the lower standard of the Arab.

However logical such arguments may be from the point of view of a purely national movement, it must, nevertheless, be pointed out that they take no account of the provisions of Article 6 of the Mandate, which expressly requires that, in facilitating Jewish immigration and close settlement by Jews on the land, the Administration of Palestine must ensure that "the rights and position of other sections of the population are not prejudiced."

(2) Agricultural Development.

21. As indicated in the immediately preceding paragraph, it is the duty of the Administration under the Mandate to ensure that the position of the "other sections of the population" is not prejudiced by Jewish immigration. Also, it is its duty under the Mandate to encourage close settlement of the Jews on the land, subject always to the former condition.

22. As a result of recent investigations, His Majesty's Government are satisfied that, in order to attain these objects, a more methodical agricultural development is called for with the object of ensuring a better use of the land.

23. Only by the adoption of such a policy will additional Jewish agricultural settlement be possible consistently with the conditions laid down in Article 6 of the Mandate. The result desired will not be obtained except by years of work. It is for this reason fortunate that the Jewish organisations are in possession of a large reserve of land not yet settled or developed. Their operations can continue without break, while more general steps of development, in the benefits of which Jews and Arabs can both share, are being worked out. During this period, however, the control of all disposition of land must of necessity rest with the authority in charge of the development. Transfers of land will be permitted only

in so far as they do not interfere with the plans of that authority. Having regard to the responsibilities of the Mandatory Power, it is clear that this authority must be the Palestine Administration.

24. Among the problems which will have to be considered are those of irrigation, the co-ordination of development with the activities of the Department of Agriculture and other Government Departments, and the determination of their respective spheres of action so as to avoid friction and overlapping, and to obtain the greatest efficiency in co-ordinated effort.

Consideration must also be given to the protection of tenants by some form of occupancy right, or by other means, to secure them against ejection or the imposition of excessive rental.

Closely associated with any development must be the acceleration of the work of settlement by the ascertainment of title and the registration of tenancies. In this connection an important problem is presented by the large proportion of Arab village land which is held under the tenure-in-common known as *mesha'a*. Nearly half of the Arab villages are held on *mesha'a* tenure and there is a consensus of opinion that this system is a great obstacle to the agricultural development of the Country.

The constitution of co-operative societies among the fellahin appears to be an important preliminary to their advancement. The whole question has recently been under examination on behalf of the Palestine Government by an expert with great experience.

25. The finances of Palestine have been severely strained by the necessity of providing for large increases in its security forces. These increases have been deemed essential in the light of the events of the autumn of 1929, and it is not possible to forecast the time that must elapse before it will be thought safe to reduce expenditure on this account. That must largely depend on the success of the policy now envisaged, and on the extent of the improvement in mutual relations between Arabs and Jews which His Majesty's Government hope will be one of its results.

It is part of the general policy of His Majesty's Government that Palestine should be self-supporting. The improvement of agricultural conditions contemplated will not only take time, but will involve considerable expenditure, though it is to be hoped that part of the outlay will prove to be recoverable. His Majesty's Government are giving earnest consideration to the financial position which arises out of this situation, and steps are being taken to concert the necessary measures to give effect to their policy.

(8) *Immigration.*

26. The whole system under which immigration into Palestine is controlled by the Administration has recently been most carefully examined, and in the month of May it was considered necessary by His Majesty's Government, whilst leaving undisturbed Jewish immigration in its various other forms, to suspend the further issue of certificates for the admission of immigrants under the Labour Schedule - *i.e.*, as employed persons (over and above the 950 already sanctioned) for the half year ending the 30th September, 1930, pending the result of this examination and the determination of future policy. This examination has revealed certain weaknesses in the existing system. It has been shown that under it there have been many cases of persons being admitted, who, if all the facts had been known, should not have received visas. No effective Government control exists in regard to the selection of immigrants from abroad, with the result that there are no adequate safeguards against irregularities in connection with the issue of immigration certificates, and also against the immigration of undesirables. A further unsatisfactory feature is that a large number of travellers, who enter Palestine with permission to remain for a limited time, stay on without sanction. It is calculated that the number of such cases during the last three years amounted to 7,800. Another serious feature is the number of persons who evade the frontier control.

In any attempt to devise adequate Government machinery for the control of immigration, account must be taken of the important part at present played in connection with Jewish immigration by the General Federation of Jewish Labour. The influence of the General Federation is far-reaching and its activities are manifold. It constitutes an important factor within the World Zionist movement, and at

the last Zionist Congress more than a quarter of the total number of delegates represented such Zionist circles, both in Palestine and abroad, as are identified with the Federation. The influence which the Federation is able to exert upon immigrants is shown by the fact that its members are not permitted to have recourse to the Courts of the country in cases of dispute with another member. It has its own Courts of First and Second Instance and its Labour High Court, to which appeals from the subordinate Tribunals lie. The Federation has adopted a policy which implies the introduction in Palestine of a new social order based on communal settlements and the principle of "self labour" (*i.e.*, that each man should work for himself and avoid the employment of hired labourers). Where self-labour is impossible it insists on the employment of Jewish labour exclusively by all Jewish employers.

In view of its responsibilities under the Mandate, it is essential that the Palestine Government, as the agent of the Mandatory Power, should be the deciding authority in all matters of policy relating to immigration, especially having regard to its close relation to unemployment and land development policy. No adequate improvement in existing machinery can be devised unless a *modus vivendi* is established between the Government on the one hand and the Jewish Agency on the other, in regard to their respective functions, and full account must be taken of the influence exerted in the policy of the Agency by the General Federation of Jewish labour.

27. As regards the relation of immigration to unemployment, great difficulties at present exist owing to the absence of efficient machinery for estimating the degree of unemployment existing at any time. This is especially true as regards the Arab section of the community. While no reliable statistics are available, sufficient evidence has been adduced to lead to the conclusion that there is at present a serious degree of Arab unemployment, and that Jewish unemployment likewise exists to an extent which constitutes a definitely unsatisfactory feature. It may be regarded as clearly established that the preparation of the Labour Schedule must depend upon the ascertainment of the total of unemployed in Palestine. It follows that the extent of that unemployment must be accurately determined, and His Majesty's Government will give serious consideration to devising machinery for this purpose. The economic capacity of the country to absorb new immigrants must therefore be judged with reference to the position of Palestine as a whole in regard to unemployment, and care must also be exercised in ascertaining that economic capacity, to make allowances for any demand for labour, which, owing to increased circulation of money connected with expenditure on development or for other causes, may be regarded as of a temporary character.

28. Article 6 of the Mandate directs that the rights and position of the other sections of the population shall not be prejudiced by Jewish immigration. Clearly, if immigration of Jews results in preventing the Arab population from obtaining the work necessary for its maintenance, or if Jewish unemployment unfavourably affects the general labour position, it is the duty of the Mandatory Power under the Mandate to reduce, or, if necessary, to suspend, such immigration until the unemployed portion of the "other sections" is in a position to obtain work. It may here be remarked that in the light of the examination to which immigration and unemployment problems have been subjected, His Majesty's Government regard their action in the suspension of immigration under the Labour Schedule last May as fully justified.

It has been argued that the High Commissioner's approval of the issue of Immigration Certificates under the Labour Schedule implied that there was room for the admission of immigrants of the working class, and that, in consequence, His Majesty's Government, in suspending the issue of those certificates, must have been influenced by political considerations. This is not the case. In arriving at their decision to suspend the issue of the certificates, His Majesty's Government had in mind the opinions expressed in the Report of the Shaw Commission that there was a shortage of land and that immigration should be more closely controlled. It was realised that these issues called for expert examination, but His Majesty's Government felt that, until they had been so examined, no steps should be taken which might aggravate an economic situation which, in the opinion of the majority of the Shaw Commission, was already such as to afford ground for anxiety.

Any hasty decision in regard to more unrestricted Jewish immigration is to be strongly deprecated, not only from the point of view of the interests of the Palestine population as a whole, but even from

the special point of view of the Jewish community. So long as widespread suspicion exists, and it does exist, amongst the Arab population, that the economic depression, under which they undoubtedly suffer at present, is largely due to excessive Jewish immigration, and so long as some grounds exist upon which this suspicion may be plausibly represented to be well founded, there can be little hope of any improvement in the mutual relations of the two races. But it is upon such improvement that the future peace and prosperity of Palestine must largely depend.

It is hoped that changes may be devised in the method of the preparation of the Labour Schedule which will tend to promote amicable relations between the Jewish authorities in Palestine and the Immigration Department. It is clearly desirable to establish closer co-operation and consultation between the Jewish authorities and the Government, and the closer and more cordial co-operation becomes, the easier it should be to arrive at an agreed Schedule based upon a thorough understanding, on both sides, of the economic needs of the country.

29. As has been shown in the foregoing paragraphs, the three problems of development, immigration and unemployment are closely inter-related, and upon the evolution of a policy which will take full account of these three factors must depend the future of Palestine. It is only in a peaceful and prosperous Palestine that the ideals of the Jewish National Home can in any sense be realised, and it is only by cordial co-operation between the Jews, the Arabs and the Government that prosperity can be secured.

The situation revealed by exhaustive examination of the various economic, political and social factors involved, makes it clear that Palestine has reached a critical moment in its development. In the past it may be said that the Government has left economic and social forces to operate with the minimum of interference or control, but it has become increasingly clear that such a policy can no longer continue. It is only the closest co-operation between the Government and the leaders of the Arab and Jewish communities that can prevent Palestine from drifting into a situation which would imperil, on the one hand, the devoted work of those who have sought to build up the Jewish National Home, and, on the other, the interests of the majority of the population who at present possess few resources of their own with which to sustain the struggle for existence. What is required is that both races should consent to live together and to respect each other's needs and claims. To the Arabs His Majesty's Government would appeal for a recognition of the facts of the situation, and for a sustained effort at co-operation in obtaining that prosperity for the country as a whole by which all will benefit. From the Jewish leaders, His Majesty's Government ask a recognition of the necessity for making some concessions on their side in regard to the independent and separatist ideals which have been developed in some quarters in connection with the Jewish National Home, and for accepting it as an active factor in the orientation of their policy that the general development of the country shall be carried out in such a way that the interests of the Arabs and Jews may each receive adequate consideration, with the object of developing prosperity throughout the country under conditions which will give no grounds for charges of partiality upon the one side or upon the other, but will permit of the Arab and Jewish communities developing in harmony and contentment.



REPORT OF THE COMMISSION APPOINTED BY HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, WITH THE APPROVAL OF THE COUNCIL OF THE LEAGUE OF NATIONS, TO DETERMINE THE RIGHTS AND CLAIMS OF MUSLIMS AND JEWS IN CONNECTION WITH THE WESTERN OR WAILING WALL AT JERUSALEM, DECEMBER 1930 [EXCERPTS]

[Report of the commission appointed to enquire on sovereignty of Holy Places in Jerusalem following clashes between Arabs and Jews over claims on the Wall in 1929. The Commission was appointed in order to make an authoritative statement on the religious status quo of the Wailing Wall. Religious authorities and others were interviewed and written evidence was produced by the two parties. The following excerpts are the introduction and the conclusion of the report.]

The RIGHT HONOURABLE ARTHUR HENDERSON, M.P., HIS BRITANNIC MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR FOREIGN AFFAIRS, Etc., Etc., Etc.

The International Commission for the Wailing Wall has the honour to submit the following report to His Britannic Majesty's Government.

The Commission understands that a copy of the report will be forwarded to the Council of the League of Nations.

I. INTRODUCTION.

After the disturbances which occurred in Palestine in August, 1929, His Britannic Majesty's Secretary of State for the Colonies appointed a Commission on the 13th of September to enquire into the immediate causes that had led to that outbreak and to make recommendations as to the steps necessary to avoid a recurrence.

The said Commission of Enquiry communicated to the Secretary of State for the Colonies amongst other desiderata, in December, 1929, a recommendation that His Majesty's Government should take such steps as lay within their power to secure the early appointment, under Article 14 of the Mandate for Palestine, of an *ad hoc* Commission to determine the rights and claims in connection with the Wailing Wall in Jerusalem. It was the view of the Commission of Enquiry that an early determination of rights and claims connected with the Wailing Wall was a measure essential in the interests of peace and good government in Palestine. The Commission considered, therefore, that the constitution of a Commission for the said purpose and its departure for the country should be expedited by every possible means.

At the ensuing meeting of the Council of the League of Nations the British Delegation made certain proposals in accordance with the said recommendations of the Commission of Enquiry. The Council of the League, having heard the views of the Permanent Mandates Commission, adopted the following resolution on the 14th of January, 1930:

"The Council,

"Being anxious to place the Mandatory Power, in accordance with its request, in a position to carry out the responsibilities laid upon it by Article 18 of the Mandate for Palestine under the most favourable conditions for safeguarding the material and moral interests of the population placed under its mandate;

"Wishing not to prejudge, in any way, the solution of the problems relating to the question of the holy places of Palestine, which may have to be settled in the future;

"Considering, however, that the question of the rights and claims of the Jews and Muslims with regard to the Wailing Wall urgently calls for final settlement:

"Decides that,

"(1) A Commission shall be entrusted with this settlement;

"(2) This Commission shall consist of three members who shall not be of British nationality and at least one of whom shall be a person eminently qualified for the purpose by the judicial functions he has performed;

"(3) The names of the persons whom the mandatory Power intends to appoint as members of the Commission shall be submitted for approval to the Council whose members shall be consulted by the President if the Council is no longer in session;

"(4) The duties of the Commission shall cease as soon as it has pronounced on the rights and claims mentioned above."

For further details relative to the circumstances under which the Commission was nominated we beg to refer to the report of the Shaw Commission (*Cmd. 3530*), which we will have to quote at several occasions in the following.

The British Government in a letter to the Secretary-General of the League of Nations dated 12th May, 1930, notified the names of the persons whom they had selected to be members of the Commission, viz., the undersigned.

ELIEL LÖFGREN, formerly Swedish Minister for Foreign Affairs, Member of the Upper Chamber of the Swedish Riksdag (to act as Chairman),

CHARLES BARDE, Vice-President of the Court of Justice at Geneva, President of the Austro-Roumanian Mixed Arbitration Tribunal, and

J. VAN KEMPEN, formerly Governor of the East Coast of Sumatra, Member of the States-General of the Netherlands.

The composition of the Commission as proposed by the British Government was approved by the Council of the League on the 15th of May, 1930. The Commissioners were officially informed of their nomination by letters from the British Foreign Office dated the 26th of May. MR. STIG SAHLIN, of the Swedish diplomatic service, has acted as Secretary to the Commission.

The members of the Commission assembled for the first time at Genoa on the 12th of June and sailed for Palestine on the following day, having been furnished before their departure with the various documents relative to matters connected with the Wailing Wall that had up to then been published by the League of Nations and by the British Government (e.g., reports, despatches, memoranda, minutes of proceedings, etc.).

The Commission arrived at Jerusalem on the 19th of June and stayed in Palestine for one month, leaving Jerusalem on the 19th of July. The first meeting of the Commission was held on Monday, the 23rd of June, the 20th and 21st being blank days as Friday and Saturday are kept as holy days by one or other of the Parties concerned. During their stay in Jerusalem the Commission held one or two meetings on practically every weekday, Fridays and Saturdays excepted. In all there were held 23 meetings, of which the first was occupied with introductory speeches and with a discussion as to the procedure to be followed, while the last four meetings were occupied with the closing speeches. At the other 18 meetings the Commission was engaged in the hearing of evidence. All the meetings were held in the Government Offices Building near the Damascus Gate. A complete record of the proceedings is attached hereto (Appendix I).²¹

At the opening meeting the Chairman stated that the aim in view of the Commission, in carrying out the task entrusted to it, was to make an impartial and, if possible, complete inquiry into the questions connected with the Wailing Wall and, as a result of the said inquiry, to pronounce a verdict which would be based wholly and solely on the Commissioners' candid convictions upon the bearing of law and equity to the case in dispute. This being what the Commission had in view, the Chairman appealed to the Parties concerned to give them all the necessary assistance in the carrying out of their work.

At the same meeting it was agreed that during the proceedings there was to be one set of authorized and recognized representatives to act as Counsel for each of the two disputing Parties. Pursuant to that agreement the Counsel for the Jewish Side - DR. M. ELIASH, MR. DAVID YELLIN, and RABBI M. BLAU - presented credentials from the Rabbinate of Palestine, the World Association of Rabbis, the Jewish Agency for Palestine, the Vaad Leumi and the Agudath Israel. The Counsel for the Muslim Side had been authorized to act as such by the Supreme Muslim Council. The following persons represented the Muslim Side:- AOUNI BEY ABDULHADI, AMIN BEY EL TAMINI, AMIN BEY ABDULHADI, SHEIK SULEIMAN, EFFENDI JOUKHADAR, AHMED ZAKI PASHA, FAKHRI BEY EL HUSSEINI, FAKHRI BEY EL BAROUDI, FAIZ BEY EL KOURY, SHEIK HASAN EFFENDI ABU SOUD, JAMAL EFFENDI EL HUSSEINI, IZZAT EFFENDI DARWAZA, MOHAMED ALI PASHA, SHEIKH RAGHEB EFFENDI DAJANI, ABDULLAHAI FAZALALLY, ABDULLALY JEWABHAI and SHEIKH HASSAN AL-ANSARI. Including the members of the various delegations who appeared

²¹ Not printed. A copy can be seen in the Colonial Office Library.

before the Commission, the above-named persons may be said to have represented Muslims from practically every country in the world with a Muslim population, including Morocco, Algeria, Tripolis, Egypt, and other African countries, Palestine, Syria, Trans-Jordan, Iraq, Persia, British India, the Dutch East Indies, and other countries in the Near and Far East.

It was arranged with the due consent of the Parties that the Jewish Side should be considered as the plaintiff and thus have, to open the case, while the Muslim Side were to be considered as the defendant.

As to the procedure to be adopted, it was decided with the consent of the Parties that as far as possible the ordinary judicial methods of the English courts should be observed. Thus, the Counsel for the Parties were to call and examine witnesses, to procure and lay before the Commission relevant expert and documentary evidence, to cross-examine the witnesses called by the other Party and to plead in the case whenever they should deem it expedient. The Commissioners on the other hand would, as a rule, confine themselves to listening to what the witnesses called by the Parties had to say and to any other evidence adduced, reserving to themselves, however, the right to examine additional witnesses *ex officio* or if requested to do so by the Palestine Government. The Commission as such was not empowered to swear witnesses, but witnesses could be sworn or caused to give a corresponding solemn affirmation before the appropriate Magistrate at Jerusalem in conformance with Palestine Law.

During the meetings 52 witnesses were examined, 21 of them being called by the Jewish Counsel, 30 by the Muslim Counsel, and 1, a British official, by the Commission. A list of the meetings and of the witnesses whose evidence was given before the Commission is annexed to this Report (Appendix II). During the meetings 61 documents or collections of documents were produced. Of those 35 were presented by the Jewish Side and 26 by the Muslim. A synopsis of them is given in Appendix III.

The Commissioners also adopted various measures, apart from the regular meetings, to obtain as complete a body of information as possible concerning questions relating to the matter at issue. Thus, upon their arrival at Jerusalem, they paid visits, accompanied by British officials, to the Harem-esh-Sherif and its Mosques, to the Wailing Wall and its environs, and also visited the principal Synagogues of the Ashkenazi and the Sephardi Communities of the Jewish population. By that means the Commissioners had the opportunity of studying on the spot the situation, surroundings, and special character of the various buildings, and also a number of other circumstances bearing on the dispute as well as the practices and the rites of the respective confessions. Moreover, the Commissioners went several times privately and unattended to the Wailing Wall and to the Harem-esh-Sherif. Furthermore, the Commissioners delegated one of their Members to the Muslim Shari'a Court in Jerusalem in order that, in conjunction with the Counsel of the two Parties and the appropriate officials of the Court, he might there inspect the title-deeds relating to the Wailing Wall and its surroundings.

In view of the particular interest attaching to the *status quo* of the Christian Holy Places, the Commissioners paid prolonged visits especially to the Church of the Holy Sepulchre at Jerusalem and the Church of the Nativity at Bethlehem at which well-qualified British officials and the officiating functionaries or the different Christian churches explained to the Commissioners the particular conditions of the *status quo*.

During the whole course of the proceedings the representatives of the two Parties afforded every assistance to the Commission in its inquiry both very willingly and very efficiently.

Very valuable services were rendered to the Commission by the Palestine Government and their various officials. The Commissioners desire especially to express here their appreciation of the spirit of trustfulness in which this assistance was given them. Previous to their departure from Palestine, they expressed their thanks in a letter, printed at the close of this Report (Appendix IV).

Finally, it ought to be mentioned that the Commissioners - although the mandate entrusted to them did not explicitly refer to conciliation - thought it a duty incumbent upon them to try to bring about a friendly settlement between the Parties. In order if possible to achieve that object, numerous meetings

were held with the representatives of the two Parties both separately and jointly *in camera*. At the closing meeting the Chairman again emphasized the point to the Parties that an agreed solution would be very much preferable to a verdict and promised that the Commission would hold the door open, until the 1st of September, for proposals and agreements from the Parties directed towards that end. After the Commission had left Palestine, the negotiations between the Parties were continued in the presence of representatives of the Palestine Government. In response to the requests addressed to the Commission, the delay accorded to the Parties was extended, on the first occasion until the 15th of September and, later, until the 8th of October. It is with great regret that the Commission has had to ascertain the failure, up to the present time, of the said negotiations.

Thereupon the Commission met at Stockholm, 27th October to 1st November. The concluding meeting was held in Paris, 28th November to 1st December. [...].

The conclusions arrived at by the Commission on the basis of the reasoning and evidence adduced above, may be summed up as follows:

A. To the Muslims belong the sole ownership of, and the sole proprietary right to, the Western Wall, seeing that it forms an integral part of the Haram-esh-Sherif area, which is a Waqf property.

To the Muslims there also belongs the ownership of the Pavement in front of the Wall and of the adjacent so-called Moghrabi (Moroccan) Quarter opposite the Wall, inasmuch as the last-mentioned property was made Waqf under Muslim Shari'a Law, it being dedicated to charitable purposes.

Such appurtenances of worship and/or such other objects as the Jews may be entitled to place near the Wall either in conformity with the provisions of this present Verdict or by agreement come to between the Parties shall under no circumstances be considered as, or have the effect of, establishing for them any sort of proprietary right to the Wall or to the adjacent Pavement.

On the other hand the Muslims shall be under the obligation not to construct or build any edifice or to demolish or repair any building within the Waqf property (Haram area and Moghrabi Quarter) adjacent to the Wall, in such a manner that the said work would encroach on the Pavement or impair the access of the Jews to the Wall or involve any disturbance to, or interference with, the Jews during the times of their devotional visits to the Wall, if it can in any way be avoided.

B. The Jews shall have free access to the Western Wall for the purpose of devotions at all times subject to the explicit stipulations hereinafter to be mentioned, viz.,

- (1) The temporary instructions issued by the Palestine Administration at the end of September, 1929, relative to "appurtenances of worship" (see Section 2, a, b, c), are to be made permanent, subject however to the one modification that it shall be permissible to place near the Wall the Cabinet or Ark containing the Scroll or Scrolls of the Law and the Table on which the Ark stands and the Table on which the Scroll is laid when being read from, but only on the following occasions, viz.,
 - (a) at any special fast and assembly for public prayer that the Chief Rabbis of Jerusalem may order to be held in the consequence of some public distress or calamity, provided due notice shall have been given by them to the Administration;
 - (b) on New Year's Day and on the Day of Atonement, and also on any other special "holy days" that are recognised by the Government as such days on which it has been customary for the Ark containing the Scrolls of the Law to be brought to the Wall.

Save as provided in the articles of this Verdict it shall not be permissible to have any appurtenances of worship in the vicinity of the Wall.

- (2) No objection or obstacle shall be raised to the Jews, in their individual capacity, carrying with them to the Wall hand-books or other articles customarily used at their devotions either as a general thing or upon special occasions, nor to their wearing such garments as were of old used at their devotions.
- (3) The temporarily enacted prohibitions against the bringing to the Wall of benches, carpets or matings, chairs, curtains and screens, etc., and against the driving of animals at certain hours along the Pavement are to be made absolute, as is also the injunction as to keeping the door at the southern end of the Wall locked during certain hours. The right, however, for Muslims to go to and fro in an ordinary way along the Pavement shall be respected and remain inviolable as hitherto.
- (4) It shall be prohibited to bring to the Wall any tent or a curtain or any similar object with a view to placing it there even though for a limited space of time.
- (5) The Jews shall not be permitted to blow the ram's horn (Shofar) near the Wall nor cause any other disturbance to the Muslims that is avoidable; the Muslims on the other hand shall not be permitted to carry out the Zikr ceremony close to the Pavement during the progress of the Jewish devotions or to cause annoyance to the Jews in any other way.
- (6) It is to be understood that the Administration shall be entitled to give such instructions as they may think fit respecting the dimensions of each of the objects that it is permissible for the Jews to bring to the Wall, respecting the particular days and hours above referred to, and also respecting other details that may be necessary for the adequate and complete carrying out of this present Verdict of the Commission.
- (7) It shall be prohibited for any person or persons to make use of the place in front of the Wall or its surroundings for all political speeches or utterances or demonstrations of any kind whatever.
- (8) It shall be held to be a matter of common interest to Muslims and Jews alike that the Western Wall should not be disfigured by having any engravings or inscriptions placed upon it or by having nails or similar objects driven into it and also that the Pavement in front of the Wall should be kept clean and be properly respected by Muslims and Jews alike; it is herewith declared to be the Muslims' right and duty to have the Pavement cleaned and repaired, if and when that is necessary, upon due notice being given to the Administration.
- (9) Owing to the Wall's character as an historical monument its fitting maintenance shall be entrusted to the Palestine Administration, so that any repairs to it that may be necessary shall be carried out by them and under their supervision though only after consultation with the Supreme Muslim Council and the Rabbinical Council for Palestine.
- (10) If any repairs to the Pavement that are necessary are not attended to by the Muslims in due time, the Palestine Administration shall take the necessary steps to have the work done.
- (11) The Chief Rabbis of Jerusalem shall be required to nominate one or more officials to be their authorized representative or representatives for receiving the instructions and other communications that will be issued from time to time by the Palestine Administration regarding the Western Wall, the Pavement in front of it, and the formalities to be observed with regard to the Jewish devotions near the Wall.

The contentious problem that the Commission has had to deal with does not owe its existence to two different conceptions regarding a standard of law that both the contending Parties recognize and accept. On the contrary it has arisen out of an existing incompatibility in actual principles of right and religious faith, and is all the more far-reaching in character from each of the Parties being of the firm conviction that the issue of the contention will affect interests that are, for them, of ideal moment and which they cannot forgo. In carrying out its task the Commission has furthermore had to take into consideration the circumstance that the contentious question has not been referred to it for settlement by the Parties themselves that are most nearly concerned in it.

That being so, the Commission recognizes, as has been already pointed out in the introduction to this pronouncement, that the ready willingness displayed by both Parties to assist the Commission in its inquiries on the spot has been of inestimable advantage to the Commissioners. That kindly attitude has indeed prompted the hope in the minds of the Commissioners that on the basis of this investigation the Parties might be able to arrive at an amicable agreement for settling their mutual differences, an outcome which in this instance would be far preferable to any settlement which is more or less forced upon them. It has not, however, up to the present, proved possible for any such agreement to be arrived at and consequently the Commission has had no other course open to it than to pronounce its Verdict. The contents of the Verdict have been drawn up exclusively on the basis of the opinion that the Commission has formed regarding the merits of the case, judged in the main from the same point of view as is reflected both in 'the present Mandate and in the administration of the earlier regime with regard to the relations to one another of differing creeds in Palestine.

In addition to what has been said earlier with regard thereto, it is fitting here to recall the fact that, in the Treaty between the European Great Powers and Turkey for the settlement of the affairs of the East, signed on 13th July, 1878, the Sublime Porte made a spontaneous declaration, in which there was expressed the intention to maintain the principle of religious liberty and to give it the widest scope (Article LXII).

In regard to the particular case that the Commission has been appointed to inquire into, this lofty principle cannot be put into practice, unless the adherents of the differing creeds are prepared, in observance of the rules set forth above, to show each other due consideration as regards the one Party in the exercise of their incontestable rights of ownership and possession, and as regards the other in the performance of their religious services on a ground which does not belong to them by right of possession.

The Commission ventures to entertain the hope that, having regard to the actual position of affairs and of what is dependent thereupon, both Muslims and Jews will accept and respect the Commission's Verdict with that earnest desire to attain mutual understanding that is so important a pre-requisite both for the furtherance of the common interest of the Parties in Palestine and for ensuring a peaceable development in the World at large.

In its pronouncements and decisions the Commission is unanimous.

December, 1930.

ELIEL LÖFGREN

CHARLES BARDE

C. J. VAN KEMPEN

STIG SAHLIN



**BRITISH PRIME MINISTER RAMSAY MACDONALD, LETTER TO
CHAIM WEIZMANN, PRESIDENT OF THE WORLD ZIONIST ORGANIZATION,
("BLACK LETTER"), 13 FEBRUARY 1931**

[After the Passfield White Paper of 1 Oct. 1930 (see above) evoked huge opposition from the Zionist movement it was rescinded effectively in this letter in which PM MacDonald denied that his govt. had intended to stop immigration; in fact, in subsequent years, Jewish immigration to Palestine increased significantly. The letter was a blow to the Arabs, who hence referred to it as "Black Letter".]

Dear Dr. Weizmann:

In order to remove certain misconceptions and misunderstandings which have arisen as to the policy of his Majesty's Government with regard to Palestine, as set forth in the White Paper of October, 1930, and which were the subject of a debate in the House of Commons on Nov. 17, and also to meet certain criticism put forward by the Jewish Agency, I have pleasure in forwarding you the following

statement of our position, which will fall to be read as the authoritative interpretation of the White Paper on the matters with which this letter deals.

It has been said that the policy of his Majesty's Government involves a serious departure from the obligations of the mandate as hitherto understood; that it misconceives the mandatory obligations, and that it foreshadows a policy which is inconsistent with the obligations of the mandatory to the Jewish people.

His Majesty's Government did not regard it as necessary to quote *in extenso* the declarations of policy which have been previously made, but attention is drawn to the fact that, not only does the White Paper of 1930 refer to and endorse the White Paper of 1922, which has been accepted by the Jewish Agency, but it recognizes that the undertaking of the mandate is an undertaking to the Jewish people and not only to the Jewish population of Palestine. The White Paper places in the foreground of its statement my speech in the House of Commons on the 3d of April, 1930, in which I announced, in words that could not have been made more plain, that it was the intention of his Majesty's Government to continue to administer Palestine in accordance with the terms of the mandate as approved by the Council of the League of Nations. That position has been reaffirmed and again made plain by my speech in the House of Commons on the 17th of November. In my speech on the 3d of April I used the following languages:

His Majesty's Government will continue to administer Palestine in accordance with the terms of the mandate as approved by the Council of the League of Nations. This is an international obligation from which there can be no question of receding.

Under the terms of the mandate his Majesty's Government are responsible for promoting the establishment of a national home for the Jewish people, it being clearly understood that nothing shall be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.

A double undertaking is involved, to the Jewish people on the one hand and to the non-Jewish population of Palestine on the other; and it is the firm resolve of his Majesty's Government to give effect, in equal measure, to both parts of the declaration and to do equal justice to all sections of the population of Palestine. That is a duty from which they will not shrink and to discharge of which they will apply all the resources at their command.

That declaration is in conformity not only with the articles but also with the preamble of the mandate, which is hereby explicitly reaffirmed.

In carrying out the policy of the mandate the mandatory cannot ignore the existence of the differing interests and viewpoints. These, indeed, are not in themselves irreconcilable, but they can only be reconciled if there is a proper realization that the full solution of the problem depends upon an understanding between the Jews and the Arabs. Until that is reached, considerations of balance must inevitably enter into the definition on policy.

A good deal of criticism has been directed to the White Paper upon the assertion that it contains injurious allegations against the Jewish people and Jewish labor organizations. Any such intention on the part of his Majesty's Government is expressly disavowed. It is recognized that the Jewish Agency have all along given willing cooperation in carrying out the policy of the mandate and that the constructive work done by the Jewish people in Palestine has had beneficial effects on the development and well-being of the country as a whole. His Majesty's Government also recognizes the value of the services of labor and trades union organizations in Palestine, to which they desire to give every encouragement.

A question has arisen as to the meaning to be attached to the words 'safeguarding the civil and religious rights of all inhabitants of Palestine irrespective of race and religion' occurring in Article II, and the words 'insuring that the rights and position of the sections of the population are not prejudiced' occurring in Article VI of the mandate. The words 'safeguarding the civil and religious rights' occurring

in Article II cannot be read as meaning that the civil and religious rights of individual citizens are unalterable. In the case of Suleiman Murra, to which reference has been made, the Privy Council, in construing these words of Article II said 'It does not mean ... that all the civil rights of every inhabitant of Palestine which existed at the date of the mandate are to remain unaltered throughout its duration; for if that were to be a condition of the mandatory jurisdiction, no effective legislation would be possible.' The words, accordingly, must be read in another sense, and the key to the true purpose and meaning of the sentence is to be found in the concluding words of the article, 'irrespective of race and religion.' These words indicate that in respect of civil and religious rights the mandatory is not to discriminate between persons on the ground of religion or race, and this protective provision applies equally to Jews, Arabs and all sections of the population.

The words 'rights and position of other sections of the population,' occurring in Article VI, plainly refer to the non-Jewish community. These rights and position are not TO BE prejudiced; that is, are not to be impaired or made worse. The effect of the policy of immigration and settlement on the economic position of the non-Jewish community cannot be excluded from consideration. But the words are not to be read as implying that existing economic conditions in Palestine should be crystallized. On the contrary, the obligation to facilitate Jewish immigration and to encourage close settlement by Jews on the land remains a positive obligation of the mandate and it can be fulfilled without prejudice to the rights and position of other sections of the population of Palestine.

We may proceed to the contention that the mandate has been interpreted in a manner highly prejudicial to Jewish interests in the vital matters of land settlement and immigration. It has been said that the policy of the White Paper would place an embargo on immigration and would suspend, if not indeed terminate, the close settlement of the Jews on the land, which is a primary purpose of the mandate. In support of this contention particular stress has been laid upon the passage referring to State lands in the White Paper, which says that 'it would not be possible to make available for Jewish settlement in view of their actual occupation by Arab cultivators and of the importance of making available suitable land on which to place the Arab cultivators who are now landless.'

The language of this passage needs to be read in the light of the policy as a whole. It is desirable to make it clear that the landless Arabs, to whom it was intended to refer in the passage quoted, were such Arabs as can be shown to have been displaced from the lands which they occupied in consequence of the land passing into Jewish hands, and who have not obtained other holdings on which they can establish themselves, or other equally satisfactory occupation. The number of such displaced Arabs must be a matter for careful inquiry. It is to landless Arabs within this category that his Majesty's Government feels itself under an obligation to facilitate their settlement upon the land. The recognition of this obligation in no way detracts from the larger purposes of development which his Majesty's Government regards as the most effectual means of furthering the establishment of a national home for the Jews

Further, the statement of policy of his Majesty's Government did not imply a prohibition of acquisition of additional land by Jews. It contains no such prohibition, nor is any such intended. What it does contemplate is such temporary control of land disposition and transfers as may be necessary not to impair the harmony and effectiveness of the scheme of land settlement to be undertaken. His Majesty's Government feels bound to point out that it alone of the governments which have been responsible for the administration of Palestine since the acceptance of the mandate has declared its definite intention to initiate an active policy of development, which it is believed will result in a substantial and lasting benefit to both Jews and Arabs.

Cognate to this question is the control of immigration. It must first of all be pointed out that such control is not in any sense a departure from previous policy. From 1920 onward, when the original immigration ordinance came into force, regulations for the control of immigration have been issued from time to time, directed to prevent illicit entry and to define and facilitate authorized entry. This right of regulation has at no time been challenged.

But the intention of his Majesty's Government appears to have been represented as being that 'no further immigration of Jews is to be permitted so long as it might prevent any Arab from obtaining employment.' His Majesty's Government never proposed to pursue such a policy. They were concerned to state that, in the regulation of Jewish immigration, the following principles should apply: viz., that 'it is essential to insure that the immigrants should not be a burden on the people of Palestine as a whole, and that they should not deprive any section of the present population as a whole, and that they should not deprive any section of the present population of their employment.' (White Paper 1922).

In one aspect, his Majesty's Government have to be mindful of their obligations to facilitate Jewish immigration under suitable conditions, and to encourage close settlement by Jews on the land; in the other aspect, they have to be equally mindful of their duty to insure that no prejudice results to the rights and position of the non-Jewish community. It is because of this apparent conflict of obligations that his Majesty's Government have felt bound to emphasize the necessity of the proper application of the absorptive principle.

That principle is vital to any scheme of development, the primary purpose of which must be the settlement both of Jews and of displaced Arabs on the land. It is for that reason that his Majesty's Government have insisted, and are compelled to insist, that government immigration regulations must be properly applied. The considerations relevant to the limits of absorptive capacity are purely economic considerations.

His Majesty's Government did not prescribe and do not contemplate any stoppage or prohibition of Jewish immigration in any of its categories. The practice of sanctioning a labor schedule of wage-earning immigrants will continue. In each case consideration will be given to anticipated labor requirements for works which, being dependent upon Jewish or mainly Jewish capital, would not be or would not have been undertaken unless Jewish labor was available. With regard to public and municipal works failing to be financed out of public funds, the claim of Jewish labor to a due share of the employment available, taking into account Jewish contributions to public revenue, shall be taken into consideration. As regards other kinds of employment, it will be necessary in each case to take into account the factors bearing upon the demand for labor, including the factor of unemployment among both the Jews and the Arabs.

Immigrants with prospects of employment other than employment of a purely ephemeral character will not be excluded on the sole ground that the employment cannot be guaranteed to be of unlimited duration.

In determining the extent to which immigration at any time may be permitted it is necessary also to have regard to the declared policy of the Jewish Agency to the effect that 'in all the works or undertakings carried out or furthered by the Agency it shall be deemed to be a matter of principle that Jewish labor shall be employed.' His Majesty's Government do not in any way challenge the right of the Agency to formulate or approve and endorse this policy. The principle of preferential, and indeed exclusive, employment of Jewish labor by Jewish organizations is a principle which the Jewish Agency are entitled to affirm. But it must be pointed out that if in consequence of this policy Arab labor is displaced or existing unemployment becomes aggravated, that is a factor in the situation to which the mandatory is bound to have regard.

His Majesty's Government desire to say, finally, as they have repeatedly and unequivocally affirmed, that the obligations imposed upon the mandatory by its acceptance of the mandate are solemn international obligations from which there is not now, nor has there been at any time, any intention to depart. To the tasks imposed by the mandate, his Majesty's Government have set their hand, and they will not withdraw it. But if their efforts are to be successful, there is need for cooperation, confidence, readiness on all sides to appreciate the difficulties and complexities of the problem, and, above all, there must be a full and unqualified recognition that no solution can be satisfactory or permanent which is not based upon justice, both to the Jewish people and to the non-Jewish communities of Palestine.



**REPORT BY HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND TO THE COUNCIL OF THE LEAGUE OF
NATIONS ON THE ADMINISTRATION OF PALESTINE AND TRANSJORDAN FOR THE
YEAR 1931, 31 DECEMBER 1931**

PALESTINE.

INTRODUCTORY.

Personnel.

1. The term of office of Sir John Robert Chancellor, G.C.M.G., G.C.V.O., D.S.O., High Commissioner for Palestine and Trans-Jordan, came to an end on the 31st October, 1931. He was succeeded by Lieutenant-General Sir Arthur Grenfell Wauchope, K.C.B., C.M.G., C.I.E., D.S.O., formerly General Officer Commanding, Northern Ireland.
2. Mr. Norman de Mattos Bentwich, O.B.E., M.C., vacated the office of Attorney-General in October, 1931; and Mr. H. H. Trusted, Attorney-General, Cyprus, has been selected in his place. Mr. Drayton, Solicitor-General, has been appointed Legal Draftsman to the Palestine Government; and Mr. L. I. N. Lloyd-Blood, Assistant Attorney-General, Nyasaland, will be appointed Solicitor-General to succeed him.
3. The Jerusalem Division has been elevated to the status of a District, and now includes the Sub-District of Hebron. Major J. E. F. Campbell, O.B.E., has been appointed District Commissioner of the new District. Mr. C. F. Colville, C.M.G., District Commissioner, Northern District, retired on grounds of ill health.
4. Colonel E. R. Sawyer, O.B.E., Director of Agriculture and Forests since 1920, also retired on grounds of ill health during 1931.
5. On the transfer of Mr. A. S. Mavrogordato, Commandant of Police and Prisons, to Trinidad as Inspector-General of Constabulary, Mr. R. G. B. Spicer, M.C., Commissioner of Police in Kenya, was appointed to succeed him in Palestine.

Public Security.

6. There were no serious disturbances, but the excitement caused by articles in the Arabic Press, on the subject of the establishment of sealed armouries in isolated Jewish settlements, led to a demonstration on the 23rd August by the townspeople of Nablus. Stones were thrown at the police, and the officer in charge and several of his men were hurt. The police made several baton charges to disperse the crowds, and one small party of policemen was obliged to fire. There was no loss of life. Eleven of the demonstrators were injured in the baton charges, and three were struck by bullets. Only five rounds of ammunition were fired by the police.
7. The facts in respect of the so-called arming of Jews were announced in a Government communiqué on the 5th August in the following terms:--

"The following statement is published for general information in regard to the sealed armouries which have been deposited by the Government in certain Jewish colonies.

"The practice of providing for the security of isolated colonies from attack by marauders by the installation of sealed armouries, to be opened only in case of emergency, has been in existence for nearly 10 years.

"There is a strict rule that the seal is not to be broken unless the colony is attacked, and there has not been a single case of contravention of this rule.

"The armouries used to contain rifles. Within the last two years it has been decided that they are to contain shot-guns of a type specially adapted for defensive purposes. Effect has been given to this decision, and no armoury now contains any weapon other than these shot-guns.

"The Government, acting upon expert advice and upon its own considered judgment, has decided that the installation of these armouries is a proper measure, and it has no intention of altering its policy in this matter.

"The agitation which has been conducted recently against this policy on the ground that it constitutes a danger to the Arabs and entitles them to provide themselves illicitly with arms

for the purpose of self-defence, has no foundation in fact. This agitation is moreover a serious menace to the tranquillity of the country.

"The Government requires that it shall forthwith cease, and it is hereby notified that after the publication of this statement any newspaper which publishes and any public speaker who utters statements which are calculated to foster the belief that the existence of these armouries is a menace to the law-abiding population of Palestine, will be regarded by the Government as deliberately and wantonly endangering the public safety, and will be dealt with accordingly."

8. In accordance with the scheme decided upon after the disturbances of 1929 (see paragraph 3 on pages 6 and 7 of the Report for 1930^{*1}) 74 sealed armouries were installed in Jewish settlements, equipped with Greener shot-guns. All settlements are linked by road and telephone to the main centres of reinforcement and some are equipped also with Verrey-light apparatus for signalling. There are posts manned by British police in the larger colonies, and in the strategic centre of each group of smaller settlements.
9. Towards the end of the year there was an outbreak of highway robbery in Palestine under the leadership of a gang of escaped convicts from Amman, Trans-Jordan, and several occupants of motor cars were held up on the main roads at dusk and robbed. By the end of the year, the gang was scattered and most of its members were captured.

Policy.

10. Following upon the discussions between the Jewish leaders and His Majesty's Government referred to in paragraph 25 on page 12 of the Annual Report for 1930, a letter was addressed by the Prime Minister to Dr. Weizmann, dated 13th February, 1931, the text of which has already been communicated to the Permanent Mandates Commission. The object of this letter was to remove certain misconceptions and misunderstandings which had arisen as to the policy of His Majesty's Government with regard to Palestine, as set forth in the White Paper of October, 1930 (Cmd. 3692).

Development.

11. The Director of Development, Mr. L. French, C.I.E., C.B.E., formerly Chief Secretary, Punjab Government, took up his duties in August. The following is the text of a despatch dated the 26th June, 1931, from the Secretary of State for the Colonies, in regard to the Development Scheme:--

"SIR,

"As you are aware, I have recently had under consideration the initial steps to be taken to give effect to the policy of His Majesty's Government in regard to agricultural development and land settlement in Palestine.

"2. The need of a more methodical agricultural development was made apparent by Sir John Hope Simpson's Report on Immigration, Land Settlement, and Development in Palestine (Cmd. 3686). The Statement of Policy (Cmd. 3692) issued simultaneously with that Report, gave (in paragraphs 21 to 25) a brief outline of the policy to be adopted by His Majesty's Government in this matter, and the policy was further explained in paragraphs 9 to 13 of the Prime Minister's letter to Dr. Weizmann, dated 13th February, 1931. It is the intention that the funds required for this purpose should be found by means of a loan which Parliament will be asked to authorize His Majesty's Government to guarantee.

"3. I have already been in correspondence with you in regard to the initial steps to be taken for carrying out the policy of His Majesty's Government in regard to agricultural development and land settlement. As a result of this correspondence, the outline of a scheme was drawn up, in consultation with yourself, which was communicated to the representatives both of the Jewish Agency and the Arab Executive for such comments as they might desire to offer.

"4. I have since had the opportunity of discussing the question orally with you during your recent visit to England. After full consideration of your views, and of the comments re-

¹ *Colonial No. 59.

ceived from the quarters mentioned above, I have approved the revised proposals set out in the following paragraphs.

"5. (i) His Majesty's Government will take steps for the appointment at an early date of a Director of Development and a nucleus of staff. The Director will be subordinate to the High Commissioner but will be independent of existing Government Departments in Palestine, though in carrying out the work of development he will be in liaison with them.

"(ii) The Jewish Agency and the Arab Executive will be invited to nominate one member each to assist the Director in an advisory capacity.

"(iii) The Director of Development will proceed to carry out the following preliminary work.

"(a) He will prepare a register of such Arabs as can be shown to have been displaced from the land which they occupied in consequence of the lands falling into Jewish hands, and who have not obtained other holdings on which they can establish themselves or other equally satisfactory occupation. The Director in preparing the register will have the assistance of a legal assessor, whose duty it will be to scrutinize claims and advise the Director as to the sufficiency of evidence in each case before the claims are admitted.

"(b) After the preliminary work of registration, the Director will draw up a scheme of resettlement of registered displaced Arab families with as close an estimate as possible of the cost. When the scheme has been approved by the High Commissioner the resettlement will be carried out as quickly as possible.

"(c) Further, the Director will investigate the methods to be adopted to give effect, within the limits of the funds available, to the intention of His Majesty's Government as to the policy of Land Settlement as outlined in paragraphs 10 and 11 of the Prime Minister's letter to Dr. Weizmann in the following terms:--

"In framing a policy of Land Settlement, it is essential that His Majesty's Government should take into consideration every circumstance that is relevant to the main purposes of the Mandate.

"The area of cultivable land, the possibilities of irrigation, the absorptive capacity of the country in relation to immigration are all elements pertinent to the issue to be elucidated, and the neglect of any one of them would be prejudicial to the formulation of a just and stable policy.

"It is the intention of His Majesty's Government to institute an enquiry as soon as possible to ascertain, *inter alia*, what State and other lands are, or properly can be made, available for close settlement by Jews under reference to the obligation imposed upon the Mandatory by Article 6 of the Mandate. This enquiry will be comprehensive in its scope, and will include the whole land resources of Palestine. In the conduct of the enquiry provision will be made for all interests, whether Jewish or Arab, making such representations as it may be desired to put forward.

"The question of the congestion amongst the fellahin in the hill districts of Palestine is receiving the careful consideration of His Majesty's Government. It is contemplated that measures will be devised for the improvement and intensive development of the land, and for bringing into cultivation areas which hitherto may have remained uncultivated, and thereby securing to the fellahin a better standard of living, without, save in exceptional cases, having recourse to transfer.

"(d) Such investigation will also include the following items:--

"(1) The feasibility and advisability of providing credits for Arab cultivators and Jewish settlers, and if so, the best method of achieving this purpose.

"(2) Proposals for draining, irrigating, and otherwise reclaiming land not at present cultivated or cultivated only to a limited extent.

- "(e) It is the intention of His Majesty's Government to authorize the High Commissioner to incur expenditure not exceeding £P.50,000 in the foregoing investigation including all necessary surveys and experiments, such expenditure being met in the first instance from Palestine funds.
- "(f) The Director will make in reference to each of the above enumerated matters in (c) and (d) estimates as close as the circumstances will allow of the cost of the works proposed, and give an intimation of their order of preference.
- "(iv) The Director will submit his Report or such Interim Report as can be completed, not later than 31st December, 1931. The High Commissioner will take the Report into consideration and will, before submitting recommendations to His Majesty's Government, invite the observations of the Jewish Agency and the Arab Executive upon the practical proposals of the scheme, and will afford them an opportunity of making representations regarding such proposals as have not already received the concurrence of the Jewish and Arab Advisers.
- "(v) The Report or Interim Report as above mentioned will be transmitted by the High Commissioner along with any representations of the Jewish Agency or the Arab Executive thereon to His Majesty's Government who will decide whether effect should be given to the Report and its recommendations, or to which of them and in what manner.
- "(vi) The Bill for the guarantee of the development loan will not be settled until the Report or Interim Report as above mentioned of the Director of Development is received and considered along with the representations, if any, to be made as provided for.
- "6. I am taking the necessary steps for the selection at an early date of an officer for the post of Director of Development and will address you further upon the subject as soon as I am in a position to do so.

I have the honour to be, Sir, Your most obedient, humble servant,

(Signed) PASSFIELD.
High Commissioner, Lieutenant-Colonel
Sir J. R. Chancellor, G.C.M.G., G.C.V.O., D.S.O., etc., etc., etc."

Agriculture and Land.

12. For the first time in four years, Palestine was free from any serious plague of locusts. The farmers in the south, however, suffered from shortage of rains and there was a recrudescence of field mice in the north which caused considerable damage to standing crops.
13. It is interesting to record the spread of modern methods of agriculture among the Arab rural community; the increasing frequency of applications by fellahin to the Government Department for selected seeds and seedlings, for pedigree stock, and for advice generally in up-to-date husbandry is evidence that Arab conservatism in agriculture is being broken down by the realization of the benefits attending scientific farming.
14. In 1931, several further important measures were introduced for the benefit of agriculturists. First, the Protection of Cultivators Ordinance which ensures that no tenant of, or possessor of beneficiary rights over, land shall be dispossessed unless the High Commissioner is satisfied that he is adequately provided for on other land or in other occupation. Secondly, the Law of Mortgage Amendment Ordinance preserves the status of tenants in the case of the sale of land in foreclosure of mortgage: hitherto tenants' rights were deemed to be extinguished by forced sale of the landlord's estate. Thirdly, the oppressive Ottoman Law as to imprisonment for debt, which weighed heavily upon the fellahin, was replaced by an Ordinance which requires proof of means to pay, before imprisonment is ordered, and reduces the maximum term of imprisonment from 91 to 21 days.
15. In Beersheba, where the fellahin were impoverished by the drought of 1930, a sum of £P14,000 was made available for short-term loans to enable them to buy seed for the summer sowing. Further substantial remissions of commuted tithes in respect both of 1930 arrears and 1931 dues were granted, owing to the continued fall in the price of agricultural products, and as compensation for

losses from the ravages of field mice. The total revenue thus relinquished by the Government in 1930 and 1931 was nearly £P300,000.

16. In the north, district authorities were empowered to postpone collections of arrears of tithes and werko and of instalments of agricultural loans, in any case of genuine inability to pay. This relief was of special application to the Jewish settlements.
17. An official Committee was appointed in December to consider the replacement of the present commuted tithes and werko by a single land tax.
18. Arrangements are also being made through a Commission of Government officers to classify comprehensively outstanding arrears of tithes, werko, and agricultural loans, with a view to consideration of the possibility and desirability of writing off arrears which are evidently irrecoverable or reducing indebtedness in cases of real hardship.
19. Progress in the fiscal survey has been maintained and lands in 95 villages, covering an area of 1,165,780 metric dunums, were divided into fiscal blocks and the land in each block was valued.
20. The Commutation of Tithes Ordinance, 1927, is in force throughout the country except for two Bedu areas in the extreme south of Beersheba, and two villages in the north of Palestine which were ceded by Syria and Trans-Jordan respectively in 1930. The annual redistribution of the commuted tithes was carried out during the year.

Commerce and Industry.

21. The stability of the economic structure which has been built up in Palestine in the short space of ten years is shown by the steadiness with which the country resists the universal depression. The falling off in invisible exports, remittances and investments by foreign charitable organizations, Jewish and non-Jewish, and by Zionist enterprises, is naturally reflected in a diminution of purchasing power which again shows itself in a decline in receipts from Customs. On the other hand, real progress is to be recorded in the principal industries, citrus, cement, and oils; activity in building is being displayed on an unwonted scale in Jerusalem and Tel-Aviv; the business of the Post Office on the whole increases uninterruptedly and showed a profit in 1931 of nearly £P62,000; the harbour at Haifa is now so far advanced that large steamers find shelter within the main breakwater; construction of the pipe line from Mosul to Haifa is imminent, the first shipload of materials being expected in the spring of 1932; and the survey of the Haifa-Baghdad Railway is complete.
The new Government House, on an eminence to the south-east of Jerusalem, was occupied in March.
22. The Imperial Airways, which already maintain an aerodrome at Gaza, instituted during the year a junction at Lake Tiberias-Samakh on the air route to India. Passengers are brought by sea-plane from Athens to the lake, and continue their journey from the Samakh landing ground.
23. The Palestine currency, based on sterling, has been subject to foreign exchanges to the fluctuations of the pound; but there has been no untoward sign of inflation of prices locally.
24. The motor transport industry has been a source of concern during the year. Owners and drivers complained that the industry was called upon to bear an undue burden of taxation, in the form of import duty on petrol, motor cars, spare parts, tyres, and tubes, and in the form of licence fees. To call attention to their grievances, a peaceful one-day strike was declared by the Union of Owners and Drivers on the 6th-7th August. Their principal grievance related to the licence fee on motor cars, representing a periodical commitment of a substantial amount, which could only be met with the greatest difficulty from the daily earnings of drivers, as these barely sufficed to cover day-to-day expenses for petrol, oils, accessories, and repairs. Indiscriminate competition by unorganized drivers tended to depress fares to an uneconomic level.
25. The Government therefore introduced an appreciably lower scale of licence fees, as an immediate measure of relief, with effect from the 1st July, and appointed a Board to enquire into the situation of the motor transport industry and to devise means towards its efficient organization with a view to giving proper and economical service to the public whilst assuring a reasonable livelihood to those occupied in the industry.
26. For financial reasons the Government found itself unable to accept the recommendations of the Board that licence fees should be waived with effect from the 1st July. The Union of Owners and Drivers, in consequence of this refusal, declared a second strike, which began at midnight on the

2nd-3rd November and lasted until noon on the 11th November. No incidents occurred, and the behaviour of the strikers was good.

27. As a result of proposals formulated by the Government of Palestine on the basis of the Board of Enquiry's other recommendations, the following changes in taxation were brought into force in the interests of the motor transport industry.

	Scale of Licence Fees on 1.1.31		Scale of Licence Fees on 1.7.31	Scale of Licence Fees on 1.1.32
	Private.	Public.	Private & Public	Private & Public.
Private or public vehicles: Having a seating capacity not exceeding seven persons including the driver. Over seven persons.....	£P8- £P12- According to horse power £P20 plus £P1 per seat over 12	£P12- £P18 According to horse power £P20 plus £P1 per seat over 12	£P4 £P4 plus £P1 per seat over 7 £P9	£P2 £P4 plus 500 mils per seat over 7 £P6
Commercial vehicles: Where the carrying capacity does not exceed 1,000 kilograms.	£P20	£P20	£P18	£P12
Where the carrying capacity does not exceed 1,500 kilograms.	£P30	£P30	£P36	£P24
Where the carrying capacity exceeds 1,500 kilograms.	£P50	£P50	£P2 £P2	£P1 £P2
Motor-cycles	£P2	£P2		
Motor-cycle combinations	£P4	£P4		

28. The import duty on motor cars was increased from 15 to 25 per cent. *ad valorem* with a view to limiting the introduction of new vehicles and so tempering competition. At the same time the import duty on tyres and tubes was reduced from 60 mils to 50 mils a kilogram.

To make good the loss in revenue from these reductions the excise duty on tobacco was increased from 250 mils to 350 mils a kilogram.

29. At the end of the year steps were being taken to set up the permanent Central and District Advisory Boards, composed of official and non-official members, which will advise Government on questions affecting the motor transport industry.
30. Reports on the working of the Jordan Hydro-Electric, Jerusalem Electricity and Dead Sea Concessions will be found in Section XXVI (Public Works, Geology, and Mining - paragraphs 27-29 and 38-39) of this Report. Negotiations with the Power Securities Corporation which has taken over the Mavrommatis (Turkish) Concession for the supply of water to Jerusalem are still proceeding; and in the meantime it was found necessary to expend £P8,600 on supplementing the existing sources by an installation at Ain Fawwar, a syphonic spring north-east of Jerusalem.
31. The Tiberias Hot Springs Company failed to raise the required capital of their undertaking by October, 1931, and the agreement for the grant of a Concession (see Annual Report for 1930,² page 230) accordingly lapsed. It is proposed to grant the company a contract for the management of the Baths for five years, on the condition that it spends £P1,500 on their repair and pays the Municipality an annual revenue of £P2,250; the company will be allowed at any time during that period to take up, if it so wishes, the larger scheme on the terms expressed in the original agreement.
32. The revenue in 1931 amounted to £P2,333,895 and the expenditure to £P2,374,866, leaving a surplus balance of £P585,139 at the 31st December. The receipts from Customs totalled £P921,945.

Financial Commission.

33. In the early part of the year a Financial Commission visited Palestine for the purpose of examining and reporting on the revenue, expenditure, and general organization of the Palestine Administration.
34. The Commission consisted of Sir Samuel O'Donnell, K.C.S.I., K.C.I.E., formerly Secretary to the Government of India, Home Department, and Mr. H. Brittain, a Principal on the staff of His Maj-

² * Colonial No. 59.

esty's Treasury. The Report of the Commission was printed in July as a confidential document. On the basis of its recommendations, many officers, British and Palestinian, have been re-trenched, a number of Departmental services have been circumscribed or abolished, and the programme of maintenance and extraordinary works over a period of years has been curtailed.

Jewish Affairs.

35. The Zionist Congress was held at Basle in June. Mr. Nahum Sokolow was elected President of the Jewish Agency, and a new executive of the Jewish Agency was appointed, consisting of five Zionists and four non-Zionists but, on the principle of parity, the five Zionists exercise only four votes. The Zionist element is a coalition of two members of the Labour Party, two of the Central or General Party, and one Mizrahi (Orthodox). The Jerusalem Executive, drawn from the general Executive, consists of three Zionists and three non-Zionists.
36. The Jewish community in Palestine, in the face of world-wide depression and the interruption in the flow of new Jewish capital and contributions, was for the most part preoccupied with its own economic affairs, which were conserved with a success that speaks highly for the degree of independence of external support already attained by the community.
37. The Central Agudath Israel has applied for the separate recognition of its congregation under the Religious Communities Organisation Ordinance, 1926, with power to tax its members and compulsory powers over them in matters of personal status. The Government has not been able to grant this application, and is satisfied that there is nothing in the Jewish Community Regulations (see Section III of the Report for 1927*³) which infringes the rights or liberties of the members of the Central Agudath Israel or prevents them from carrying out their communal services in their own way subject to the requirements of good order.

Moslem Congress.

38. Any apprehensions which might have been entertained that the holding of a Moslem Congress in Jerusalem would lead to disorders proved to be unfounded. The Congress took place from the 6th to the 16th December under the chairmanship of Haj Amin eff. el Husseini, President, Supreme Moslem Council, and it was attended by 145 delegates, including visitors from Trans-Jordan, Egypt, Syria, Iraq, North Africa, and India.
39. The original purpose of the Congress was to promote the establishment of a Moslem University in Jerusalem to attract Moslem students from abroad and so assure the place of Jerusalem as a principal centre of Moslem religious and intellectual development. In fact, the discussions ranged over the following subjects: - the Moslem Holy Places and the Burraq (or Wailing Wall) in particular; the restoration of the Hejaz Railway to the Moslems; and the preparation of an Organic Law for the Moslem Congress, as a permanent body. It was resolved that a Congress should be held every two years in a different Moslem centre, but that it might be convened at any time in case of need.

Religious Matters.

40. In 1931 it became necessary to appoint an Armenian Patriarch, following the death of His Beatitude Elisée Turian in 1930. The electoral rules which were in force under the Turkish regime were found to be inapplicable in certain instances. A General Assembly of the Armenian Congregation was therefore convened and the rules were duly amended so far as to permit of the election taking place, further revision being left to the new Patriarch if he thought fit. The amended rules were approved by the Palestine Government. The election was held in June, resulting in the choice of the Most Reverend Thorgom Kouchagian, Lord Archbishop of the Armenian Community in Egypt. The election was confirmed by His Majesty, and the Royal Commission of Appointment was formally presented to His Beatitude by the High Commissioner on the 1st September, 1931. On the same day His Beatitude was enthroned in the Church of the Holy Sepulchre.

³ *Colonial No. 31.

41. His Beatitude Damianos, Orthodox Patriarch of Jerusalem, died on the 14th August, after a tenure of office that had lasted, with a brief interruption, for 34 years. Keladion, Metropolitan of Ptolemais, was elected locum tenens. The Executive Committee of the First Arab Orthodox Congress, representing the Lay Community, at once demanded of the Government that the recommendations in the Bertram-Young Report (Oxford University Press, 1926) for the amendment of the Constitution of the Patriarchate should be put into force before the election of a new Patriarch. No amendments to the law governing the election of a Patriarch were, however, proposed by the Patriarchate, and the Government did not deem it advisable to intervene during the interregnum. The locum tenens issued the notice required by law, inviting the lay members of the Church to elect parish priests to represent them at the election. The laity refused to participate in the election unless their demands were satisfied, and the election proceedings were postponed, while the parties endeavoured to find a solution of their difficulties. The Patriarchal Synod, on the ground that it was unable to commit the future Patriarch, refused to give any assurances that the reforms sought by the laity would be introduced after the election; and the extreme elements of the Orthodox Arabs demanded the election of an Arab Patriarch, going so far as to propose the formation of a separate Orthodox Arab Church. A compromise was therefore impossible. The Confraternity of the Holy Sepulchre accordingly proceeded, without the co-operation of the representatives of the laity, to the first stage of the election, consisting of the nomination of persons deemed suitable to occupy the Patriarchal Throne. The law provides for the attendance of lay representatives at this stage but not for their participation in the proceedings. A list of candidates was submitted to the Government, in accordance with the law, in the form of a *procès verbal*, recording that the Synod had questioned the eligibility of three names on the list, on the grounds that they were not, as required, subject to the Patriarchal Throne of Jerusalem, and had concluded by a majority of sixteen to seven that these candidates were ineligible.
42. The High Commissioner decided not to exercise the power vested in Government of excising any name from the list, and approved of the election being held. Before it could take place, however, the Executive of the Arab Orthodox Congress applied for an order from the High Court requiring the locum tenens to show cause why he should not be ordered to stay the election on the ground that it was not being carried out in accordance with the law. The matter was still pending at the end of the year.
43. The Report of the Wailing Wall Commission was presented in December, 1930, and published as a Colonial Office publication. Copies of that publication have been forwarded by His Majesty's Government to the Council of the League of Nations. The findings were brought into force in June by means of the Palestine (Western or Wailing Wall) Order in Council, 1931, of which the text is set out in Appendix I to this Report. The findings were received without enthusiasm by Moslems and Jews alike, but except for formally- recorded protests on the part of the Supreme Moslem Council and discussion at the Moslem Congress, there was no significant public comment, unfavourable or otherwise. No serious difficulty has been experienced in administering the regulations prescribed in the Order in Council.
- In accordance with the findings of the Commission, the Chief Rabbis of Jerusalem have appointed a representative to deal with matters appertaining to the Wall. A police post is established at the Wall under the charge of a British officer with British and Palestinian constables.

Press Bureau.

44. In March, 1931, Mr. R. A. Furness, C.B.E., was temporarily appointed to reconstitute the Press Bureau of the Government. As a result of his recommendations, a self-contained Press Bureau has been established, as an organ of the Secretariat, under the direction of a Junior Assistant Secretary. The principal objects of this reorganization are to secure a close contact between the Government and the Press, to co-ordinate the administration of the Press Law by District Commissioners, to ensure a stricter and more punctual scrutiny of newspapers, and to furnish editors with information and guidance. So far as has been observed in the short period during which the Press Bureau has been operating, the tone and standard of accuracy of the newspapers show some improvement, and editors use and appreciate the facilities which have been placed at their disposal for obtaining authentic information.
- A new Ordinance is under consideration, designed to replace the Ottoman Press Law.

Miscellaneous.

45. A Labour Legislation Committee has been set up with an official chairman, and with official and non-official members, to enquire into existing labour legislation in Palestine and to make recommendations for its amendment, if necessary. In accordance with the suggestion of the Permanent Mandates Commission, the Committee will consider in particular the question of the application to Palestine of International Labour Conventions.
46. Reference to the Wadi Hawareth lands case appears on page 88, last paragraph, of the Minutes of the Twentieth Session of the Permanent Mandates Commission. It has not yet been possible to resettle the displaced Arabs of the northern section of that tribe on land elsewhere, but every effort is being made to effect a satisfactory solution of this problem. Meanwhile, the Jewish Agency has co-operated with Government in a temporary solution of the difficulty by arranging a 22 months' lease for the Arabs of an area of 3,200 dunums belonging to the Jewish National Fund in the Wadi Hawareth. The Government is the lessee of this area, and will sublet it to the Arabs.
47. The second Census of Palestine was held on the 18th November, and the total population was provisionally declared on the following day to be 1,035,154. The distribution by religions was, 759,952 Moslems, 175,006 Jews, 90,607 Christians, and 9,589 others. Further information regarding the census is given in Section XXII of this Report.
48. The Urban Property Tax was applied to the towns of Safad, Nazareth, Beersheba, Jenin, Ramallah, Bethlehem, Bait Jala, and Hebron. It has been applied also to Haifa and Acre, where it will come into force on the 1st April, 1932.

I.- JEWISH NATIONAL HOME.

1. The measures which have been taken since 1920 to place Palestine under such political, administrative, and economic conditions as will secure the establishment of a Jewish National Home were fully described, and the policy which the Mandatory and the Palestine Government follow in this respect was defined in Section I of the Report for 1930.*⁴
2. Details of the measures taken in 1931 will be found in the Sections of the present Report dealing with the activities of the several Departments of the Palestine Government. The following facts may be mentioned here.
3. Four thousand and seventy-five Jewish immigrants were admitted to Palestine, of whom 850 were working men and women authorized under Labour Schedules. A special relaxation of the conditions governing the registration of persons of independent means was granted to facilitate the registration as permanent settlers of the many Jews who were in the country without permission. More than 3,000 Jews, who were responsible for 5,000 dependants besides themselves, took advantage of this concession.
4. The census taken in 1931 shows that the Jewish population of Palestine has increased from 65,570 to 175,006 or by nearly 170 per cent., an unexampled advance in the course of eleven years in a country of new settlement which in itself indicates striking progress in the establishment of the Jewish National Home.
5. The Customs exemptions of particular interest and advantage to Jewish industry included the following: - fibres of sisal, jute, hemp and manila for textile manufacture, soda ash for soap boiling, cut paper for manufacture of envelopes, ground-nuts for oil-crushing, galvanized or coppered wire for netting, anhydrous ammonia, and sugar to be used in the manufacture of fruit juices for export. The import duty on carbonic acid and that on burnt gypsum were rendered protective on the application of Jewish firms.
6. The Government is assisting in many ways the Levant Fair to be held in the spring of 1932 at Tel-Aviv; Departmental exhibits are being arranged and various facilities have been extended to the Jewish promoters of the Fair, and to exhibitors, in matters of Customs and immigration formalities and railway fares.
7. Jewish labour is particularly interested in the review of labour legislation which is being undertaken at present by a Government committee.

⁴ *Colonial No. 59.

8. Government again purchased a large number of plants for afforestation from the Girls' Farms of the General Federation of Jewish Labour.
9. The determination of the Jewish share of employment on public works, taking into account the Jewish contribution to revenue, is being discussed between the Executive of the Jewish Agency and the Government Treasury, with a view to devising an applicable formula. For this purpose all relevant financial statistics have been supplied by the Treasury to the Executive.
10. At the Haifa Harbour Works over a hundred additional Jews were engaged; the comparative figures at the 31st December for 1930 and 1931 were 183 and 340, respectively.
11. Work on the construction of the Haifa-Acre and Jaffa-Haifa roads was assigned in part to Jews at rates higher than those which were paid to Arabs for the same labour; and most of the work at the Kadoorie Agricultural School at Mt. Tabor is in Jewish hands. Representatives of the Executive of the Jewish Agency and of the General Federation of Jewish Labour were recognized by Government for the special purpose of recruitment of Jewish labour as required by Departments. The principal employer among the local authorities of Palestine, in so far as concerns areas with mixed Arab and Jewish populations, is Jerusalem. The permanent staff of the Public Works branch of this Municipality consists of 194 persons, of whom 63 are Jews. The amount of work done during 1931 in terms of men-days, was 10,067, of which 2,935, or approximately 32 per cent., were allotted to Jews.
12. The figures for Jaffa at the 31st December, 1931, were, as regards recurrent municipal works, 35 Arabs and 6 Jews, and as regards extraordinary works, 35 Arabs and 8 Jews. The bulk of Jewish municipal labour in the Jaffa District is, of course, engaged in Tel-Aviv.
13. A Treasury officer is advising the General Council (Vaad Leumi) of the Jewish Community in revising its financial system and preparing its budget for the coming year.
14. The Jewish township of Tel-Aviv was assisted by Government in raising temporary bank accommodation in connexion with the relief of local unemployment; and the Government Treasury is assisting the Local Councils of Rishon-le-Zion and Petah-Tiqva in reducing their long-outstanding debts.
15. The Government Geological Adviser has advised Jewish settlements with regard to water-supplies; and the Government drilling plant is placed at the disposal of the settlements for testing the possibilities of underground water.
16. Government road rollers are lent, at nominal charges, for internal road construction in Jewish as well as Arab villages.
17. There is now a complete network of roads and telephone routes connecting the Jewish settlements with the principal centres of administration for defensive purposes; Vercy lights are provided in some cases as an additional form of signalling; sealed armouries with shot-guns have been installed and selected colonists instructed in their use; and British police are stationed in every important colony and in the strategic centre of each group of smaller settlements.

II.- AUTONOMOUS ADMINISTRATION.

1. The Local Government Bill (vide paragraph 4 on page 30 of the Report for 1930) is still under consideration.
2. Elections to the Municipal Council of Safad took place in January, 1931: four Moslems and three Jews were elected. By-elections were held at Acre, Haifa, and Jaffa to fill the places of Arab Councillors who died or resigned.
3. Orders were made by the High Commissioner under the Determination of Areas of Municipalities Ordinance, 1925, fixing the limits of Hebron, Ramallah, Bethlehem, Bait Jala, Beersheba, and Jerusalem. By-laws were approved by Government dealing with road transport, control of noises, begging, and sale of intoxicating liquors in Acre, Nablus, Haifa, Tiberias, Lydda, Ramleh, Tel-Aviv, and Jaffa.
4. Outline Schemes for the urban section of the Town Planning Area of Jaffa and for the Haifa Town Planning Area were prepared and provisionally approved by the Central Town Planning Commission. Schemes for the new and old cities of Tiberias were also approved. In Jerusalem three schemes for major suburbs and a number of small schemes were approved. These schemes involve the detailed planning of areas covered by the Outline Scheme for the city. Several small schemes for the Tel-Aviv section of the Jaffa Town Planning Area were also approved. The Central Commission were also con-

cerned with the preparation of a detailed scheme for the area at Haifa which will be reclaimed when the new harbour is complete and for the important commercial area adjacent to the coast.

5. The Local Council at Tireh in the Northern District was abolished on grounds of inefficiency.
6. The electoral rules of the Jewish villages of Rehovot and Ramat Gan were amended, and the Arab village of Tarshiha was granted further powers of taxation.
7. The Government sanctioned a number of by-laws for Jewish Local Councils in respect of road transport and closing hours of shops.

III.--JEWISH AGENCY.

1. During the year under review, the Jewish Agency was consulted by the Palestine Government in regard to various matters, including immigration and the census. A nominee of the Agency was appointed to be a member of the Labour Legislation Committee, and a representative of the Agency appeared on several occasions before the Government Standing Committee for Commerce and Industry as adviser and spokesman of Jewish applicants for customs and other facilities.
2. As regards Immigration, the Agency advised the Palestine Government, on the basis of its survey of the existing economic conditions, that there was a reasonable prospect of absorbing 1,415 new Jewish workers, men and women, in the half-year beginning at the 1st April. A Labour Immigration Schedule of 500, including 200 women, was authorized by the Government on this application.
3. A second application for 1,720 workers was made by the Agency in respect of the half-year beginning at the 1st October, 1931, but the Government found itself unable to authorize a Labour Immigration Schedule of more than 350 as, after full consideration of the Agency's application and conferences with its representatives, the Government came to the conclusion that the economic situation did not justify a larger schedule.
4. The Agency made representations to the Government for a reduction of the financial qualification of immigrants of independent means, and for exclusion of certain classes of adult dependants from the Labour Immigration Schedule.
5. It was instrumental also in preparing and submitting applications for registration as immigrants under the special Order mentioned in Section IV, paragraph 2, on behalf of Jews who were in the country without permission.
6. The Agency submitted representations, oral and written, to the Financial Commission (see Introductory Section, paragraph 33) on general questions of administration.
7. The Agency renewed its representations to Government for an increased grant-in-aid to Zionist Schools, and for a larger participation by the Government in the expenditure on Jewish Health Services. Financial stringency has not allowed the Government to meet these demands, but arrangements are being made to extend the hospital facilities provided by the Government in the Northern District, in view of the curtailment of the activities of the Hadassah (Jewish) Medical Organization in that District.
8. The Jewish Agency co-operated most helpfully with the Palestine Government in finding a temporary solution of the problem of the Wadi Hawareth Arabs, referred to in paragraph 46 of the Introductory Section of this Report. Among the other matters in which the Agency co-operated were the campaigns against field mice and cattle disease, and the recruitment of Jewish labour as required for Government Departments.
9. The Agency is directly interested, as a shareholder, in the public utility concessions for hydro-electricity and irrigation (Palestine Electric Corporation) and for extracting minerals from the Dead Sea (Palestine Potash).
10. Government officers attend the meetings of the Education Department of the Jewish Agency, which receives a block grant of £P20,000 from the Government towards the cost of maintaining the Jewish Public School System in Palestine.
11. During the year 5690 (1st October, 1930-30th September, 1931) the Jewish Agency, the Emergency Fund for Palestine, and the Hebrew University expended £P797,000 on social, cultural, and economic services. The income was derived from the following sources:--

	£P
Keren Hayesod (through the Jewish Agency)	318,000
Hadassah Medical Organization	151,000
Women's International Zionist Organization	94,000
The Palestine Emergency Fund	23,000
The Hebrew University	<u>166,000</u>
<i>Total</i>	<u>797,000</u>

In addition, the Sick Fund of the General Federation of Jewish Labour expended £P52,500, towards which the Keren Hayesod granted £P3,000.

12. The Keren Hayesod Funds were assigned to the following purposes:--

	£P
Agricultural Colonization (including the Experimental Station)	112,267
Education	84,741
Investments in Land and Buildings	38,509
Immigration and Public Works	25,209
National Communal Institutions	21,830
Public Health and Sanitation	5,828
Urban Colonization	2,545
Religious and other "Mizrahi" Institutions	1,792
Administration and Miscellaneous	<u>25,323</u>
<i>Total</i>	<u>318,044</u>

13. In the year 5691 (1931-1932) the Jewish National Fund acquired 9,978 dunums of rural land, which brings the area in its possession to 288,605 dunums. The Fund has completed the drainage works in Haifa Bay, and has installed water-supply and irrigation systems in several settlements. Afforestation of hills and swamps was continued. The Fund has, in all, afforested 6,000 dunums with 1,250,000 trees.
14. The Jewish Agency carried out irrigation works at a cost exceeding £P20,000, which will permit the cultivation of 4,200 dunums of grapefruits, vegetables, and forage in the plain of Esdraelon and in the Jordan Valley; and has constructed farm buildings in many colonies.
15. The Agency has now concluded contracts with its settlers for repayment of colonization advances. Generally, repayment is to begin five years after the completion of settlement, with interest, for the first ten years, at 2 per cent. on the outlay. The capital, with that interest, is to be paid off during the 40 years following. For colonies in the Maritime Plain, the period of repayment is 27 years and the interest 4 per cent., but the capital debt has been written down by 35-45 per cent.
16. The Women's International Zionist Organization has maintained its training farms and has opened a new farm in Ness-Zionah, near Jaffa, where 30 pupils are already at work.
17. Since its establishment, the Central Bank of Co-operative Institutions has advanced £P1,062,000 for agricultural and credit purposes, and £P125,000 as long-term loans for development of orange-groves and establishment of auxiliary farms.
18. Mortgage loans for construction of buildings and workers' suburbs in the villages are granted by the Palestine Mortgage and Credit Bank.
19. With the organization of the Jewish community, steps have been taken to transfer to local communities the responsibility for the hospitals hitherto maintained by the Hadassah Medical Organization at Tel-Aviv and Haifa, and for some 30 rural dispensaries.
20. The Hadassah Medical Organization continues to supply the greater part of the budget for these institutions; and the Government makes a grant in respect of the Tel-Aviv hospital.
21. There were 10,003 patients admitted to Hadassah hospitals during 1931 and 80,000 out-patients were treated in dispensaries; 28,000 school children were under the supervision of the Hadassah Department of Hygiene.

22. The Sick Fund of the Jewish Labour Federation has a membership of 37,000 (including dependants of members).
23. There are 22,533 children in the schools conducted by or affiliated with the Department of Education of the Agency. This figure exceeds two thirds of the number of all Jewish school children in Palestine. The expenditure on these schools in 5691 (1931-32) was £P185,072, towards which the Agency contributed £P75,720 and the Government £P20,000, the balance being made up by tuition fees and grants of Jewish communities.

IV.--IMMIGRATION AND EMIGRATION.

1. Financial stress abroad adversely affected the collection of funds from Jewish sources for the settlement of immigrants in Palestine; opportunities for the employment of labour have consequently been less and the need to introduce additional workers has been small. On the other hand, the difficulty in finding satisfactory investments for capital in other countries has induced some small capitalists to look towards Palestine.
The general tendency of such persons has, however, been to leave their money behind, transferring it only when they are ready to turn it into land or, as in most cases, into buildings. Investment in orange plantations has slackened, and not many new merchants or shopkeepers of any consequence established themselves during 1931. Immigration into Palestine has on the whole remained relatively constant during the past five years. 5,533 immigrants, of whom 4,075 were Jews, received permission to settle in Palestine in 1931. The average for the previous four years is 4,920 (3,771 Jews).
2. Steps were taken to regularize the position of a large number of persons in Palestine who, having originally entered as travellers, or without permission, had succeeded in establishing themselves on a reasonably sound economic basis in the country and were completely absorbed into its economic life. This action was considered to be desirable on general grounds, and also in view of the possibility that the persons concerned would otherwise be deterred from registering at the Census by fear of prosecution for the offence of illegal presence in the country.
For this purpose an Order was made in the summer under the Immigration Ordinance, 1925, empowering the Chief Immigration Officer to register as immigrants of independent means persons possessing a capital of less than £P1,000. The Order applied only to persons already in the country on the date of its publication; and remained in force until the 31st December. The great majority of those who took advantage of it were Jews. Altogether 3,258 applications, affecting nearly 8,000 individuals, were made for registration and granted.
3. Of the 5,533 immigrants registered during the year, 269 with 338 dependants belonged to the class of capitalists with means, including long-term loans, amounting to £P1,000 per family and upwards. 1,896 with 620 dependants were members of the working class; 1,058 were near relatives and dependants of residents in Palestine; and 507 were men and women in religious occupations, elderly dependants of residents abroad, orphans, and students. Among these classes were the following Jews: - 233 capitalists with 286 dependants; 1,603 working men and women with 569 dependants; 813 dependants on residents in Palestine; and 57 men and women in religious occupations, elderly dependants of residents abroad, orphans, and students.
Of the Jewish working men and women 850 were authorized under half-yearly Labour Immigration Schedules: 200 men and 300 women for the period from April to September and 150 men and 200 women for the period from October to March, 1932. The second Schedule was authorized to provide mainly for working-class relatives of residents in Palestine and Zionist refugees from Russia. The Schedules are considered by Government after the details have been the subject of consultation between the Director, Department of Immigration, and representatives of the Executive of the Jewish Agency at Jerusalem.
4. The long-term loans which are in certain cases regarded as part of the capital of immigrants of independent means are those granted by responsible institutions such as the Zionist Organisation, the Jewish National Fund or the Palestine Jewish Colonisation Association.*⁵

⁵ *Minutes of the Twentieth Session of the Permanent Mandates Commission, page 87.

5. 54,764 travellers and 31,617 returning residents were recorded as having entered Palestine during the year, and 52,790 travellers as having left. Among the returning residents are many Palestinians who emigrated to America some years ago and are now compelled by industrial depression to return home. As recorded, 5,533 immigrants (2,293 men, 2,323 women, and 917 children) were admitted, including 4,075 Jews (1,604 men, 1,863 women, and 608 children). Among these immigrants were 1,580 persons who were in Palestine illegally (Jews 939, Christians 502, Moslems 137, Druzes 2) but received permission to remain permanently in the country. 2,701 of the immigrants came from Europe east of a line drawn from Danzig to Trieste, 1,146 from North Africa and Western Asia including Iraq, Persia, and Afghanistan, 341 from Central Europe, 382 from the United States of America, and 546 (including 197 British Police) from the British Empire (apart from Aden, which is included in Western Asia). 401 prospective immigrants who failed to comply with the Immigration Regulations were refused admission.
6. 282 Palestinian citizens (138 Jews, 88 Christians, and 56 Moslems) and 1,064 aliens (528 Jews, 485 Christians, and 51 Moslems) were recorded as having left Palestine permanently. Of these emigrants, 895, including 443 Jews, had settled in Palestine since 1920; 182 were members of the British Section of the Palestine Police who left the country on termination of engagement. The figure of emigration is the lowest yet recorded. The following table illustrates the downward trend in emigration so far as new countries of emigration are concerned. Emigrants to other countries are for the most part persons returning to their countries of origin or to Syria and Egypt.

Emigration.

<i>Year.</i>	<i>U.S.A.</i>	<i>Latin America.</i>	<i>South Africa, Australia, New Zealand.</i>
1929	724	985	205
1930	624	1,290	181
1931	272	205	34

The census of the population of Palestine taken in November disclosed an unrecorded emigration of not inconsiderable dimensions, consisting of residents who, on leaving Palestine, declared their intention of returning shortly. The number of these unrecorded emigrants during the six years ending the 31st December, 1931, exceeds 15,000.

7. Forms of application for all of the services performed by the Department of Immigration are available in practically every town in Palestine; naturalization certificates are delivered wherever there is a District Officer and replies to personal applications are, wherever practicable, sent by post. An applicant need therefore appear in person only once at any Immigration Office.
8. Arrangements have been completed for relieving Police Officers of the duties connected with the reception and transmission of applications, which they had hitherto carried out on behalf of the Department of Immigration at certain places; and the Passport Control work on the Northern Frontier is to be performed in future by Customs personnel.
9. The institution of a junction at Tiberias-Samakh by Imperial Airways on the air route to India has necessitated the establishment of a new Passport Control; and the increasing overland traffic with Egypt has made a similar control necessary at Beersheba.
10. Close settlement by the Jews on the land is one of the subjects covered by the instructions to the Director of Development, see Introductory Section, paragraph 11.

APPENDIX I.

Palestine (Western or Wailing Wall) Order in Council, 1931.

AT THE COURT AT BUCKINGHAM PALACE,
The 19th day of May, 1931.

Present,
THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by treaty capitulation grant usage sufferance and other lawful means His Majesty has power and jurisdiction within Palestine:

And Whereas the Council of the League of Nations on the 14th day of January, 1930, passed a resolution in the following terms:-

"The Council "Being anxious to place the mandatory Power, in accordance with its request, in a position to carry out the responsibilities laid upon it by Article 13 of the Mandate for Palestine under the most favourable conditions for safeguarding the material and moral interests of the population placed under its mandate;

"Wishing not to prejudge, in any way, the solution of the problems relating to the question of the holy places of Palestine, which may have to be settled in the future;

"Considering, however, that the question of the rights and claims of the Jews and Moslems with regard to the Wailing Wall urgently calls for final settlement;

"Decides that,

"(1) A Commission shall be entrusted with this settlement;

"(2) This Commission shall consist of three members who shall not be of British nationality and at least one of whom shall be a person eminently qualified for the purpose by the judicial functions he has performed;

"(3) The names of the persons whom the mandatory Power intends to appoint as members of the Commission shall be submitted for approval to the Council whose members shall be consulted by the President if the Council is no longer in session;

"(4) The duties of the Commission shall cease as soon as it has pronounced on the rights and claims mentioned above."

And whereas the said Commission was duly appointed and after having held an inquiry in Palestine submitted a report to His Majesty's Principal Secretary of State for Foreign Affairs;

And whereas the conclusions contained in the said Report are set out in Schedule I to this Order and the temporary instructions referred to in Part B, paragraphs 1 and 3 of the said conclusions are contained in Schedule II to this Order;

And whereas in order that His Majesty may be in a position to discharge the responsibilities in regard to the Western or Wailing Wall created by Article 13 of the Mandate for Palestine it is necessary that all persons in Palestine should be required to observe and abide by the provisions contained in Schedule I and in Schedule II to this Order (so far as the latter provisions are not amended by the provisions contained in Schedule I) and that the High Commissioner for Palestine should be vested with all powers necessary to give effect to the said provisions;

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested is pleased by and with the advice of His Privy Council to order and it is hereby ordered as follows:-

1. All persons in Palestine shall observe and abide by the provisions regarding the Western or Wailing Wall which are contained (a) in Schedule I and in Schedule II to this Order (so far as the latter provisions are not amended by the provisions contained in Schedule I) and (b) in any regulations made by the High Commissioner for Palestine under Article 2 of this Order.
2. The High Commissioner for Palestine with the approval of a Secretary of State shall have power to make such regulations as may be necessary to give effect to the provisions contained in Schedules I and II to this Order.
3. Any person who fails to comply with any of the provisions contained in Schedules I or II to this Order or acts contrary thereto or fails to comply with any regulations made by the High Commissioner for Palestine under Article 2 of this Order or acts contrary thereto shall be guilty of an offence and shall be liable to imprisonment for a period not exceeding six months or to fine not exceeding P.50 or to both such imprisonment and fine.
4. Notwithstanding anything in the Palestine (Holy Places) Order in Council 1924:-
 - (1) Offences under Article 3 of this Order shall not be triable by a Magistrate but shall be within the jurisdiction of a District Court. Such offences shall be tried summarily in accordance with

the procedure applicable in Magistrates' Courts and the provisions of the Trial upon Information Ordinances 1924-1929 shall not be applicable thereto.

- (2) The Supreme Court sitting as a High Court of Justice shall have exclusive jurisdiction to make such mandatory orders or orders by way of injunction or otherwise as may be necessary to secure the observance of the provisions contained in Schedules I and II of this Order and in any regulations made under Article 2 provided that no such order shall be made except upon the application of the Attorney-General on behalf of the Government of Palestine.
5. His Majesty His Heirs and Successors in Council may at any time revoke alter or amend this Order.
6. This Order shall come into operation on a day to be fixed by the High Commissioner by Proclamation in the Gazette.
7. This Order may be cited as "The Palestine (Western or Wailing Wall) Order in Council, 1931.

M. P. A. HANKEY.

SCHEDULE I

- A. To the Moslems belong the sole ownership of, and the sole proprietary right to, the Western Wall, seeing that it forms an integral part of the Haram-esh-Sherif area, which is a Waqf property.

To the Moslems there also belongs the ownership of the Pavement in front of the Wall and of the adjacent so-called Moghrabi (Moroccan) Quarter opposite the Wall, inasmuch as the last-mentioned property was made Waqf under Moslem Sharia Law, it being dedicated to charitable purposes.

Such appurtenances of worship and/or such other objects as the Jews may be entitled to place near the Wall either in conformity with the provisions of this present Verdict or by agreement come to between the Parties, shall under no circumstances be considered as, or have the effect of, establishing for them any sort of proprietary right to the Wall or to the adjacent Pavement.

On the other hand, the Moslems shall be under the obligation not to construct or build any edifice or to demolish or repair any building within the Waqf property (Haram area and Moghrabi Quarter) adjacent to the Wall, in such a manner that the said work would encroach on the Pavement or impair the access of the Jews to the Wall or involve any disturbance to, or interference with, the Jews during the times of their devotional visits to the Wall, if it can in any way be avoided.

- B. The Jews shall have free access to the Western Wall for the purpose of devotions at all times - subject to the explicit stipulations hereinafter to be mentioned, viz.:-

- (1) The temporary instructions issued by the Palestine Administration at the end of September, 1929, relative to "appurtenances of worship" (See section 2, *a, b, c*) are to be made permanent, subject however to the one modification that it shall be permissible to place near the Wall the Cabinet or Ark containing the Scroll or Scrolls of the Law and the Table on which the Ark stands and the table on which the Scroll is laid when being read from, but only on the following occasions, viz.:-

(a) At any special fast and assembly for public prayer that the Chief Rabbis of Jerusalem may order to be held in the consequence of some public distress or calamity, provided due notice shall have been given by them to the Administration;

(b) on New Year's Day and on the Day of Atonement, and also on any other special "holy days" that are recognised by the Government as such days on which it has been customary for the Ark containing the Scrolls of the Law to be brought to the Wall.

Save as provided in the articles of this Verdict it shall not be permissible to have any appurtenances of worship in the vicinity of the Wall.

- (2) No objection or obstacle shall be raised to the Jews, in their individual capacity, carrying with them to the Wall hand-books or other articles customarily used at their devotions either as a

- general thing or upon special occasions, nor to their wearing such garments as were of old used at their devotions.
- (3) The temporarily enacted prohibitions against the bringing to the Wall of benches, carpets or mattings, chairs, curtains and screens, etc., and against the driving of animals at certain hours along the Pavement are to be made absolute, as is also the injunction as to keeping the door at the southern end of the Wall locked during certain hours. The right, however, for Moslems to go to and fro in an ordinary way along the Pavement shall be respected and remain inviolable as hitherto.
 - (4) It shall be prohibited to bring to the Wall any tent or a curtain or any similar object with a view to placing it there - even though for a limited space of time.
 - (5) The Jews shall not be permitted to blow the ram's horn (Shofar) near the Wall nor cause any other disturbance to the Moslems that is avoidable; the Moslems on the other hand shall not be permitted to carry out the Zikr ceremony close to the Pavement during the progress of the Jewish devotions or to cause annoyance to the Jews in any other way.
 - (6) It is to be understood that the Administration shall be entitled to give such instructions as they may think fit respecting the dimensions of each of the objects that it is permissible for the Jews to bring to the Wall, respecting the particular days and hours above referred to, and also respecting other details that may be necessary for the adequate and complete carrying out of this present Verdict of the Commission.
 - (7) It shall be prohibited for any person or persons to make use of the place in front of the Wall or its surroundings for all political speeches or utterances or demonstrations of any kind whatever.
 - (8) It shall be held to be a matter of common interest to Moslems and Jews alike that the Western Wall should not be disfigured by having any engravings or inscriptions placed upon it or by having nails or similar objects driven into it, and also that the Pavement in front of the Wall should be kept clean and be properly respected by Moslems and Jews alike; it is herewith declared to be the Moslems' right and duty to have the Pavement cleaned and repaired, if and when that is necessary, upon due notice being given to the Administration.
 - (9) Owing to the Wall's character as an historical monument its fitting maintenance shall be entrusted to the Palestine Administration, so that any repairs to it that may be necessary shall be carried out by them and under their supervision though only after consultation with the Supreme Moslem Council and the Rabbinical Council for Palestine.
 - (10) If any repairs to the Pavement that are necessary are not attended to by the Moslems in due time, the Palestine Administration shall take the necessary steps to have the work done.
 - (11) The Chief Rabbis of Jerusalem shall be required to nominate one or more officials to be their authorised representative or representatives for receiving the instructions and other communications that will be issued from time to time by the Palestine Administration regarding the Western Wall, the Pavement in front of it and the formalities to be observed with regard to the Jewish devotions near the Wall.

SCHEDULE II.

2. (a) The Jews may bring daily to the Pavement before the Wall a stand containing ritual lamps, and may place on the stand a zinc case with glass doors in which such lamps are lighted. They may bring also a portable wash-basin and a water container on a stand. None of the objects above mentioned shall be affixed to the Wall or to any wall of the adjoining Waqf buildings.
- (b) From sunset on Friday evening to sunset on Saturday, and from sunset on the eve of any Jewish holy day recognised by the Government to sunset of that holy day the Jews may place at the Northern end of the Wall a stand containing prayer books, and at the Southern end of the Wall a table on which to stand a cabinet or ark containing Scrolls of the Law and another table on which the Scrolls are laid for reading. The tables and cabinet or ark and the stand shall be removed at the end of the Sabbath or holy day as the case may be.
- (c) On the two holy days of the New Year Festival and on the Day of Atonement each Jewish worshipper may bring a prayer-mat which may be placed on the Pavement before the Wall but so as not to obstruct the right of passage along the Pavement.

3. No benches, chairs or stools shall be brought to or placed on the Pavement before the Wailing Wall. No screen or curtain shall be placed on the Wall or on the Pavement, for the purpose of separating men and women or for any other purpose.
4. Between the hours of 8 a.m. and 1 p.m. on Sabbath days and Jewish holy days recognised by the Government, and between the hours of 5 and 8 p.m. on the eve of such days, and throughout the eve and Day of Atonement, save between the hours of dawn and 7 a.m., no animal shall be driven along the Pavement before the Wall.
5. The wooden door giving access from the Pavement to the Zawieh at the Southern end of the Wall shall remain locked on the eve of the Sabbath and Jewish holy days recognised by the Government from 5 p.m. and throughout such days until after sunset.

APPENDIX II.

Palestinian Citizenship (Amendment) Order, 1931.

AT THE COURT AT BUCKINGHAM PALACE,

The 23rd day of July, 1931.

Present,

THE KING'S MOST EXCELLENT MAJESTY.

Lord President. Mr. Secretary Wedgwood Benn.
Earl of Athlone. Sir Maurice de Bunsen.

Whereas by the Palestinian Citizenship Order, 1925 (hereinafter referred to as the Principal Order), provision was made for the regulation of the grant and acquisition of Palestinian citizenship:

And whereas it is expedient to amend the Principal Order as hereinafter set forth:

Now, therefore, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:--

- 1.- (1) Turkish subjects who were habitually resident in the territory of Palestine upon the sixth day of August, 1924, but ceased to be so habitually resident before the first day of August, 1925, shall be deemed to have become Palestinian citizens, unless before the date of this Order they shall have voluntarily acquired another nationality.
- (2) Nevertheless, the High Commissioner shall have power in the case of any person who becomes a Palestinian citizen by virtue of the preceding paragraph and shall make an application to this effect within four years of the date of this Order, to apply to any such person the provisions of paragraphs 2 and 3 of Article 1 of the Palestinian Citizenship Order, 1925, and to extend the period of option provided for therein.
- 2.- (1) Article 10 (1) of the Principal Order is hereby repealed and the following is substituted therefor:
"Where it appears to the High Commissioner that a certificate of naturalization granted by him has been obtained by false representation or fraud or by concealment of material circumstances, or that the person to whom the certificate is granted has, since the grant, been for a period of not less than three years ordinarily resident out of Palestine and has not maintained substantial connection with Palestine, or has shown himself by act or speech to be disaffected, or disloyal to the Government of Palestine, the High Commissioner may, subject to the approval of one of His Majesty's Principal Secretaries of State, by order revoke the certificate, and the order of revocation shall have effect from such date as the High Commissioner may direct."
- (2) Article 10 (2) of the Principal Order is hereby repealed, and the following is substituted therefor: -"The High Commissioner may, for the like reasons, and subject to the like approval, annul a Certificate of Citizenship granted under the provisions of Articles 4 and 5 hereof, or a declaration of the acquisition or resumption of citizenship made under the provisions of Articles 12 (1) and 14 (2) of this Order."
3. Article 11 (1) (b) of the Principal Order is hereby repealed, and the following is substituted therefor:-"The High Commissioner shall not make any such Order as aforesaid in the case of a wife

who was at birth, or who became, in virtue of Articles 1 and 6 of this Order, a Palestinian citizen, unless he is satisfied that if she had held a certificate of naturalization in her own right, the certificate could properly have been revoked under this Order."

4. His Majesty, His Heirs and Successors, in Council, may at any time revoke, alter, or amend this Order.
5. This Order shall be published and proclaimed in Palestine, and the date of such publication shall be deemed to be the date of the commencement of this Order.
6. This Order shall be known as the Palestinian Citizenship (Amendment) Order, 1931, and shall be read and construed as one with the Principal Order.

COLIN SMITH.



MEMORANDUM BY DR. VICTOR JACOBSON, MEMBER OF THE ZIONIST EXECUTIVE, PROPOSING A "TERRITORIAL SOLUTION", JANUARY 1932 [EXCERPTS]

[In his memorandum - written in French - Jacobson put forward his plan for the partition of Palestine and transfer of Arabs, in which the Jewish part of Palestine would be called Eretz-Israel and the Arab part Palestine.]

I

These propositions are based on several general considerations:

1. The tempo of political evolution in Palestine and the neighboring countries.
2. the need for an agreement with the Arabs.
3. the need to gain effective support and intervention from [international] political factors.
4. the need to satisfy just Jewish demands.

1. The tempo with which very important events have succeeded on another around the Palestine question and in Palestine itself are going beyond, it seems, all the ideas which we had formed about the development of the Near East.

The affairs of Palestine, ending with the Pan-Islamic Congress [...], prove that the Arabs of Palestine have succeeded in creating a fairly strong political organization, and there exists a real danger to considerable success for their anti-Zionist propaganda in the future.

Around Palestine, we see a big strengthening and stabilisation of the Wahhabi state, the independence of Iraq already achieved, and the imminent independence of Syria. Iraq will be entering the League of Nations this year. [...] In three years Palestine will find itself the only Category "A" Mandate, and [...] the Mandate will cease to offer sufficient guarantees for the Jewish National Home. [...]

Conclusion: Any proposal for a Zionist policy must take account of this tempo: Given the essential and decisive changes in the whole political situation, it is necessary to adapt our action and our tactics to the new conditions. The very fact that in these completely changed conditions we are putting forth propositions dated several years ago and, above all, calculated on [the basis of] a long evolution is evidence of a certain defect in this program and already announces its inevitable failure. The continuation of methods which find themselves in opposition to the march of events will necessarily lead to a catastrophic defeat. [...]

A new plan, which does not require too long a period for its realization, must therefore be elaborated.

2. Agreement with the Arabs is, in the opinion of us all, an indispensable condition for the success of our action. This agreement is impossible so long as there persists in the minds of the Arabs the fear not much of a Jewish majority as of the domination of the Arabs by the Jews. [...]

When we try to find a way to give the Arabs sufficient appeasements, we find ourselves absolutely powerless, since we cannot obviously offer them proposals of a “numerical” nature, putting a limit on our immigration, etc. ...and particularly because they won't believe a word of it. If they believe in Jewish desires of conquest, they will surely say to themselves that even a Jewish minority, better equipped, richer and more intelligent, will end up dominating them over time.

Conclusion: A political plan which hopes to come to be accepted by the Arabs must reckon with the psychosis (if it is one) of Arab fear: it must therefore find other means of conciliation. [...] Their grievances against us are: the loss of their strength and political influence, which was 100% in their hands until the Balfour Declaration and the Mandate, which is why they demand the annulment of these two documents. Next, they object to the dismemberment of Palestine and its separation from Transjordan, which offers a natural reserve for the development of Palestine. Lastly, they want to rebuild a Union with Syria to form a Syro-Palestinian political entity: Palestine remains and will remain an irredenta for Syria. Our plans must take account of this fact. [...]

4. To satisfy just Jewish demands the plan must provide possibilities of a numerically significant installation of Jews, forming an unit with sovereign autonomy which would constitute for them the normal guarantees for their normal development.

II

Here are the main lines of the “territorial solution” to our problem.

This is a repetition, on a larger scale, of the proposals made in 1902 by Dr. Herzl to the Sultan. [...]

I would like to propose, as a territorial base, the parts of Palestine starting with the Negev, all of the Mediterranean coast to the northern border, the Emek, the part north of Beisan (approximately one-third), the Jordan Valley north of Lake Tiberias with the Huleh, and the acquisition of one and a half million dunams in the areas adjacent to Transjordan, as well as those bordering on Syria.

This would mean the loss of Jerusalem, the Dead Sea and the whole hill region.

he region indicated above would be, it would seem, sufficient for the installation, over the next ten to twelve years, of five to six hundred thousand Jews, and, during a generation for 25-30 years, between one and one and a half million Jews.

The Jewish population installed in that region would obtain, from the start, all the rights and prerogatives of a politically autonomous and independent people. The Jewish National Home would be constituted on a unified territory, presenting a single bloc with defined boundaries guaranteed by international law. This fact could be seriously presented as a political “saturation”, as the realisation of [our] hopes for the creation of an independent Jewish entity, a Jewish National Home, equivalent in effect to the Jewish State sanctioned by Zionist expectations and tradition.

Consequently, the supposed danger of Jewish “domination” over the Palestinian Arabs would lose importance and would be classified among the psychoses which have no right to the help and support of responsible political factors. One can hope that, with time, Arab fears will disappear and, with that, they would appreciate the value and the importance of collaboration with the Jews in the work of Renaissance of the Near East. There is no doubt, and we have had some prior experience in conversations with certain representatives of Near Eastern countries which confirms it, that in the Near East in general the people would greatly value such collaboration, and that our solution would find serious supporters in these circles. If we accept, for the following pages of this expose, the name of Erez-Israel for the Jewish part while leaving the name of Palestine for the Arab part, we could say that any combination which assures to Transjordan, Syria and Palestine the collaboration of Erez-Israel will become desirable to Syria and the other Arab countries as much, or perhaps even more, than it is to the Jews themselves. [...]

One can imagine that Erez-Israel might arrive at very interesting arrangements with the other states of the Confederation concerning Jewish immigration. [...] One can hope than, on the basis of these arrangements, several hundred thousand, maybe even several million, Jews would be able to enter different parts of the Near East which are in great need of an influx of human resources, but which will always be afraid of the spectre of Jewish political desires so long as these desires are not satisfied in a clear and precise manner, with bi-lateral and multilateral guarantees sanctioned by international law and by the supervision of the League of Nations.[...] One can easily imagine conditions in which a considerable portion of [...] Arab farmers would decide to move their homes and go to set themselves up, with the economic and financial assistance of the Jews, in other parts of the Confederation: in Syria, Transjordan, or even in Iraq or [Arab] Palestine. To put into effect, in these modest proportions of several thousand me, this exchange of populations would not provoke any serious agitation and would be considered quite natural, as a case where a Jewish collectivity, legally recognised as an autonomous and independent political entity, in moving naturally towards a rapid and considerable increase in its Jewish population. This would not be, then, the manifestation of a secret design, of a desire to supplant the Arab in an Arab country. In these conditions one can really imagine that Erez-Israel would be able-with the help of world Jewry and on the basis of a system of loans and financial measures which are closed to the Jewish Agency but which would be open to a recognised government of the sovereign and independent Jewish National Home - to reach soon, perhaps in five or six years and surely in the space of ten to twelve years, a very large Jewish majority. [...]

It also appears that the realisation of this dream of autonomy and absolute independence will enormously influence the feelings and attitudes of world Jewry and the non-Jewish world towards the Zionist ideal. If we have confidence in the Jewish constructive effort we must realise that the achievement of this project - independence, rapid blossoming of a flourishing economic organism, appeasement of the Arabs, constitutional and international guarantees, clarity and precision [...] - will provoke a great enthusiasm around the JNH and will push Jews into sustaining and supporting it with an impetus and with efforts much different than in the past.

One must still mention some objections which can be made to this project. Some would say that [...] the Arabs won't agree to it. We can reply: the Arabs will reject any proposal, and they will only give in a certain pressure coming from our allies and our friends. They will give in only on condition of receiving certain profit or certain advantages in exchange: it is obvious that, on the condition of their consent to these proposals, the Jews will drop all their opposition to the annulment of the Balfour Declaration and the Mandate, at least for the part destined to remain Arab, and, as indicated above, the Jews will promote a certain unity in this party of the Near East. [...] But, above all, [these proposals] would cancel out all the serious and justified reasons for the fear of Jewish domination in an Arab country.

Some might say: the Arabs, according to this project, must give up the best parts of Palestine. This is not quite true. [...] The organization of all the countries into one Confederation would remove a large part of the sharpness of the Arab objections. It seems to us that it is much easier to obtain support from political elements who can exert political, intellectual and moral pressure on the Arabs in defense of our project than in defense of all the others which the Arabs always criticise, and with a certain justice, for the tendency towards Jewish domination! [...]



SECRETARY OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY, MOSHE SHERTOK, NOTE OF A MEETING BETWEEN DR. HAIM ARLOSOROFF, HEAD OF THE POLITICAL DEPARTMENT, AND AWNI ABD AL-HADI, 12 FEBRUARY 1932

The conversation began with matters of the distant past [...] when the Abd al-Hadi family was prominent and respected in the country. [...] from there he went on to his own history - his participation in the Arab Nationalist Congress in Paris before the War and his life in Paris during the War. [...]

From there the talk moved on to the role that the European states were playing in the East. Awni Bey did not deny the many economic benefits which European administration had brought to backward lands, but he refused to recognise this as sufficient compensation for their political subjugation.

When, in this connection, the question of relations between the communities in Palestine was raised, Awni answered that he had already come to the definite conclusion that there was no point in negotiations or in attempts at mutual understanding. The goal of the Jews was to take over the country and the goal of the Arabs was to fight against this take-over. He understood the Jews very well and respected them, but their interests were in absolute contradiction to the interests of the Arabs, and he did not see here any possibility of agreement. For this reason he had avoided meeting with Dr. Weizmann during his last visit to London.

Dr. Arlosoroff commented that this stance was very easy and convenient and did not require any civil courage. Even among the Jews there were many who held [such a view]. It meant that one allowed events to take, without making any effort to direct their development. However, if Awni were to consider not only the interests of the Arabs but also the good of the country in which they lived, he would have to ask himself where these developments were leading and whether they held out a blessing for this country. If he would face reality with open eyes he would see that the Jews were already, today, a large foreign presence in the country which it was impossible to ignore or belittle. All the foolish rejoicing at [Jewish] misfortunes in the Arabic press over their economic distress and the daily [...] declarations of the bankruptcy of Zionism were not changing the situation. Even in these times of distress the Zionist endeavour was continuing to strengthen itself economically, continuing to plant roots. The country would never revert to being a purely Arab land as it once was and realistic Arab political leaders had to draw the conclusions from this.

Mr. Agronsky reminded Awni Bey of their conversation of a few days ago on constitution questions and the principles of equality and parity.

Awni Bey affirmed that he recognised complete equal rights for all Jews living in the country.

Dr. Arlosoroff explained that, in practice, equal personal rights meant majority rule and subjugation of the minority.

Mr. Shertok stated that if Awni Bey was afraid of Jewish domination of the country, that is, their increasing to become a majority, then he should understand that this equality of rights that he now set out, while it supported the [current] rule of the Arab majority, was liable to backfire on the Arabs in the future, when the Jews became the majority. Instead of this, we should lay down equality for the national units, without consideration of the numerical strength of each, now or in the future.

Dr. Arlosoroff stressed that even today, if there really was personal equality in the country as a whole, meaning Arab rule, this was not the case in the major cities. In Jerusalem the majority was Jewish, as was the case in Jaffa and Tel Aviv taken together; in Haifa the Jews were [proportionally] stronger than in the country as a whole. Would Awni Bey agree to granting the Jews in those three centers the authority due to them in accordance with their numbers? In place of this, the Jews were suggesting a formula which gave a guarantee against one nation ruling over the other at all times.

Awni Bey ended the conversation because of a toothache which had been bothering him all this time, and asked Mr. Agronsky to invite those present to return to continue the talk. [...]



**NOTES OF A CONFERENCE BETWEEN EMMANUEL NEUMANN AND HERSHEL
FARBSTEIN OF THE JEWISH AGENCY EXECUTIVE AND AMIR ABDALLAH OF
TRANSJORDAN, 27 NOVEMBER 1932**

The meeting which had been arranged through Mohammed Bey Ansin [al-Unsi] took place in the garden of the letter's home in Transjordan, a short distance from Allenby Bridge.

Before the arrival of the Amir, we spent more than an hour with Mohammed Bey discussing the various questions involved in the project under consideration. Our discussion was quite animated.

We made it clear that neither we nor our friends could be interested in a lease of the Amir's lands unless it gave us the right and full opportunity to bring in and colonize as many Jews as we desired and were able to settle. Further, that it was necessary that adequate protection be provided and that various contingencies should be foreseen against my difficulties in view of the nature of the lease and its term of 99 years.

One of the points we discussed was the necessity of obtaining the consent of the High Commissioner. Mohammed Bey strenuously opposed our raising the matter with the Amir, who could never agree to the implication that he was not free to dispose of his private as he saw fit. We agree not to raise the point during the interview.

Another point which we discussed at some length was that of getting the official sanction of the Transjordan Government. Mohammed Bey would not concede that such a sanction was required. He said that he had no objection, however, to our raising the matter with the Amir if we saw fit.

One of the demands which he put was that the lease should provide for our employing Arabs to the extent of 50% of all the workers which the Company would employ in unskilled labor. We stated that such a condition could not be acceptable.

Many other questions of lesser importance were thrashed out.

When the Amir arrived, he conferred with Mohammed Bey privately before coming out to meet us. In this private conversation, he presumably learned about the various questions which we had been discussing.

When we met together, we stated to him that we had heard of his intention to lease his lands; that we ourselves were not the capitalist who were prepared to take over the land and develop it, but might be willing and able to interest our friends. It was, therefore, necessary for us to understand and to hear directly from him what he had in mind. It had been told to him beforehand, and we also informed him [,] that we were members of the Zionist Executive in charge of Economic Departments of work.

The Amir confirmed the fact that he was desirous of leasing his lands for a long period of years, which he felt was not only in his own interest, but in the interest of his country as well. [...] He could see that we were concerned over the question of security, etc. He understood our misgiving. He did not regard them as evidence of lack of confidence in himself personally, but realized fully that the circumstances were to blame. In view of the events of the past few years, particularly in Palestine, we were warranted in entertaining such doubt and misgivings. He wished us, however, to have confidence in him. We replied that we have confidence in him and hoped he would have the same confidence in us. [...]

[The Amir would have to consult his immediate advisers on the business questions.] We would then meet again or he would communicate with us through Mohammed Bey.

The Amir said that since Zionism had been mentioned, he wished to say the it was his desire to bridge the gulf which now separated the two races. It would be his endeavour to do so and he hoped that we would use our influence in the same direction.

If this particular transaction is consummated, it will be the first of a series of other and perhaps more important transactions and concessions. In this way, we would demonstrate how Jews and Arabs could cooperate in furtherance of their common interests. [...] He also stated that it would be necessary for him to make known through the press that he was desirous of leasing his lands in order to give an opportunity to whoever was interested to come forward. He knew, however, that those who might be inclined to criticize such a transaction as we were discussing, would be least prepared to come forward and develop the land. It was necessary to be discreet and avoid harmful publicity until the matter was concluded.

The Amir's attitude throughout was courteous and cordial. The conversation was replete on both sides with expressions of confidence and good will.

The meeting lasted about an hour. Jerusalem, 2.12.32.



ACCOUNTS OF A MEETING BETWEEN DAVID BEN-GURION AND MUSA AL-ALAMI, MARCH 1934

*[At the time of the meeting, Ben-Gurion was Leader of the Socialist Mapai Party
and Musa Al-Alami served as Secretary to the British High Commissioner]*

A. BEN-GURION'S VERSION

[In the winter of 1933-34], I had decided to enter into talks with representatives of the Arabs in order to clarify the question of participation in government. It was clear that a Legislative Council would soon exist if another initiative on a constitutional arrangement, agreed upon between the Jews and the Arabs, were nor successfully taken.

I knew that the Arabs in Palestine had no authorized spokesmen and that the leaders were divided in their views and attitudes. After consulting with Moshe Sharett [then Shertok] I decided to meet a certain Arab, who had a reputation as a nationalist and a man not be bought by money or by office, but who was not a Jew-hater either. The man was Musa Alami [...]

The prevailing assumption in the Zionist movement then was that we were bringing a blessing to the Arabs of the country and that they therefore had no reason oppose us. In the first talk I had with Musa Alami [...] that assumption was shattered. Musa Alami told me that he would prefer the land to remain poor and desolate even for another hundred years, until the Arabs themselves were capable of developing it and making it flower, and I felt that as a patriotic Arab the hand every height to this view.

Our conversation was frank, and Musa Alami gave me the impression of a sincere, straightforward and sensible man. He complained that the Jews showed contempt for the opinion of the Arabs, and that the previous members of the Executive, Kisch and Sacher on different occasions (before the outbreak of the riots, during the Shaw Commission hearings, etc.), had acted unfairly.

He particularly emphasized the pessimistic feeling that prevailed among the Arabs: they were gradually being ousted from all the important positions, the best parts of the country were passing into Jewish hands (while Arabs were also benefitting from this, the situation of the masses was desperate), the Jews had acquired the large concessions, the national budget was expended on defense, for which the Arabs had no need, there was an abundance of high-salaried British officials - all for the sake of a Jewish national home; an Arab Palestine had no need for this officialdom. [...] Perhaps the Jews were

compelled to come here, but for the Arabs all was bleak and bitter. They were also apprehensive about their political future, but Musa Alami was concerned above all about the economic positions, and these were collapsing one by one.

I asked whether there was no possibility of agreement and mutual help instead of hatred and sterile opposition. The fact was that the Arab Fellah and the Arab laborer were better off here than in Transjordan, where there wasn't a single Jew, or in the neighboring Arab countries. [...]

Musa Alami was sorry about the chances [of an agreement], but he could see no way out. Would the Jews stop buying lands?

I said that, first of all, we must seek a solution to the political questions, because in my opinion the Arab had no reason for fears with regard to the economic question. In the area it would not be difficult to reach an agreement that would satisfy both sides. The main difficulty was in the political field. We wanted immigration unrestricted by political considerations; we did not wish to remain a minority, and there was the question of regime and the final arrangements for the country.

Musa Alami spoke with bitter mockery about the Legislative Council proposal. It was a mere deception. All the power would remain in the hands of the English, while the elected representatives - Arabs and Jews alike - would be able to nothing but talk; the Government would do so as it pleased. Nevertheless, the Arabs would apparently participate in the Legislative Council, because they had gained nothing from their refusal to join the council established twelve years before.

I asked him whether the Arabs would agree to parity.

His answer, as I had expected, as absolutely negative. Why should they? he asked. Did the Arabs not constitute four-fifths of the country's population? Why should they make such a concession?

I said that I could well understand that stand, but possibly another proposal was feasible. Instead of a council without any real power, perhaps we should together demand a share in executive authority. The English were surely not keen on having us participate in the government, but if the Jews and Arabs agreed among themselves and presented a joint demand, the English might be forced to consider it - and the Jews would agree to such a demand if they were assured of parity in the government. Would the Arab agree?

Such a plan might serve as a basis of discussion between the Jews and the Arabs, Musa Alami replied.

I said that we would seek a common political platform, and then I put to him the crucial question: "Is there any possibility at all of reaching an understanding with regard to the establishment of a Jewish State in Palestine, including Transjordan?"

He replied with a question. Why should the Arabs agree? he asked. Perhaps the Jews would manage to achieve this even without Arab consent, but why should they give their consent to this?

I answered that in return we would agree to support the establishment of an Arab Federation in the neighboring countries and an alliance of the Jewish State with that federation, so that the Arabs in Palestine, even if they constituted a minority in that country, would not hold a minority position, since they would be linked with millions of Arabs in the neighboring countries.

After brief reflection, Musa Alami said that the proposal could be discussed, but what would happen in the meantime? [Return to discussion of the Legislative Council proposal].

The hour was already late, and we parted. [Ben-Gurion refers to difficulties of arranging a further meeting during the coming months.]

B. MUSA AL-ALAMI'S VERSION

[Musa] was visited at his home by two of the most important Jews, Ben Gurion and Shertok. [...] Their avowed object was to have a general talk on the future, and Shertok opened the ball [sic] with a long discourse in familiarly soothing terms, in which he likened Palestine to “a crowded hall in which there is always room for more people”, and asserted that it could always contain the Jews who wanted to come in without any vital harm being done to the Arabs, who on the contrary would benefit from the development which Jewish capital would make possible.

He was, however, brushed aside by the blunter Ben Gurion, who snapped out that it was useless to talk like that to a realist like Musa Alami. The Jews had nowhere to go but Palestine, whereas the Arabs had at their disposal the broad and undeveloped lands of the Arab world. What he and Shertok wanted to know was whether there was any possibility of the Arab being brought to agree to the creation of a Jewish State which would include both Palestine and Transjordan (the latter was a new suggestion to which he returned several times), in return for Jewish support for the creation of a Federation of independent Arab States. The existence of this latter, on good terms with the new Jewish State, would prevent the Palestine Arabs from feeling “crushed” even if they became a minority in the latter.

Musa listened in silence, and when they had done contented himself with a reminder that he was a Government servant and not a politician, and a reference to the numerous Zionist publications which betrayed both expansionist designs and hatred of the Arabs.

They parted on friendly terms, and Musa had been favorably impressed by Ben Gurion's forthrightness. Nevertheless the conversation marked the final stage in his education on the nature and aims of Zionism. Despite all that he had seen and read during the previous ten years, he had remained, as he says, “incredibly naive” about the ultimate intentions of the Zionists, who had always been careful in their official pronouncements to keep their desiderata within the limits of the Balfour Declaration and the Mandate, i.e., a National Home in Palestine. But now he had heard these leaders, who were not reckoned extremists, making crystal clear that they were aiming at nothing less than the complete control of the country.



**ACCOUNTS OF A MEETING BETWEEN DAVID BEN-GURION AND PRESIDENT
OF THE PALESTINIAN ISTIQLAL PARTY, AWNI ABD AL-HADI, 18 JULY 1934**

A. BEN-GURION'S VERSION:

[...] After Magnes introduced us, he started the conversation. Speaking in broken English, he opened with the land question. The Jews were buying up the best lands and dispossessing the Arabs. All the valleys were in their hands: the coastal valley, the Jezreel valley, the Hulel. Weizmann and others were always proclaiming goodwill towards the Arabs - where was this goodwill? In what form had it actually been manifested? Do you think you can fool us with sweet-sounding proclamations? What have you done to prove your goodwill? The settlement of the Jews undermines the existence of the Arabs. It is of no benefit to us. Individuals among us have become rich, but the people are losing their positions. The Jews have introduced speculation into the country. They pay exaggerated prices for land, and even if a few Arabs do plant orange groves with the Jewish money they have obtained, who can guarantee that in the end those groves will not be sold too? Who can resist the insane prices paid by the Jews? The English are helping to dispossess the Arabs [of] the land, contrary to the Mandate. He was planning to go to court to protest the illegality of the Jewish purchases. He knew that he would lose, for there was no justice in the land, but he wished to try. The terms of the Mandate provided that the Jews be helped without causing any harm to the Arabs. But the sale of land did cause harm and it was thus a violation of the Mandate. The behavior of the Jewish National Fund [Keren Kayemet] was particularly reprehensible. It did not leave the Arabs any trace of land, he said [...]

Both Dr. Magnes and I tried to prove to him that the settlement of the Jews was a blessing to the Arab fellahin [...]. Auni disputed this. He maintained that in any case the land was being transferred to the Jews, and even though the Arabs might not need it at the moment they would require it in a generation or two, when their numbers would be greater.

I said that if he was opposed to all land purchases under any conditions there was of course no possibility of a mutual understanding. We had been compelled to come and settle without the consent of the Arabs, and we would continue to do so in the future if necessary, but we would prefer to act on the basis of an understanding and mutual agreement. This was conceivable if the Arabs recognized our rights to return to our land, while we would recognize the right of the Arabs to remain on their land. By developing the country we would make possible a larger and more firmly established population. [...] On the basis of our settlement experience and of detailed scientific research, we were convinced that there was room in the country both for Arabs who would gain their livelihood from their land and for large-scale Jewish settlement. We wanted all the Arabs that were working the land to remain where they were.

But under Jewish ownership? Auni asked.

No, I replied, we wanted to acquire the surplus. There was plenty of land in the country that was entirely uncultivated and unpopulated, and it should be put under intensive cultivation to permit a greater population density. Auni had his doubts, and he returned to the arguments the Arabs had put forward before the Shaw Commission [...]

I told him that, while the land question was of great importance, to us as well as to the Arabs, it would be impossible to arrive at an understanding on that matter unless there were grounds for agreement between us on the central issue. And the central issue was: Is it possible to reconcile the ultimate goals of the Jewish people and the Arab people? Our ultimate goal was the independence of the Jewish people in Palestine, on both sides of the Jordan, not as a minority but as a community of several millions. In my opinion it was possible to create over a period of forty years, if Transjordan was included, a community of four million Jews in addition to an Arab community of two million. The goal of the Arab people was independence, and the unity of all Arab countries. If the Arabs agreed to our return to our land, we would help them with our political, financial and moral support to bring about the rebirth and unity of the Arab people.

Auni became enthusiastic when he heard this and said that if with our help the Arabs could achieve unity he would agree not to four million, but to five or six million, Jews in Palestine. He would go and shout in the streets, he would tell everyone he knew, in Palestine, in Syria, in Iraq, in Damascus and Baghdad: Let's give the Jews as many [immigrants] as they want, as long as we achieve our unity.

When his enthusiasm abated he reverted to his mocking and skeptical tone and asked what guarantees the Arabs would obtain. The Jewish in Palestine would increase in number to four million, while the Arabs in the other countries would be left with the English, the French, and the promise given by the Jews. Did we think Arabs could rely on our promises and declarations?

I told him that if we should reach agreement on the main point we would seek together practical means whereby each side could insure the interests of the other. Even [though] we had not yet attained four million in the country, the realization of Zionism was a long process, and the rebirth of the Arab people would also not come about overnight.

Auni asked whether we would help the Arabs get rid of France and England.

I answered that I had to speak frankly on this matter too. We would not fight against the English. We, too, had grievances against the Mandatory Government, perhaps no less than those held by the Arabs. But the English had helped us, and we wanted them to continue to do so. And we were faithful to our friends. The building up of the Arab economy, the raising of the level of culture, public education, the

development of the various Arab countries - all these preceded and conditioned political liberation. In that positive task we were prepared to render all possible assistance to the Arab people. The only question was whether the Arabs were prepared to let us to work peacefully and undisturbed in Palestine.

Dr. Magnes framed the question as follows: Were the Arabs willing to sacrifice Palestine in order to attain the broader goals in the other Arab countries?

I commented that we did not wish the Arabs to “sacrifice” Palestine. The Palestinian Arabs would not be sacrificed so that Zionism might be realized. [...] The Arabs of Palestine would remain where they were, their lot would improve, and even politically they would not be dependent on us, even after we came to constitute the vast majority of the population, for there was a basic difference between our relation to Palestine and that of the Arabs. For us, the Land was everything, *and there was nothing else*. For the Arabs, Palestine was only a small portion of the large and numerous Arab countries. Even when the Arabs became a minority in Palestine they would not be a minority in their territory, which extended from the Mediterranean coast to the Persian Gulf, and from the Taurus Mountains to the Atlantic Ocean. [...] For the Jewish people, it was essential that they be the majority here, as otherwise they would not be independent. But the Arabs could not turn into a minority.

Dr. Magnes asked whether the Arabs in their various countries really felt their unity.

Auni answered that, while this might not yet be true of the masses, the Arab intelligentsia in all countries - Syria, Iraq, Saudi Arabia, Tunis, Morocco - did feel they belonged to one culture, one past, one nation.

The talk lasted three hours, and we parted on very friendly terms.

B. AWNI ABD AL-HADI'S VERSION

[...] A long discussion took place between us, lasting three hours. I made notes of the talk which took place between us immediately after they left.

Ben-Gurion began the discussion after Dr. Magnes had introduced me to him. Dr. Magnes, who was often making approaches to the Arabs on the pretext that he did not believe in the Zionist policy, told me that Ben-Gurion had asked him to bring him into contact with Arab nationalists who were not corrupted by money [...]. I felt that it would be in my interest to become informed about the intentions of this well-known Zionist leader in Palestine. [...]

Ben-Gurion said: I came to speak with you about our case, the case of the Jews. The Jews desired to reach an agreement and come to an understanding with the Arabs, instead of feuding with each other. He said: We recognise the right of the Arabs to remain on their lands, if they recognise our right to settle in Palestine.

Here I was unable to listen to the lies he was telling. I interrupted him, saying: Palestine, Mr. Ben-Gurion, is an Arab country and not a Jewish country. The right of the Arabs to remain on their lands and in their country does not require your recognition. You are foreigners in this country. As for the Palestinian Jews who have lived with the Arabs in peace, they enjoy the same rights as the Arabs enjoy, without discrimination. As for the Balfour Declaration, a foreigner who did not rule [Palestine] issued it to a foreigner who was not entitled [to it].

As soon as that Declaration was issued, we saw the British Government give all the lands [...] to Jewish companies. We saw her exert great efforts to facilitate the transfer of Arab lands to Jews by decreeing oppressive taxes and enacting unfair laws. We also saw the Jews buying some lands from people of weak character. In this way, the Jews owned most of the good Arab lands, the lands of non-Palestinian Arabs living outside Palestine [...]. You are active in tempting the fellahin, taking over their lands by means of the greatest calamity and horrible evil with which we are afflicted: your great

company called the Keren Kayemet. [...] It was not enough that this company bought extensive lands from the rich people living outside Palestine; rather, this company has started enticing the poor among the fellahin with large sums to rob them of the lands of their fathers and grandfathers. The result of this unjust policy is that the Jews' land area has begun to grow, while the Arabs' land area is starting to diminish. The Arabs need very inch of their lands.

I told Ben-Gurion that the damage affecting the Arabs because of the Jews' taking over the lands in the country has already reached great proportions. I had decided to file a suit against the English Government [...] in the highest court [...]. The laws of the country [i.e., the terms of the Mandate?], as you know, do not permit any act or measures which cause harm to the Arabs.

Here Ben-Gurion said: But, in this situation, if you decide to pursue something like that policy, then that doesn't leave room for an understanding between us, and this is regrettable. The Jews will take all pains to settle themselves on the lands of Palestine. If the Arabs try to prevent them, the Arabs will be testing their muscle and the Jews will be testing their abilities. The only result of that would be tragedy and the shedding of innocent blood by both parties. He began to explain the great advantages which the Arabs would gain from the settlement of Jews in Palestine, from the improvement of methods of work, the increase in their income, and the help of the Jews to the Arabs [in the quest] for independence and unity.

Here I told him fervently and in a severe tone: You speak, Mr. Ben-Gurion, about money, and about helping us with our independence and unity, is exchange for the Arabs conceding Palestine to the Jews on both West and East Banks [of the Jordan]. I am talking about the homeland and its sanctity. The homeland is not sold for a price, and therefore it is not possible, Mr. Ben-Gurion, for us to come together.



**AHMAD SALIH AL-KHALIDI, PRINCIPAL OF THE GOVERNMENT ARAB COLLEGE,
PROPOSAL FOR CANTONIZATION AND FORMATION
OF AN ARAB AND JEWISH STATE, JULY 1934**

The proposals outlined in this memorandum are by no means new. Various attempts have been made in the past to solve the Palestine question on the basis of cantonization and have for some reason or another failed. The proposals however came from the Jewish camps. The present scheme is based on a broad and just consideration of the present situation, and on a clear understanding and sympathy with just and moderate claims of the two conflicting camps. It is believed that after serious deliberation, the present proposals should prove beneficial and satisfactory to both sides, Arab and Jewish. [...]

The present situation in Palestine could by no means be taken as normal. The position is potentially dangerous. The reason for this we need not enter into. Whether we like it or not we have to admit that disturbances are bound to occur now and then of a much [more?] serious nature [than October 1933?]. Peace is a thing which Palestine cannot claim to enjoy. The proposals here submitted will put an end to this hesitant and unsettled state, and Jews and Arabs will enjoy for ever the element of security which we cannot admit they now enjoy. Once the political questions are solved the country though divided will reap the seeds of peace and security. The present proposals should not be taken as a temporary settlement, but as a final solution. The Balfour Declaration will have to be cancelled when the present arrangement comes into force. International ratification of the powers will have to be obtained together with the consent of world Jewry.

[Proposed boundaries of the cantons described.] The Jews now possess about 1,500,000 dunums. The [Jewish] canton will include more land to the extent of 1,000,000 dunums, thus making it 2,500,000.

The following towns will be declared neutral and Holy[:] they are Jerusalem, Hebron, Bethlehem, Nazareth and Safad. Bethlehem and Nazareth being totally Arab will be attached to the Arab canton and the *satisquo* [sic] will be preserved.

It is noteworthy that the Jewish canton will comprise the best lands of Palestine and as such the Jews will be able to take into their canton as many immigrants as their capacity can take.

The Jewish existence in Palestine will depend on the economic success and this in turn depends on

- (1) Industry
- (2) Intensive cultivation

The Jewish canton therefore should satisfy Jewish ideals in having established in Palestine a Jewish national Home.

The Jews will further be able to settle in Jerusalem, Safad and Hebron towns. It is understood that some transfer of property and population is bound to take place, but meanwhile Arabs residing in the Jewish canton will have to abide by the laws and regulations of the Jewish canton and vice versa, it being understood that their civil and religious rights will be protected. They can appeal at anytime to the Supreme Court which shall be preserved in Jerusalem. Subsequent to that, two independent and widely autonomous local governments will be set [up,] one Arab and the other Jewish. These two governments will be entirely run by Jews and Arabs with limited British advice.

The cantons will then enter into agreement with the Mandatory Power for a period of some years, preparatory to their becoming members of the League of Nations.

Steps will be taken to join Trans-Jordan to the Arab canton under Amir Abdallah and this should satisfy the Arabs and compensate their loss of what was lately in their hands.

A central Council will then be formed in Jerusalem with Arabs, Jews and British on it which will be responsible for Religious sites, the Supreme and Mixed Courts, Posts and Telegraphs, Customs, Railways, Currency and Defense in both cantons. All other government activities will be deputed to the local government:

- (1) Law Courts up [?] District Court
- (2) Education
- (3) Agriculture
- (4) Local Police
- (5) Public Works etc.

The Arabic Language and the Hebrew Language will be declared official in the Arab and Hebrew cantons respectively. The Amir 'Abdallah will act as head of the Executive Council of the two cantons.

Independent and separate Legislative Councils in both cantons will be formed which will have jurisdiction to enact [laws] within the terms of agreement. Jewish and Arabs willing to migrate to the other canton will have to abide by the rules and regulations of the canton, and the same thing applies to ownership of land. Immigration and ownership of land in both cantons will be completely in the lands of the Legislative Council subject to agreement.

It is the candid and firm opinion of proposer that these proposals are feasible and practicable. They should ultimately lead to the co-operation and better understanding between the two kindred races. Add to this that the expenses of Police, transportation and duplication of work etc. will be diminished and directed towards productive concerns.

As to Great Britain she will have attained the following aims:

- (1) Fulfilment of promise both to Jews and Arabs.
- (2) Ensuring British interests in Palestine by creating a free part of Haifa.
- (3) The Palestine troubles and disturbances etc. will cease.
- (4) The prestige of Great Britain will be immensely enhanced.

P.S. The extreme Arab and Jewish camps will probably refuse these proposals[,] so might some of those who are no influencing more or less the trend of politics in the land[. B]ut this should not matter[,] for if the Jews will re-consider the situation and take into consideration that the friendship of the Arabs[,] who should ultimately see the advantages of the proposal, is far better than relying on force.

One separated the two races will come to realize how much they have in common. Many will discover that they must have been working under an illusion.



**ACCOUNTS OF A MEETING BETWEEN DAVID BEN-GURION AND
IHSAN AL-JABIRI AND AMIR SHAKIB ARSLAN OF THE SYRO-PALESTINIAN
COMMITTEE IN GENEVA, 23 SEPTEMBER 1934**

A. IHSAN AL-JABIRI'S VERSION

Following the pressing appeals of a number of friends, we agreed to receive Ben-Gurion in Geneva. He wished to talk to us about the Jewish problem in Palestine and to propose a number of practical solutions which had been put before his committee [i.e., the J.A.E.].

To tell the truth, we hesitated a long time before agreeing to the visit, because we suspected that it might have been planned as propaganda for the Zionist movement. But after receiving information as to Ben-Gurion's serious nature, we decided that it would be worthwhile to hear his proposals while at the same time learning of the real aim of Zionism from an authorised source. Naturally the talks had not official character. This was an informal exchange of view without any commitments on either side. [...] We told Ben-Gurion that we would listen to his proposals with the greatest attention.

He opened with an introduction which included the causes of immigration to Palestine, the aims of the Zionist movement and the urgent motives for Jewish settlement in that country. He detailed the various stages the Jews have gone through in different countries, and he concluded with the absolute necessity of making Palestine *a Jewish homeland and a Jewish State*. That could not be prevented, he declared, but he believed that it was necessary to reach an agreement with the Arabs.

We asked him how many immigrants the Zionist Agency intended to bring into the country and what he thought was the maximum absorptive capacity of the country. He stated frankly that their claim applied not only to Palestine but to Transjordan as well. According to their experts, the two countries could absorb between six to eight million Jews. He explained in greater detail the material and spiritual factors that draw the Jews to Palestine. He had come to ask quite simply what compensation the Arabs might demand for agreeing to the establishment of a Jewish State in both of these countries, immediately adding that the Arabs who did not wish to emigrate from their country would be free to remain and their land would not be stolen from them.

We felt it our duty to ask him whether he was talking seriously, for we could not keep from smiling when we heard such nonsense. Nevertheless, we wanted to get to the bottom of the matter and we asked Mr. Ben-Gurion what compensation the Jews would make to the Arabs in return for their sacrifices.

He answered: "We will extend political and economic aid to the Arabs. The political aid will come from the mobilisation of Jewish forces on behalf of the Arabs in Syria. The economic aid will be in the form of capital investment in Iraq, Saudi Arabia, and Yemen, looking to their economic development."

We replied: "In short, you are proposing to us the evacuation of a country [for the sake of] seven or eight million inhabitants, in return for some vague political assistance and economic aid of which these Arab countries have no urgent need. [...]A]s you see, events in Syria are developing normally [towards independence], without the need of any Jewish help. Iraq, for its part, has already achieved

independence and, thanks to its oil and other natural resources, is in the full swing of economic development. There is no capital shortage; the Government has only to ask, and money is forthcoming. As for Hejaz and Yemen-at this time, at any rate, they have no intention of seeking foreign capital, least of all Jewish capital. You can well see that Arab dependence on the political and economic aid of the Jews is not a necessity.

“Indeed, very little is being offered in return for driving a million and a half Arabs to abandon their birthplace, the holy land of their fathers, and wander into the desert, in return for the Arab nation of twenty million souls accepting this humiliation of countersigning the evacuation of the land, every grain of which is saturated with the blood of their fathers, and which is so holy from the religious aspect. Such a proposal should not be presented before it is weighed and examined with great care.”

If anyone has such grandiose and impudent ideas, he should not assume that he will obtain the consent of his adversary. It would be better for him to continue with reliance on British bayonets, and to create the Jewish Kingdom, but at least he should not contemplate an agreement with the Arabs, an agreement that the English and the Jews do not cease talking about in order to deceive world public in continuing this fantastic conversation. These are the facts as they were presented.

Mr. Ben-Gurion had good reason for his boldness in making such childish and illogical proposals, for the tremendous backing of the British Government, the inaction of the Arab forces in the face of the growing dangers and the assaults of the Jewish enterprise have made it possible for the Zionist representatives to take up the most daring notions. Mr. Ben-Gurion’s step is really a most important act, revealing the true aim of the Zionists, which can be explained by their faith that their dream will soon be realised. It is a warning not only to the Arabs, but also to the British, who ought to ponder the consequences of Jewish expansion of this scope.

B. BEN-GURION’S VERSION

When we arrived at Arslan’s, Jabri was already there. [...] After a brief conversation about common acquaintances-in the French Socialist Party-we came to the point. Jabri said that he had received a letter from Palestine about the talks held with me, but he wanted to hear details. There was a language difficulty. We started in Turkish, but since [Marc] Jarblum did not know the language we switched to French. That was the first time in my life and that I took part in a lengthy, serious conversation in that language. [...]

The talk in Arslan’s home lasted until one in the morning. I went over the main points I had discussed with Musa Alami.

Arslan immediately adopted an extreme position. Without a promise from us that the Arabs in Palestine would remain a majority he was not prepared for any negotiations. As to our assistance in achieving the unity of the Arab countries outside Palestine - unity of that kind was nothing but a dream. Before that came about, a hundred or who knew how many years would pass. Meanwhile, the Jews would be the majority in Palestine while the Arabs would become an insignificant factor.

I said that I was not so pessimistic about the unity of the Arab countries. As for the Palestinian Arabs, they were after all only a small percentage of the total Arab population, and even if we became the overwhelming majority in Palestine, more than two-thirds, the Arabs of Palestine would be surrounded by Arab states that were linked with the Jewish State.

Arslan changed his line of reasoning and said that the unity of the Arab peoples was assured in any case. [...] S]o why did the Arabs need Jewish help, and what would it actually give them? If the Jews needed a Jewish State, why did they not go to one of the larger, unpopulated countries?

I told him that similar advice had been offered us at the beginning of the century [...] by Joseph Chamberlain, who was then Colonial Secretary and had offered us Uganda - and we had rejected it. I explained what Erez Israel had meant to the Jewish people for some four thousand years.

Arslan insisted emphatically that he could not approach the Arabs of Palestine with a proposal that they should become a minority. He did not see any value whatsoever in Jewish assistance, and he was also certain that the English would never permit us to become a majority or a great force in Palestine. England wanted a Jewish community in Palestine in order to make it easier for her to dominate the Arabs, but she had no interest in creating a Jewish Palestine. Even if such a Palestine should be created, the Arabs would never acquiesce. After all, surrounding Palestine there were tens of millions of Arabs. He was prepared to enter an agreement only if we would undertake to remain a minority.

He also denied our right to settle in Transjordan. That area had not been promised to us in the Mandate, and we had no claim to Transjordan even from the English standpoint. He asked me, by the way, whether the English agreed to our settling in Transjordan. I said that the exclusion of Transjordan from the Jewish national home was temporary and had been introduced a few years after the Balfour Declaration, which applied to all Erez Israel, eastern as well as western.

When Jabri spoke, he made no attempt to contradict Arslan, but it was obvious from his questions that he was more willing to compromise: he valued the Jewish factor more and understood the historic tie of the Jewish people to Palestine. He asked me whether we were empowered by the Jewish people or the Zionist Organization to make an agreement. I said that for the time being the conversation was private and, as he already knew from the letter he had received, also confidential.

After our talk was over, Jabri escorted me to the railway station. On the way he said that the last word had not been spoken and that the discussion would continue.

C. AMIR SHAKIB ARSLAN'S VERSION

The danger to Palestine has become a settled issue. The Jews, in the past, had concealed a little bit, but now they have made it clear and disclosed that they are coming to Palestine, five or six million souls, whether we agree or refuse. England herself, if she wanted to stop this thing, doesn't have the power to do so.

A month and a half ago, the Chairman of the Executive Committee of the Zionist Organization (I forget his name) came to us in Geneva from Paris. Musa Bey al-Alami knows him, and wrote to me about the man's desire to meet with us, saying to me that the controlled Zionist affairs. In short, he came [...] and sat with us for three hours. He did not stammer in telling us [...] that the Jews will definitely come to Palestine and Transjordan and that their numbers will reach at least seven million.

We told him that, if the matter did turn out that way and if we had no way of repelling this immigration, what then was his reason for coming to inform us of that intention? He said: Because they preferred that this matter be [settled] without quarrel or disagreement, and because they wanted to assure us that they did not intend to encroach on the Arabs of Palestine or to evict them from their homes. Indeed, the question of the existence of the majority of the country did arise: the Jews [Ben-Gurion explained] would indisputably become [the majority].

We answered him, in all calmness, saying: We ourselves will prevent them from coming and from taking over the country; not only Transjordan but also Palestine itself shall remain Arab. He said: How would you stop us? We restrained ourselves by saying that we would stop them, without knowing how. Whatever happened, we would repeatedly convince you that the country shall remain Arab. Then he began to concoct ridiculous proposals, such as that the Jews, having great worldly power, would support the Arabs in their independence. We told him: If the Jews promised us that they would expel France from Syria, Morocco, Tunisia and Algeria, then could we reach this [stage of] idiocy to believe him?

Then he said that they would offer a loan to Iraq to settle its affairs. We told him that Iraq did not need a loan and did not want to borrow; every day people were coming to offer the Government of Iraq funds to borrow from them, and she was refusing.

In short, I'm telling you this not out of consideration from the important of the proposals which the Zionist leader put forth, but because they are a reflection of the degree of impertinence which these groups have reached this year, especially while the Arabs of Palestine are concerned only with municipal elections and nonsense which you are familiar with. our misfortune with the Jews is not as [bad as] our misfortune with ourselves. [...]



**FATWA FROM THE RELIGIOUS SCHOLARS OF PALESTINE
REGARDING SELLING OF THE LANDS TO JEWS, 26 JANUARY 1935**

Praise be to Allah, Lord of the Worlds, and blessings and peace be upon His trustworthy Messenger, and upon all his family and companions, and on those who followed them in goodness up to the Day of Judgement.

As for what follows:

We, the Muftis, judges, teachers, lecturers, Imams, preachers, and all other religious scholars and religious men of the Muslims in Palestine; who have gathered this day in this religious assembly which has been convened in Jerusalem, in the Farthest Mosque (al-Aqsa) - whose surroundings are blessed - (issue the following statement) after examination and perusal of the situation confronting us.

The situation involves selling Palestinian lands to the Jews, which serves toward attainment of the goals of Zionism. These goals involve Judaicizing this holy Islamic country, displacing it from the hands of its people and expelling them from it, and erasing all trace of Islam from it by demolishing mosques and (other) places of worship and Islamic holy sites. All this has already occurred in the regions whose sale to the Jews has been completed, and whose inhabitants have been expelled, homeless upon the earth. It is feared that the same will occur - may Allah not permit it - in the First of the Two Qiblahs, the Third, after the Two Holy Mosques, which is the Blessed Aqsa Mosque.

We have examined the verdicts (fatwas) which have been issued by the Muftis and scholars of Islam in Iraq, Egypt, India, Morocco, Syria, Palestine, and all the other Islamic regions. These verdicts all agree upon the prohibition of selling the land in Palestine to the Jews, and (they also agree) upon the prohibition of acting as middleman on these sales, or playing the part of a broker, or assisting the matter in any manner or form; and also upon the prohibition of being pleased with this entire affair, or remaining silent before it. They agree, furthermore, with respect to every Palestinian, that all of the above, committed by somebody who is aware of the consequences and contented with them, necessarily entail disbelief (kufr), and apostasy (irtidad) from the religion of Islam. This occurs through believing in the permissibility of the matters, as has been mentioned in the verdict issued by the respected Sayyid Amin Al-Husayni, Mufti of Jerusalem and President of the Supreme Islamic Council.

After examination and perusal of all of the above, we support the content of those noble verdicts, and agree that the seller, the land broker, the mediator and anybody facilitating the sale of Palestine are all:

1. Knowingly aiding in expelling Muslims from their homes
2. Preventing people from the mosques of Allah, preventing the remembrance of His name therein, and striving to ruin them.
3. Taking the Jews as allies, for his deeds are considered as help and support to them against the Muslims.

4. Annoying Allah, His Messenger and the believers.
5. Betraying Allah and His messenger, and the trust (appointed to him).

Let us return to the clarifying evidences for these regulations in circumstances such as these, from the Book of Allah, such as the following (translated):

"Oh believers! Do not betray Allah and the Messenger, nor knowingly betray your trusts. Know that your wealth and offspring are (but) a test, and that with Allah is a tremendous reward." [8:27-28]

"Those who annoy believing men and women by that which they do not deserve - they are guilty of slander and manifest sin." [33:58]

"Who is more unjust than one who prevents people from the mosques of Allah, lest His name be remembered therein, and strives to destroy them? It does not befit those people to enter them (the mosques) except in fear. There is disgrace for them in this world, and theirs is a tremendous punishment in the Hereafter." [2:114]

"Allah does not prevent you from being kind and equitable to those who have not fought you on account of your religion, nor driven you out of your homes. Allah loves the equitable. Allah only forbids you from befriending those who have fought you on account of your religion, and driven you from your homes, and assisted in expelling you; whoever befriends them, they are the wrongdoers." [60:8-9]

"Oh believers! Do not take as friends and protectors (those who are) My enemies and your enemies." [60:1]

"And whoever befriends them is one of them" [5:51]

The Imams of exegesis (tafsir) have mentioned that the meaning of "he is one of them" is that he is one of their group, and that his status is like theirs.

It can be realized from all that we have hitherto mentioned in the way of means and results, sayings, rulings and verdicts, that with regard to those selling Palestine to the Jews, whether directly or through some intermediary or broker, as well as those facilitating the matter or assisting in it by any means whatsoever, while knowing of the above-mentioned consequences:

- it is not permissible to perform the funeral prayer for them when they die
- they may not be buried in Muslim graveyards
- it is obligatory to repudiate them, cut off relations with them, and hold their kind in contempt, and not to love them or be intimate with them.

The above holds true even if the person involved should be one's own parents, children, siblings or spouses.

"Oh believers! Take your fathers and brothers as friends if they prefer disbelief to faith. And whoever among you befriends them - those are the wrongdoers." [9:23]

"Say, 'If your fathers, your children, your brothers, your spouses, your kinsfolk, the wealth you have acquired, the trade whose loss you fear, and the dwellings which you are pleased with, are more beloved to you than Allah and His messenger, and jihad in His path, then wait until Allah brings about His decree. Allah does not guide transgressing people.'" [9:24]

Bearing this in mind, to remain silent in the face of the actions of these people, and to be pleased with them, is absolutely forbidden.

"Oh believers! Hearken to Allah and to the Messenger when they call you toward that which gives you life. Know that Allah intervenes between a man and his heart, and that to Him will you be returned. And fear an affliction which may not afflict the wrongdoers exclusively among you, and know that Allah is severe in punishment." [8:24-25]

May Allah make us of those who hear the word and follow its excellence, for He is our Protector; how excellent a protector, and how excellent a lender of support.

Signed on 20 Shawwal 1353 AH (26 January 1935 CE)



NOTES OF A TALK BETWEEN MOSHE SHERTOK, HEAD OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY, AND AMIR ABDALLAH OF JORDAN, AMMAN, 11 JULY 1935

[...] "What is happening with you," [the Amir] asked, "in relation to the legislative council? Some say that it will really be established this year. What is the position of the Jews about it: will you take part in it?"

"No", replied Mr. Shertok.

"Why?"

"Because the creation of a legislative council without mutual understanding between the Jews and the Arabs will bring no good to either of the communities who inhabit the country."

The Amir said that the Jews were making a big mistake in negating the value of a legislative council and explained his delicate position vis-à-vis the elements in Palestine: the Arabs were difficult, the Jews were stubborn, and the British were more stubborn than both of them. [...] He considered himself our friend and this actually obliged him to be true to his people. It had happened more than once that his words and preaching in favor of mutual understanding with the Jews had not pleased them [the Arabs], but this had never stopped him from continuing to preach in favor of peace. He did so, he said, out of a sincere belief that the thing would bring benefit to both parties. The Jews had come here with little and even they themselves had not imagined that they would reach this level [of development] of today. They had succeeded in coming thanks to their stubborn stand and great perseverance, and because of this no one had the power to erase the value of their existence in Palestine. On the other hand, the Arabs were the natives of this country and they had natural rights over it. They had demands which it was not always possible to accept. A man had to be found who knew how to bring the parties together and ring about a blending of the interests of both sides. He himself was prepared to be that man. If he heard from us a proposal which he found more or less reasonable he would then be able to convince the Arabs. In any case, he regarded participation of the Jews in the legislative council - if they would not maintain their rejection - as a first step towards mutual understanding with the Arabs. The very [fact of] sitting down together must necessarily lead to good relations.

Mr. Shertok acknowledged the lofty sentiments of the Amir and explained Jewish fears regarding the Council. [...] Everywhere [the Jewish people] found itself a minority, where the majority did whatever it wanted. [...]he Jews had no place except Palestine which could serve as a tiny foothold. They looked upon it as their haven of refuge and did not want to feel themselves a minority within it. Sitting with the Arabs in a council was liable to [?]limit] the steps of the Jewish enterprise because the

Arabs did not want, on any account, to recognise the right of existence which the Jews had in this country. So long as we were a minority [... the Arabs] would not have to respect our feelings. [...]

[Abdallah:] The information which he had indicated that the decision on [?important] questions in the legislative council would be referred to the Government, and he didn't understand what the Jews were afraid of. He had strong faith that England would not wish to renege on a promise to them.

Mr. Shertok said that the [...] Arabs had to remember that the Jews were hoping to reach a majority at some point. What would the situation be then? They would cry out against the injustice perpetrated against them by the Jewish majority. But if they wanted to look at this future development with open eyes, they should agree with us that the surest way would be the granting of equal representation to each of the two peoples in the country's legislative institutions. This form of representation will guarantee for all time the non-domination of either party by the other. Even in the event of the creation of a Jewish majority, the Arabs' rights would be protected by this representation.

"And why should you worry about the future of the Arabs? [asked the Amir.] Let them rule today, and if tomorrow fate grants you a majority, then you should rule."

"There is in that suggestion no solution to the question. We must remember that we did not come here as conquerors, but as a nation which regards this country as its only homeland, and which recognises that there is enough room in it for the Arabs. Even in the case of us becoming the majority, we would want to live in peace with them, since Arab lands surround us on all sides and we wish to develop good relations with them. If understanding does not reign inside [Palestine], then the anger of the neighbors outside will be aroused, and thus we would be undermining the path to assuring good relationships in the future."

"As the Amir of a neighboring country I am happy to hear this position. Could you, Mr. Shertok, declare it publicly? I believe that there are many Arabs who would be happy [to hear] this declaration. [...] Nevertheless, I would suggest that you go to the Zionist Congress and say that an important friend who is concerned with the future of Palestine recommends that they enter into a [legislative] council. Perhaps this council will lead to the uniting of Palestine with Transjordan in the future, and would open before you new horizons for settlement." [...]

Mr. Shertok explained that this idea of parity was not yet the [policy] of the Zionist movement as a whole. There were many who would oppose it and regard it as an act of betrayal. But if he found an attentive ear among the Arabs there would be many who would fight for its realisation inside the Zionist movement.

The Amir thanked Mr. Shertok for the opportunity given him to learn about this question from his lips [...]. He promised to talk about this with several Arab politicians and to hear their views on equality of representation. [...]



**MANDATORY HIGH COURT JUDGE GAD FRUMKIN,
PROPOSAL FOR A DRAFT ARAB-JEWISH AGREEMENT, MAY 1936**

Whereas it is recognised that it is of vital importance to the Jewish People to maintain peaceful and friendly relations with the Arab People, and

Whereas at the outset it is desirable to enter into an Agreement with the Arab Population in Palestine which should ultimately lead to a Treaty between the two ancient Peoples, the Jews and Arabs, and

Whereas the development of the Jewish Settlement in Palestine in all its aspects should be directed in such a way that not only will it exclude any possibility of prejudicing the rights of the Arabs

living in the country, or putting any restraint on them, but on the contrary will secure them direct benefit and participation in the economic upbuilding of the country, and

Whereas the Agreement must in the first instance solve the three main problems in dispute between Jews and Arabs, namely (a) Immigration and Labor, (b) Land, and (c) the Constitutional Structure of the Country,

the following proposal is hereby suggested by a Jewish group to serve as a basis for an Agreement and for the solution of the three main problems.

(a) IMMIGRATION & LABOR

1. The immigration of Jewish labor into Palestine will be regulated by the absorptive capacity of the country on condition that in new openings for labor created by Jews, a proportionate place will also be allotted to Arabs. [...]
Note: Upon Arab request it might be possible to fix at once the limit of the Jewish percentage in the total population of the country by the end of the first period of agreement [i.e., from five to ten years]. (From Arab sources it has been suggested that after ten years the Jews should reach 40% of the total population, which means a yearly immigration of 30,000 Jews.)
2. There will be no restrictions on the immigration of capitalists, but an opportunity will be given to Arabs to participate in the capital, and proportionally to the capital invested by them, in the Directorship of Companies established by Jews for all sorts of economic undertakings.
3. The Jews will also open their doors to the Arab Employees in trade, commerce and industry and other economical [sic] and financial institutions [...]
4. The municipality of Tel Aviv will employ a certain proportion of Arab labor and staff. [...] In consideration thereof, facilities will be given by Arabs for the settlement of Jewish capitalists, members of liberal professions, artisans and skilled laborer in towns hitherto consisting of mainly Arab population.
5. In public works undertaken by Government, labor will be distributed between the two peoples in proportion to their numerical strength in the country [...]
6. No free entrance into the country will be granted to Arab workmen from neighboring countries. In case of an agreement being reached with the competent authorities as regards Jewish immigration into Trans-Jordan, such an agreement will deal with the conditions of immigration of workmen from Trans-Jordan into Palestine.
7. After having agreed to the above principles, Jewish and Arab representatives will consider the criterion for fixing absorptive capacity of the country and the creation and composition of a body to control the observance of the above principles, in which body Jews, Arabs and Government Representatives will participate.

(b) LAND

1. No acquisition of new land by Jews during the first period of agreement will be made except on the principle that no Arab cultivating land either as owner or as tenant should be dispossessed from the land [...].
2. There will be no restriction as regards the purchases of land by Jews for urban or industrial purposes.
3. As regards land for agricultural purposes, if owned by felaheen and cultivated by them, the Jews will purchase a certain portion of it only, (from two-thirds to three-quarters) and Jewish institutions will assist the felaah to exploit the portion of land remaining in his possession intensively. [...]
4. If the land sold is cultivated by tenants, a portion of it (as quoted above) or other land in the neighbourhood, will be allotted to the tenants who will be granted facilities by Jewish Institutions for according such land on easy terms. [...]
5. After the above principles have been agreed upon, the parties will [...] consider the creation and composition of a body to control the observance of the said principles, in which Jews, Arabs and Government Representatives will participate.

(c) CONSTITUTION AND ADMINISTRATION

1. The constitutional structure of the country is to be built up on the principle of complete political, cultural and economic equality between the two People, so that independent of the numerical strength of any People now or at any time in future, no People will dominate the other.
2. Upon this principle, and provided that the full observance of the principles laid down in the sections dealing with Immigration and Labor, and Land are fully guaranteed, the Jews will agree to the establishment of a Legislative Council and to the development of the administrative system of the country in such a way that gradually more and more responsible functions in the administration will be entrusted to Jews and Arabs in equal measure, and also will not insist that already at its first session the Legislative Council should be equally represented.
3. The constitution of the Legislative Council, its duties and functions will be the subject matter of a separate agreement.

(d) TRANS-JORDAN & ARAB FEDERATION

1. Both Jews and Arabs will aim to combine the two sides of the Jordan into one Political Unit.
2. Until that unit has been established the Arabs of Palestine will look favorably upon the opening of Trans-Jordan for Jewish immigration and as far as it lies within their power will help Jews to come to an agreement with the competent authorities as regards conditions of immigration into Trans-Jordan and acquisition of land by Jews there.
3. If, after Palestine and Trans-Jordan have become one political unit, it will be invited to join an Arab Federation, Jews will promise not to adopt an attitude in opposition to such an invitation but will give it its [sic] most considerate attention, provided that the rights and privileges of Jews in Palestine and in Trans-Jordan, as described above, will be fully guaranteed and internationally sanctioned.

(e) EDUCATION AND CULTURE

1. Each of the two Peoples of Palestine will enjoy complete full independence in the administration of its cultural affairs without interfering in the cultural affairs of the other. Each party, however, will do its best to foster cultural and social relations between the two Peoples.
2. Both Jews and Arabs schools will educate the Youth in a spirit of respect and understanding for the other people's traditions and aspirations. In Arab schools, both Governmental and private, Hebrew will be taught as a language in the higher classes of the elementary and in all classes of the secondary schools; similarly the Arab language will be introduced as an obligatory subject in the parallel classes of Jewish schools.
3. The two parties will see to the establishment of Hebrew evening classes for Arabs and Arab[ic] evening classes for Jews.



**DR. BERNARD JOSEPH, LEGAL ADVISER TO THE JEWISH AGENCY, NOTE OF A
TALK WITH MUSA AL-ALAMI, SECRETARY GENERAL OF THE LEGAL
DEPARTMENT IN JERUSALEM, 28 MAY 1936**

I called at the office of M.A. [Musa al-Alami] this morning. I inquired as to what had happened about our previous conversation. He said that he had since then had a number of conversations with Jewish friends, and he had made efforts with the Arabs but without any great success. The difficulty was that the Jews wished to connect discussions for a settlement of ultimate problems with the cessation of the Strike, whilst the Arab leaders were unwilling to enter into discussions of these problems until the Strike was called off. They remembered that in 1930 Dr. Weizmann conducted certain negotiations with them and at the same time he was negotiating with the Government, and when he obtained the Prime Minister's letter (J. Ramsay MacDonald, February 1931) he dropped the Arabs. They would consequent be unwilling now to agree to the cessation on the strength of proposals to negotiate. It

seemed to him, therefore, that the only hope was that the Jews of their own volition [should] agree to a cessation of immigration during the couple of months that negotiations were pending, then the strike would be called off and negotiations would commence. If, as he understood, the Jews would be unwilling to agree to this course[,] then he was afraid that there was nothing left but to await the end of the Strike. If the Strike would break of its own weight he was confident that it would be possible to enter into negotiations subsequently. If, however, the Strike were suppressed by force, and he had no doubt Government could suppress it in this way[,] then the bitterness which would result would make it impossible for Arabs to negotiate with the Jews for some time to come.

I replied that [...]two alternative courses appeared to me to be open. I said that I spoke entirely as a private persons, and did not know whether I was not suggesting something that would be unacceptable to those responsible for the conduct of Jewish affairs, but I would like to get his reaction to these proposals and I would then be prepared to put them forward as suggestions.

On course would be for the Jews and Arabs to agree to meet to discuss their differences and that Government should make a public declaration that it would do nothing one way or the other, either at the request of the Arabs or at the request of the Jews[,] until the Arab-Jewish conference either arrived at an agreement or failed. [...]

The alternative course was for negotiations to be entered into at once by Arabs and Jews regardless of the strike with a view to settling the major differences. If this effort was successful the strike would automatically be called off when an Agreement was reached.

I said that I would suggest that the negotiations should be as to purely practical questions without raising ultimate aims. I thought the question should be approached from a practical point of view. The Jews would never agree to a restriction of their absolute right to bring into the country as many Jews as it could absorb or to buy as much land as was offered for sale. But I thought it might be possible to put forward a proposal whereby Jews would, in the light of Jewish immigration in the past and of Jewish land purchases in the past, agree that during a fixed number of years, say five years, they would, as a matter of economic expediency and in order to give the country time in which there should be established permanent relations of friendliness between Jews and Arabs, bring into the country a certain number of immigrants per annum, and not purchase in all more than a certain number of dunams per annum, on condition that this arrangements should not prejudice, in any way, their rights under the Mandate and the Balfour Declaration. The Arabs could agree to such an arrangement without formally recognizing Jewish rights, but would express their satisfaction with the arrangement, then the country would have no Arab-Jewish conflict and the Government would not be called upon to take decisions with regard to immigration and land as this would have been settled by the arrangement.

I made it clear that no responsible Jewish leader had gone so far as to agree to any absolute limitation by numbers of immigration or land purchases, but I would be prepared to approach them on this basis if he thought Arab leaders would be disposed to agree to reasonable figures. I said that, of course, if they spoke of twenty or thirty thousand immigrants a year on might as well not waste time discussing the suggestion.

He replied that he did not believe the Arab leaders could germinate the strike merely by entering into negotiations with the Jews. They would be discredited by such an act. [...]He was not sure that any of the Big Ten [i.e., the A.H.C.] would be willing to meet Jewish leaders as long as the Strike was on. He had looked about for other suitable Arab notables but could not find them. No one of the Big Ten, even the Mufti, had sufficient influence with the Arab rank and file to be able to impose his will. [...] I then suggested [...] that one should arrange a meeting with people like Aouni [Abd al-Hadi], Jamal [al-Husaini] and Ahmed Hilmi Pasha. He was more inclined to think that a possibility.

I asked whether, if I could persuade Jewish leaders to agree to negotiate on the basis of absolute limitation by numbers, this would not be sufficient justification for the Arab leaders to call off the Strike and to enter into negotiations.

M.A. was not sure but he went on to say that in any event he was doubtful whether Jewish leaders would be prepared to negotiate on such a basis[,] as they had always in their discussions with him been anxious to get the Arabs to agree to the conception of a Jewish State. He had, for his part, proposed a ten-year arrangement, but they always seemed to wish to tie the Arabs down to what would happen after fifteen years[,] by which time they had said they expected there might be a couple of million Jews in Palestine.

I said that it had occurred to me to mention a five-years period. During that time there would be no question of the Jews being a majority[,] so that the Arabs would still be in the same position at the end of the period as they were today with regard to who should be a majority, and the whole question as to whether or not there should be a Jewish State need not arise[,] as no one expected any such change to come about within so short a period of time. [...]

M. then raised the question of the Legislative Council. I said that he was touching on politics and I was concerned with the matter from a practical point of view. He retorted that if Jews and Arabs agreed as to immigration and land then there would be no danger in the setting up of that body such as the Jews had pointed to heretofore. I replied that I had little interest in this third question because the L.C. would have no power in any case. My objection to it would remain because I regarded it as a danger to the peaceful and friendly relations between Jews and Arabs, which I was anxious to help establish. It would be a platform from which politicians like Hassan Sidky Dajjani would vie with each other in being extreme in order to curry favor with certain elements of the population. This would constantly cause friction between Arabs and Jews and would thus defeat the whole purpose of our conversations.

I asked him whether Mr. Ben Gurion had ever mentioned to him the suggestion of there being [parity] Jewish and Arab representation in the Executive Council instead of a Legislative Council. [...] He thought that the Arabs might now agree to one Arab and one Jew or two Arabs and two Jews. To his I replied that I knew of no principle which would restrain the Jews from agreeing to Arab and Jewish representation on the Executive Committee if the representation were equal.

With regard to my suggestion M. thought that the Arab leaders would be reasonable as to numbers[,] and[,] if only the Jews would agree to negotiate on this basis[,] one could hope that an arrangement would be reached[;] but the principal stumbling block remained as to how to bring them together. He would try to raise the question again with the Arabs. Would I ascertain if the Jews would be willing to meet to negotiate on this basis? If I informed him that they would he, for his part, would explore every possibility of bringing the parties together. He stressed, however, that the Agreement should be a two-party and not a three-party one [i.e., involving the British ...] M.A. again expressed the fear that the Jews might begin to negotiate with the Arabs and then drop them because of some promise from the British.

I pointed out that this fear was not well founded. It was true that the Jews relied upon the British[,] but they were nevertheless anxious to find a *modus vivendi* with the large Arab population who were clearly entitled to be in the country, and [with] whom the Jews would like to live on terms of friendship. It was not pleasant, to say the least, to maintain one's right to live in a country [by] reliance on bayonets. He interjected here that in addition to the argument I had made in support of Arab-Jewish friendly relations the Jews would benefit[;] once there was mutual confidence the Arabs themselves might help open Trans-Jordan to the Jews. [...]



**PROPOSAL FOR AN ARAB-ZIONIST AGREEMENT, SUBMITTED BY
“THE GROUP OF FIVE” TO THE JEWISH AGENCY EXECUTIVE, 1 JUNE 1936**

[The “Five” were five important Jews - Mandatory High Court Judge Gad Frunkin; writer and farmer Moshe Smilansky; founder of the Palestine Electric Corporation, Pinhas Rutenberg; Chancellor of the Hebrew University in Jerusalem, Judah Magnes; and founder of the Palestine Potash Ltd., Moshe Novomeysky – who tried, unsuccessfully to bridge the gap between the Jews and the Arabs].

I. THE AGREEMENT

1. A period from five to ten years.
2. The Agreement is to be made at once and without the intervention of Government, but with its ultimate approval.
3. The Agreement is to cover both the economic and the political aspects of the question at issue.

II. IMMIGRATION

1. No free entrance into the country of Arab workmen from other countries.
2. Jewish Labor immigration in accordance with absorptive capacity of the country, but on condition that in new openings for labor created by Jews a proportion to be allotted to Arabs.
3. No changes in reference to Capitalist immigration or relative.
4. Jews to be employed on Government undertakings in a proportion not less than their numerical strength.
5. [...]
6. In case the above is insufficient to secure agreement, a temporary fixation of immigration over 5 to 10 years to be conceded, provided that at the end of the period the Jewish population may reach approximately 40% of the total population.

III. LAND

1. No acquisition, except on the principle that an Arab cultivating the land as owner or tenant should not be displaced without his consent, or that land of equivalent value in the same neighborhood or any other place with his consent be placed at his disposal for development.
2. Only a given proportion (75%) of land, owned and cultivated by a fellah is to be sold by him [...].

IV. POLITICAL

1. A Legislative Council upon the basis of parity, thus showing that neither people is to dominate the other.
2. The principle is adopted of increased Jewish and Arab participation in Government administration as Heads of Departments and as members of the Government Executive. [...]

V. STAGES OF THE NEGOTIATIONS

1. The Executive of the Jewish Agency is to authorise the unofficial Committee consisting of five persons which may co-opt at any time any other person by mutual agreement with the Executive of the Jewish Agency to canvass with unofficial Arabs the possibility of coming to an understanding on the main points of Immigration, Land and Legislative Council.
2. Should these private talks indicate that there is the possibility of agreement on the main points, the above mentioned unofficial Committee shall, with the consent of the Executive of the Jewish Agency, come together with a similar unofficial Committee of Arabs for the purpose of preparing a text for submission to both Jewish and Arab official bodies respectively.
3. The Executive of the Jewish Agency and the Arab Supreme Committee are to consider this text and to inform the unofficial Committees of their attitude.
Should an agreement be reached on the main points [...] the Executive of the Jewish Agency and the Arab Supreme Committee are then to meet and to issue an announcement like the fol-

lowing: "The Executive of the Jewish Agency and the Arab Supreme Committee have decided to enter into formal negotiations and during the progress of these negotiations the strike is to be called off by the Arab Supreme Committee as from June ... and the Jewish Agency is to postpone the carrying out of the new labor schedule.

"The formal and official negotiations between these two bodies will begin on June ..."



**PINHAS RUTENBERG, FOUNDER OF THE PALESTINE ELECTRIC CORPORATION,
PROPOSAL FOR THE DEVELOPMENT OF TRANSJORDAN THROUGH JEWISH-ARAB
COLLABORATION, 12 JULY 1936**

1. Jews to form a Company registered in England with an authorized capital of at least 2,000,000 pounds. The company's finances to be controlled by the British Government.
2. Object of Company: Financing and or direct management of the settlement of Jews and Transjordan Arabs and for the general economic development of Transjordan.
3. A west to east line - preferably the river Zerka - to be determined by agreement between Government and Company, on both sides of which Arab and Jewish settlements to be made. The Arab settlements south of the line and the Jewish settlements north of it.
4. The Company to pay to the Transjordan Government sums up to 1,000,000 pounds to be appropriated for the purposes of agricultural settlement under this scheme of Arab citizens of Transjordan selected by Transjordan Government. In consideration thereof the Transjordan Government to allot to the Company an area of about 1,000,000 dunams of cultivable land in one block to be used for Jewish colonization. This area to be developed by the Company gradually.
5. The rest of the Company's capital or any further increase of it to be used by the Company for the agricultural and other settlement of Jews in Transjordan on the above territory and for other developments as may be agreed with Transjordan Government throughout the country such as irrigation, water supply, roads, railways, buildings, transport, industries, banks, etc.
6. The existing Arab cultivators, if any, in the Northern area to be, as and when required by the Company, transferred by Government to the Arab development region. But so that the conditions of life for those transferred shall be improved.
7. [Taxation exemptions.]
8. The Transjordan Government will share equally with the Company the profits arising from its activities ...
9. Jews colonized in Transjordan to be Transjordan citizens, with rights and duties equal to all other citizens.
10. Government and Company to take measures to prevent land speculation.
11. The above Arab and Jewish settlement areas will have, under the supreme authority of the Transjordan Government, autonomous religious cultural educational local organizations in their respective language.
12. The Government and the Company will take effective measures to promote understanding and collaboration between the neighboring Arabs and Jews.
13. Government to set up special administration for Arab settlement and Company to assist such administration in every way necessary.
14. Transjordan Government will provide for safety.



**MINUTES OF A MEETING BETWEEN REPRESENTATIVES OF THE JEWISH AGENCY
AND THE ARAB NATIONAL BLOC OF SYRIA, BLUDAN, 1 AUGUST 1936**

Present:

On behalf of the Bloc: Shukri Bey Kuwatly, acting President of the Bloc; Fakhry Bey el-Barudy, Member of the Central Committee and leader of the Arab National Youth Organization of Syria ("iron Shirts"); and Lutfi Bey Haffar, Member of the Central Committee.

On behalf of the Jewish Agency: Mr. Eliahu Epstein, accompanied by Mr. A. Landman and Dr. D. Pinto, President of the Jewish Community of Damascus.

The meeting was opened by Fakhry Bey el-Barudy who presented Mr. Epstein [...]

MR. EPSTEIN: It is not the first time that a representative of the Jewish Agency has met Arab leaders, but it is the first time that such a meeting is held officially with representatives of the Syrian National Bloc. I consider this a great honour to the Jewish Agency and a privilege to myself. [...]

It is not possible to understand or appreciate the Zionist movement without taking into due consideration all the historical, psychological and other factors involved. [Gives some details.] Notwithstanding our long exile in the West we have remained a Semitic people and Zionism is nothing but a restoration of our oriental origin. This is why we are so earnestly interested in the destiny of the awakening orient in which we share. [...]

[...Y]ou are on the point of concluding your struggle for independence and of beginning to devote your energies to constructive projects. It is my sincere conviction that were it not for your political difficulties you would have long ago devoted your attention to the problem of Arab-Jewish relations and to its solution, which had been attempted at one time by the late King Faisal.

When looked at superficially, it may appear as if the interests of the Jewish and Arab national movements conflicted, and it requires both vision and penetrating knowledge to understand that in reality these interests are complementary. Such a harmony of interests can be achieved by an Arab-Jewish agreement.

Why are the Jews interested in such an agreement and what can they contribute to its fulfillment in the interests of the Arabs?

Please rest assured that we have never considered it possible or desirable to come to an agreement with the Arab National movement in general at the expense - so to speak - of the Palestine Arabs. [...]

We do not fear and we are not discouraged by acts of violence to which we have become used throughout our long and arduous history. This is why such acts in Palestine cannot discourage us and stop us from pursuing our constructive work, which we are determined to continue under any circumstances.[...] You are well aware, gentlemen, I have no doubt, that we have brought no harm to the interests of the Arabs of Palestine. On the contrary our work has benefited them. [...] We realize very well that we cannot hope to develop our cultural, social and economic life on a solid and lasting basis unless our neighbors also develop, thus diminishing and in time doing away with existing differences in these fields. The causes of the present disturbances, therefore, cannot be explained by the allegation that any material or moral harm was done to the Arabs.

But if we assume that the Arabs of Palestine fear that such harm would come to them with the continued development of the Jewish National Home in Palestine, we are ready to offer necessary guarantees that none of their interests should be prejudiced in any way. [...]

The reasons which prompt us in desiring to raise the general level of the Arabs in Palestine also apply to the neighboring countries, especially to Syria, for it may endanger our position to remain a solitary island amidst an Arab sea separated from it by cultural, economic and social barriers. We hope very much to see the national aspirations of the Syria fulfilled as soon as possible as this will bring up peace in its wake. [...]

We are ready, in case we come to an agreement, to be not only passively interested but to cooperate actively with you in helping you, *within legal bounds*, to realize your national aims. Though it is unfortunately true that we are still persecuted and oppressed in many countries, yet it is also true that we form

a cultural and material force which is felt throughout the world. This influence and power can be very valuable to the Arabs, and Syrians in particular, at this stage of their development. Independence on paper is far from real independence which requires large intellectual, technical and financial forces to realize it. The Arab world is at present unable to provide these forces fully and we can contribute without any risk to the Arabs, since our national aspirations are *limited definitely to Palestine* [...].

If the political and national aspirations of the Arabs lead ultimately to an Arab Federation we do not object to it in principle, provided it is based on harmony and understanding among the parties concerned. [...]

In order to realize this agreement, it is necessary that the Syrian National Bloc express an appreciation and understanding of the national aspirations of the Jewish people and agree to its historic right of establishing a Jewish National Home in Palestine. It is understood that this is conditional upon our offering satisfactory guarantees safeguarding the interests of the Palestine Arabs [...].

SHUKRI BEY KUWATLY: We also consider it a great honour to have met with an official representative of the Jewish Agency and we sincerely hope that we may come to an understanding. I wish to thank you for your comprehensive and frank exposition of the Zionist cause and of its attitude to Arab Nationalism and to us Syrians in particular. I agree with you that only a frank and realistic approach to the question before us may lead to satisfactory results. There are a number of ties that bring us together; I realize that in spite of your long exile you have remained an oriental people and that Arabs and Jews are, therefore, close to each other owing to their common origin and similar culture. We are also brought together by the long suffering and oppression that we have both experienced throughout the ages, and by our common destiny. We are consequently interested, at least to the same extent as you, in reaching an agreement with the Jewish.

The idea of an understanding with the Jews is not new to us for we collaborated with the late King Faisal right from the beginning, even before his accession to the Throne of Syria and also after. From time to time we have met individual Jews of good standing and discussed the Arab-Jewish problem with them (Kalvarisky, Ben Yehuda, etc.), though this is the first time that we have the honour to meet officially with the Jews. [...].

[In response to the main points of your discussion,] I intend to take up some points and bring out the objections from the point of view of the Palestinian Arabs. (Here Shukri Bey emphasized the fact that he now wished to present not his own view on the matter, but those of a typical Palestinian Arab.)

You base your claim to Palestine on the ground of your historical connections with this country 2,000 years ago. Now tell me what would happen, if we claimed Andalusia on similar grounds. (Here Mr. Epstein replied that [...] Palestine has always been the center and object of Jewish Nationalism, which was not the case with regard to Andalusia in its relation to the Arab national movement. [...])

We have always lived at peace with the Jews and I am sure that, were it not for the idea of a Jewish National Home many more Jews could come to Palestine and much more land acquired without opposition on the part of the Arabs.

You have made the point that the Jews brought prosperity to Palestine and that the Arabs have greatly profited from it. In admitting this we should remember, however, that the Arabs of Palestine consider this prosperity as coming from you and returning to its source sooner or later, since you are, or will soon be, the masters of the situation.

Though it is true that you have acquired large tracts of waste land, marshes, sand dunes, it cannot be denied that you have also bought land, which was settled by the Arabs. What would be their fate if you continue to buy such lands and thus displace the fellahin? You have frankly admitted that the Arabs of Palestine are afraid of the future and what would happen to them if the Jews continued to

come to Palestine armed as they are with wealth, ability and training. You have also stated that you are ready to offer satisfactory guarantees in order to allay this fear and we should naturally want to have them defined to us.

[...]It is the idea of a National Home to which the Palestinian Arabs are opposed. What makes the problem still more complicated and acute is the ignorance in which you leave us as to the exact interpretation and meaning of this term. Which is the predominant view, that of Jabotinsky, which contemplates the occupation of all of Palestine and the consequent exodus of her Arabs, or is there a more moderate view? What is its official interpretation by the Jewish Agency? In other word[,] are you intending to make of Palestine a Jewish National Home or to make a Jewish National Home in Palestine? If the former, then we are categorically opposed to it and there is no way to come to an understanding. But if it means the latter then we are ready to discuss the guarantee that you suggested and to find a solution to the mutual advantage of both parties concerned.

[...] We do not deny and we do not underestimate the power and influence of the Jews all over the world. We appreciate them at their true and full worth and we realize of what great help and assistance the Jews could be to us. We are convinced that the Jews depend on themselves in their efforts to rebuild their National Home and we fully appreciate it. Thought the present disturbances cannot last indefinitely and must stop sometime, yet they are likely to recur in the future and more violently unless a permanent solution is found for the problem of Arab-Jewish relations in Palestine. The Syrians, for reasons that you know, are the best suited and what is more, *they are willing and ready to undertake the solution of this problem* and to reach an agreement between Jews and Arabs in general. (Here Lutfi Bey Haffar interrupted the speaker and further emphasized the point).

[...] Syrian independence would conduce towards it an Arab-Jewish entente. You should, therefore, help us in every way to gain this independence, which would also be of real advantage to you.

In closing I wish to express the hope that we may reach an entente after these questions are explained, and defined, and we shall consider it a great historical achievement if we can come to an agreement of our own accord. We are, therefore, ready to continue the negotiations.

MR. E. EPSTEIN: I appreciate very much your frank and straightforward presentation of the case which leads me to hope for the successful conclusion of our negotiations. In the minds of the westerners, the East is a place whose inhabitants are incapable of living at peace with one another. This idea is one of the big handicaps in the way of the Arab-Jewish question will raise the prestige of the East in the eyes of the West and will be one of the greatest moral and political victories of the two Semitic peoples. [Suggests agenda for subsequent meeting.]

The meeting lasted for 2 1/2 hours.



**HEAD OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY,
MOSHE SHERTOK, REPORT OF A TALK WITH IRAQI FOREIGN MINISTER
NURI AS-SA'ID, 21 AUGUST 1936 [EXCERPTS]**

[...] I was invited to meet with Nuri Pasha. The talk lasted more than an hour. Nuri wanted to clarify two things: (a) what happened to Weizmann; and (b) to get to the bottom of the matter of the stoppage of immigration.

Nuri recounted that he knew Weizmann since 1918, from the days of Faisal's great idea of a comprehensive Arab state with a large national home within it. He pointed out with satisfaction that when he recently met Weizmann he was able to confirm that Weizmann had remained true to his outlook. Weiz-

mann had outlined a Jewish-Arab political program which he considered a good one, but in the given situation nothing would move - in his opinion - without the creation of a psychological bridge between the Jews and the Arabs. It was impossible to arouse faith among the Arabs that the Jews and the Arabs. It was impossible to arouse faith among the Arabs that the Jews really wanted peace unless the Jews took some step, one which was politically worthwhile, even if it entailed a sacrifice and a concession on their part. And this sacrifice was the stoppage of immigration. According to Nuri, Weizmann had agreed to this idea and had undertaken to clarify it with his colleagues [...]. Nuri had told the English about Weizmann's agreement to the stoppage of immigration, and they were very glad to hear of it. [... But, subsequently] Weizmann regretted to inform him that he was in a minority on the question of the stoppage of immigration, and that the majority of his colleagues were against it. [...] He Nuri-understood that the source of the opposition to the stoppage of immigration, and they were very glad to hear of it. [... But, subsequently] Weizmann regretted to inform him that he was in a minority on the question of the stoppage of immigration, and that the majority of his colleagues were against it. [...] He Nur - understood that the source of the opposition to the stoppage of immigration was to be found here, in Jerusalem. [...]

Nuri said [...] it was necessary to confer about how to arrange matters in the given conditions. It seemed to him that the Jews were smarter than the Arabs in Palestine (I interrupted him here to say that we Jews and the Arabs were one race and that the Arabs were no less clever than ourselves. He said: But you are more developed than they are; you are more civilised.) From them [i.e., the Jews] it was possible to ask more, and they had to understand that a situation of strangulation had now been created. The Arabs found themselves in a situation of jailed prisoners who could not free themselves; the Government was not budging from its stand; and it was up to the Jews to make this gesture (stoppage of immigration) not only to find a way out of the present situation, but to create an impression in the Arab public, not only in the country but mainly outside of it, that the Jews truly sought peace, and that for its sake they were prepared to make a sacrifice. He understood that the stoppage of immigration was a sacrifice for us, but we had to have the strength to make that sacrifice. [...]

I said to him: What has happened in the country? Arabs started killing Jews, and they are still doing it until this very day. [...] Was this a reason to stop immigration? If the situation had been that Arabs and Jews were killing [each other], and you had come to me saying, Stop immigration for a while and let us talk peace - then your suggestion would be understandable. But since Jews were not killing [Arabs], then what your proposal means is that we have lost out on the matter of immigration because we have not killed. [...] The main point, I said, is that we were not a minority here, and it was not known for how long we would remain a minority. The Arabs were stronger than ourselves in physical strength, and for our security it was vital that the Arab people here learned the lesson that violence doesn't succeed. If we were to agree to suspend immigration now, how would the Arabs interpret it? They would say that we were terrified by the violence and were begging for mercy. This we would not do.

He asked: Why take into consideration the reactions of the coffee-house rabble? Why not consider political public opinion in the Arab lands? They would evaluate this step appropriately.

I said: You are presuming that if we agree to this step an agreement would then follow between ourselves and the Arabs. But what would happen if immigration were halted, and no agreement were reached - how would we resume [immigration]?

He said: If you do this, then negotiations would take place and we would assist you. this step would prove that you countenance peace. And it would not mean that you were taking this step [on your own]; we would announce that, in response to the request of the Government of Iraq, you had agreed to do this. Why don't you think of the long term?

I said: It is precisely because we are looking ahead that we cannot agree to this step. We must consider the reaction which this step would evoke among the Arabs.

He asked: But how will the matter end? [...] You ought to know that in the Arab countries a great deal of hatred is awakening against you, and if you don't take this step which will show your interest in peace and your readiness to make a sacrifice for the sake of peace, then I greatly fear for the future. [...] How will you show goodwill about ending the matter peacefully?

I said: Our goodwill is shown by our willingness to sit and talk with Arabs even in the present situation - in what we are not saying that we won't sit down with murderers.

He asked: On what basis will the discussions [take place]?

I said: We shall sit down for clarifications. The Arabs say that our immigration is encroaching on them - let us sit down together and see whether the claims are correct or not. Also on the matter of land. We claim that our colonisation work is making Arabs rich; they claim that we are evicting them. Let us sit down and examine the claims.

He said: What you say is certainly reasonable, and I think that in this manner it will really be possible to reach a compromise. [...] I have always thought that there was no contradiction between your interests and those of the Arabs. On the contrary, I have always seen a possibility of mutual benefit, not only with respect to the Arabs of Palestine, but also with respect to Iraq. But how will that get things moving? There is suspicion against you, and you need to show goodwill.

I said: What you are asking for is not a sign of goodwill to reach an agreement, but an admission on our part that our immigration into the country can take place only by Arab consent, and you will not get such an admission. For if we stop immigration under the pressure of murder, then this means that we acknowledge that the Arabs are masters of the country - that, since they had objected and had accompanied [that objection] with acts of violence, we had temporarily stopped immigration. This you will not achieve. We are prepared to [make] efforts for peace with the Arabs, ready to exhaust all the possibilities for it; but if we don't achieve a peace, we won't renounce our right to immigrate into the country, which does not depend on the consent of the Arabs. [...]

At the end I said that [...] I hoped that we might discuss the future in a calmer atmosphere. He agreed, but said that he saw no way out of the present situation [...]. I said to him: There must be an effort on your part to extricate the Arabs from this situation; people like you must help them out. The disorders had hurt us too, but from an economic point of view we were nevertheless making advances, even during the disturbances. He said: I had heard this, and had even told the Arabs, but there was no question of convincing [them]. Without a great deed nothing will budge.



SIR HERBERT SAMUEL, DRAFT PROPOSAL ON PALESTINE, 8 SEPTEMBER 1936

[When drafting his proposal, Samuel had ended his post as leader of the Liberal Party in the British Parliament. Back in 1920 - after the League of Nations had granted Britain the Mandate of Palestine - he had been appointed the first High Commissioner of Palestine, serving in that office until 1925]

1. An agreement to be made covering the period to the end of 1950.
2. In order to promote the peaceful development of Palestine, it is voluntarily agreed that the Jewish population shall not exceed forty per cent of the whole at that date.
3. Specified areas shall not be open to land purchase or colonisation by the Jews.
4. Substantial expenditure should be undertaken by the Government of Palestine, with a view to raising the standard of agriculture and the provision for education of the Arabs to a level approximating to that of the Jews within a specified period. A reasonable expenditure upon Jewish agriculture and education to be undertaken also.

5. Trans-Jordan to be opened to colonisation by both Jews and Palestinian Arabs, on conditions acceptable to the Trans-Jordan Government. A loan of substantial amount to be made for this purpose. The Balfour Declaration not to be applied to Trans-Jordan.
6. A Legislative Council to be established in Palestine, consisting of one-third of Arab representatives, one-third of Jewish representatives, and one-third of official and unofficial members nominated by the Government. The Arab and Jewish representatives to be chosen, in the first instance, by Communal Bodies already existing or to be established for the purpose.
7. The rights of the Moslems in respect of their Holy Places, already guaranteed under Article 13 of the Mandate, to be reaffirmed.
8. A Customs Union to be promoted between Iraq, Hejaz, Yemen, Palestine, Trans-Jordan and Syria, with freedom of trade within its area. A Supervisory Council representing those states to be established, with Arabic as its official language.
9. In the event of these proposals being accepted, the High Commissioner to confer with the Arab and Jewish leaders as to the application and as to any supplementary matters. In case of disagreement, the issues to be referred to the Royal Commission on Palestine.



**VLADIMIR JABOTINSKY, EVIDENCE SUBMITTED TO THE PALESTINE ROYAL
("PEEL") COMMISSION, HOUSE OF LORDS, LONDON, 11 FEBRUARY 1937**
[EXCERPTS]

[At the time he appeared before the Peel Commission, Jabotinsky was the head of the New Zionist Organization, the Betar Youth movement, and the military Irgun Zvai Leumi]

THE CONCEPTION OF ZIONISM which I have the honor to represent here is based on what I should call the humanitarian aspect. By that I do not mean to say that we do not respect the other, the purely spiritual aspects of Jewish nationalism, such as the desire for self-expression, the rebuilding of a Hebrew culture, or creating some "model community of which the Jewish people could be proud." All that, of course, is most important; but as compared with our actual needs and our real position in the world today, all that has rather the character of luxury. The Commission have already heard a description of the situation of world-Jewry especially in eastern Europe, and I am not going to repeat and details, but you will allow me to quote a recent reference in the New York Times describing the position of Jewry in eastern Europe as "a disaster of historic magnitude." I only wish to add that it would be very naive, and although many Jews make this mistake I disapprove of it - it would be very naive to ascribe that state of disaster, permanent disaster, only to the guilt of men, whether it be crowds and multitudes, or whether it be Governments. The thing goes much deeper than that. I am very much afraid that what I am going to say will not be popular with many among my co-religionists, and I regret that, but the truth is the truth. We are facing an elemental calamity, a kind of social earthquake. [...]

I am going to make a "terrible" confession. Our demand for a Jewish majority is not our maximum - it is our minimum: it is just an inevitable stage if only we are allowed to go on salvaging our people. The point when the Jews will reach a majority in that country will not be the point of saturation yet - because with 1,000,000 more Jews in Palestine today you could already have a Jewish majority, but there are certainly 3,000,000 or 4,000,000 in the East who are virtually knocking at the door asking for admission, i.e., for salvation.

I have the profoundest feeling for the Arab case, in so far as that Arab case is not exaggerated. This Commission have already been able to make up their minds as to whether there is any individual hardship to the Arabs of Palestine as men, deriving from the Jewish colonization. We maintain unanimously that the economic position of the Palestinian Arabs, under the Jewish colonization and owing to the Jewish colonization, has become the object of envy in all the surrounding Arab countries, so that the Arabs from those countries show a clear tendency to immigrate into Palestine. I have also shown to you already

that, in our submission, there is no question of ousting the Arabs. On the contrary, the idea is that Palestine on both sides of the Jordan should hold the Arabs, their progeny, and many millions of Jews. What I do not deny is that in that process the Arabs of Palestine will necessarily become a minority in the country of Palestine. What I do deny is that that is a hardship. It is not a hardship on any race, any nation, possessing so many National States now and so many more National States in the future. One fraction, one branch of that race, and not a big one, will have to live in someone else's State: Well, that is the case with all the mightiest nations of the world. I could hardly mention one of the big nations, having their States, mighty and powerful, who had not one branch living in someone else's State. That is only normal and there is no "hardship" attached to that. So when we hear the Arab claim confronted with the Jewish claim; I fully understand that any minority would prefer to be a majority, it is quite understandable that the Arabs of Palestine would also prefer Palestine to be the Arab State No. 4, No. 5, or No. 6-that I quite understand; but when the Arab claim is confronted with our Jewish demand to be saved, it is like every had the luck of trying a case where all the justice was on the side of one party and the other party had no case whatsoever. Usually in human affairs any tribunal, including this tribunal, in trying two cases, has to concede that both sides have a case on their side and, in order to do justice, they must take into consideration what should constitute the basic justification of all human demands, individual or mass demands - the decisive terrible balance of Need. I think it is clear. [...]

CHAIRMAN: Are you going to tell us where it is misleading? What is the main point?

ANSWER: Yes, if you will allow me another ten minutes. There is a suggestion that when we are asking for what I am asking for, that we are trying to involve this Empire in formidable complications and obstacles. I deny it. To the best of my belief I affirm, and I am not the only one, that should Great Britain go this way and really help us to save the Jewish people as it was meant and promised in the Balfour Declaration, the course of this great experiment will be as normal as the course of any other great enterprise of social evolution. We utterly deny that it means bringing Great Britain into conflict with world Islam, we utterly deny that it means a real physical conflict with the neighboring states, we deny all this. It has been exaggerated beyond any recognition. It is not true. Given a firm resolve, made clearly known to both Jews and Arabs, all this would be performed with the normal smoothness of any other equally big colonization enterprise.

As to keeping the country quiet and avoiding disturbances: I have already submitted 0 try what has never been tried - try re-establishing the Jewish Regiment as part and parcel of the permanent garrison. Try legalizing Jewish self-defense. It is anyway almost inevitable. Jewish self-defense is "practically" legalized today; it is and it is not; it "should not" exist, but it does exist; it "should not" be armed, but if it is armed, well ... and so on. Well, I think the decisive step should be made in the necessary direction. You have, of course, heard of compromises and halfway houses which are being suggested, including cantonization, or the parity scheme, or the cultural rapprochement, or the Jews "giving in" and so on. Believe my sincerity, and it is the sincerity of the whole Movement, the sincerity of every Jew I am not trying to voice: We wish a halfway house could be possible, but it is perfectly impossible. We cannot accept cantonization, because it will be suggested by many, even among you, that even the whole of Palestine may prove too small for that humanitarian purpose we need. A corner of Palestine, a "canton," how can we promise to be satisfied with it? We cannot. We never can. Should we swear to you we would be satisfied, it would be a lie. On what other point can we "give in?" What can the "concession" be on the part of Oliver Twist? He is in such a position that he cannot concede anything; it is the workhouse people who have to concede the platefull of soup, and there is no way out of it. We do not believe in any compromise on those lines. Cantonization is a dream and parity is a lie. It will never be enforced or believed by anybody; and trying it again and again mean s prolonging the state of things which in my submission has led to the riots of 1920, 1921, 1929, and 1936, and it will lead again to the same result.

There is only one way of compromise. Tell the Arabs the truth, and then you will see the Arab is reasonable, the Arab is clever, the Arab is just; the Arab can realize that since there are three or four or five wholly Arab States, then it is a thing of justice which Great Britain is doing if Palestine is

transformed into a Jewish State. Then there will be a change of mind among the Arabs, then there will be room for compromise, and there will be peace.

It is my very unpleasant duty to wind up by taking into consideration a melancholy pessimistic contingency: What will happen if what the Jews desire cannot be conceded by Great Britain? I wish I could omit mentioning that contingency for many reasons, personal reasons, Jewish national reasons, but to omit it is impossible. We are asked very often: "Whatever is meant by the Balfour Declaration was promised in 1917, but since then perhaps the British people have honestly come to the conclusion that they cannot do it." I deny it. I affirm they can; but when I am asked, when any Jew is asked: "What, are the Jews going to pin us down to the promise and to say-you have promised the pound of flesh, pay us the pound of flesh?" Gentlemen, here I answer you in the name of the most extreme of Zionist parties: "No!" If Great Britain really is unable to do it (not unwilling, but unable) we will bow to here decision, but we then shall expect Great Britain to act as any Mandatory who feels he cannot carry out the Mandate: give back the Mandate ...

SIR LAURIE HAMMOND: To whom?

ANSWER: And do it in a way which will not harm the safety of the Jews who trusted you and came to Palestine on the chances of a Zionist future. This means letting a certain time elapse while the Mandatory together with the Jews will look for the alternative. I hope that time will never come. I am fully convinced that it will not be necessary. I believe in England just as I believed in England twenty years ago when I went, against nearly all Jewish opinion, and said: "Give soldiers to Great Britain!" because I believed in her. I still believe. But if Great Britain really cannot live up to the Mandate-well-we shall be the losers; and we will sit down together and think what can be done; but not that Great Britain should go on holding the Mandate and pretend it is "fulfilled" while my people are still suffering in the Diaspora and still only a minority in Palestine. No, that cannot be done. That is not cricket. Therefore, Gentlemen, I submit it cannot be done, and it shall not be done. I thank the Commission very much for their kindness and attention. I beg your forgiveness for having kept you for an hour and a half.



**HEAD OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY,
MOSHE SHERTOK, REPORT OF MEETING WITH THE SECRETARY-GENERAL OF
THE ARAB HIGHER COMMITTEE, AWNI ABD AL-HADI, 23 APRIL 1937**

Mr. Shertok had a talk with Awni Abd al-Hadi. The conversation took place at Mr. Shertok's request. In accordance with Awni Bey's wishes, the talk was held at his home. Mr. Shertok informed him that the proposal to partition the country was a serious matter. The Jews were against partition, not only as Jews but also as Palestinians. Partition was also bad for the Arabs, and the only way to prevent it was through an agreement between the Jews and the Arabs.

Awni Bey answered that he was also against the partition of the country, and the Arabs would fight against it to be bitter end. [But, i]f an agreement with the Jews meant Jewish immigration, then they would never agree to it. It was enough that the Jews were a third of the inhabitants of this country; the Arabs would not agree that the Jews should exceed this proportion. {The demand that the Jews give up immigration was a natural one in their eyes: the Arab nation had to remain for ever the majority in the country and to determine its fate.} If the Jews wanted to become a majority in the country and the Arabs did not agree to become a majority, then there was not place for an agreement.

Mr. Shertok spoke of the economic aspect of partition. Awni Bey commented that the Arabs were poor in any case, and the question was not for them an economic one. Here was question of national honour. It was very possible that the Arabs would lose this war, but that did not excuse them from fighting. {Everyone had the right to be optimistic and to think that his side would in. In any case,

even if there were pessimists [among the Arabs], there was no way before them other than to continue the war, for this was a question of honour for the Arab nation. [...]

“And so”, [Shertok] asked, “what will be?” He said: “We shall fight! We shall fight the partition of the country, we shall fight Jewish immigration; a way to compromise does not exist.” He did not accept “parity” as a guarantee, because [...] Jabotinsky was correct in saying that Zionism aspired to make the Jewish point of view predominant in Palestine. [...If we] reached a majority this would necessarily determine the fate and character of the country.

Neither did he accept as a guarantee the large support which the Palestinian Arabs enjoyed in the neighboring countries. [...] He said: “It is not in your power to give me an Arab federation, nor is it in my power to realise such a federation at this time. It lies hidden in the future. In the meantime, my job is to worry about this country. Even if an Arab federation is created one day, we are interested in Palestine joining that federation as an Arab country. What interest do we have in a Jewish Palestine joined to an Arab federation?”

All this did not [amount to] a basis for agreement. He was very sorry that such was the situation. Personal relations between us were the very best. Awni had no hatred for the Jews. They were engaged in their national enterprise, and he understood them. But he saw the English as the main ones responsible for the situation which had been created in the country. [The English were ruling the country by means of the [Jews]. The Arabs were fighting the English and would continue to fight them.]

In the end Mr. Shertok commented that in his opinion Awni was leading his people to destruction. Awni Bey was very gracious and expressed his readiness to meet with us if we say any need to.



SUMMARY REPORT OF THE PALESTINE ROYAL COMMISSION (“PEEL COMMISSION”), PRESENTED BY THE SECRETARY OF STATE FOR THE COLONIES TO THE UNITED KINGDOM PARLIAMENT, 7 JULY 1937

[See also Map 5 in the Annex]

SUMMARY OF THE REPORT OF THE PALESTINE ROYAL COMMISSION.

The Members of the Palestine Royal Commission were:-

Rt. Hon. EARL PEEL, G.C.S.I., G.B.E. (Chairman).
Rt. Hon. Sir HORACE RUMBOLD, Bart., G.C.B., G.C.M.G., M.V.O. (Vice-Chairman).
Sir LAURIE HAMMOND, K.C.S.I., C.B.E.
Sir MORRIS CARTER, C.B.E.
Sir HAROLD MORRIS, M.B.E., K.C.
Professor REGINALD COUPLAND, C.I.E.
Mr. J. M. MARTIN was Secretary.

The Commission was appointed in August, 1936, with the following terms of reference:-

To ascertain the underlying causes of the disturbances which broke out in Palestine in the middle of April; to enquire into the manner in which the Mandate for Palestine is being implemented in relation to the obligations of the Mandatory towards the Arabs and the Jews respectively; and to ascertain whether, upon a proper construction of the terms of the Mandate, either the Arabs or the Jews have any legitimate grievances on account of the way in which the Mandate has been or is being implemented; and if the Commission is satisfied that any such grievances are well-founded, to make recommendation for their removal and for the prevention of their recurrence.

The following is a summary of the Commission's Report: -

SUMMARY

PART I: THE PROBLEM

Chapter I. - The Historical Background

A brief account of ancient Jewish times in Palestine, of the Arab conquest and occupation, of the dispersion of the Jews and the development of the Jewish Problem, and the growth and meaning of Zionism.

Chapter II. - The War and the Mandate

In order to obtain Arab support in the War, the British Government promised the Sherif of Mecca in 1915 that, in the event of an Allied victory, the greater part of the Arab provinces of the Turkish Empire would become independent. The Arabs understood that Palestine would be included in the sphere of independence.

In order to obtain the support of World Jewry, the British Government in 1917 issued the Balfour Declaration. The Jews understood that, if the experiment of establishing a Jewish National Home succeeded and a sufficient number of Jews went to Palestine, the National Home might develop in course of time into a Jewish State.

At the end of the War, the Mandate System was accepted by the Allied and Associated Powers as the vehicle for the execution of the policy of the Balfour Declaration, and, after a period of delay, the Mandate for Palestine was approved by the League of Nations and the United States. The Mandate itself is mainly concerned with specific obligations of equal weight - positive obligations as to the establishment of the National Home, negative obligations as to safeguarding the rights of the Arabs. The Mandate also involves the general obligation, implicit in every Mandate, to fulfil the primary purpose of the Mandate System as expressed in the first paragraph of Article 22 of the Covenant.

This means that the well-being and development" of the people concerned are the first charge on the Mandatory, and implies that they will in due course be enabled to stand by themselves.

The association of the policy of the Balfour Declaration with the Mandate System implied the belief that Arab hostility to the former would presently be overcome, owing to the economic advantages which Jewish immigration was expected to bring to Palestine as a whole.

Chapter III. - Palestine from 1920 to 1936

During the first years of the Civil Administration, which was set up in 1920, a beginning was made on the one hand with the provision of public services, which mainly affected the Arab majority of the population, and on the other hand with the establishment of the Jewish National Home. There were outbreaks of disorder in 1920 and 1921, but in 1925 it was thought that the prospects of ultimate harmony between the Arabs and the Jews seemed so favourable that the forces for maintaining order were substantially reduced.

These hopes proved unfounded because, although Palestine as a whole became more prosperous, the causes of the outbreaks of 1920 and 1921, namely, the demand of the Arabs for national independence and their antagonism to the National Home, remained unmodified and were indeed accentuated by the "external factors," namely, the pressure of the Jews of Europe on Palestine and the development of Arab nationalism in neighbouring countries.

These same causes brought about the outbreaks of 1929 and 1933. By 1936 the external factors had been intensified by--

- (1) the sufferings of the Jews in Germany and Poland, resulting in a great increase of Jewish immigration into Palestine; and
- (2) the prospect of Syria and the Lebanon soon obtaining the same independence as Iraq and Saudi Arabia. Egypt was also on the eve of independence.

Chapter IV. - The Disturbances of 1936

These disturbances (which are briefly summarized) were similar in character to the four previous outbreaks, although more serious and prolonged. As in 1933, it was not only the Jews who were attacked, but the Palestine Government. A new feature was the part played by the Rulers of the neighbouring Arab States in bringing about the end of the strike.

The underlying causes of the disturbances of 1936 were--

- (1) The desire of the Arabs for national independence;
- (2) their hatred and fear of the establishment of the Jewish National Home.

These two causes were the same as those of all the previous outbreaks and have always been inextricably linked together. Of several subsidiary factors, the more important were--

- (1) the advance of Arab nationalism outside Palestine;
- (2) the increased immigration of Jews since 1933;
- (3) the opportunity enjoyed by the Jews for influencing public opinion in Britain;
- (4) Arab distrust in the sincerity of the British Government;
- (5) Arab alarm at the continued Jewish purchase of land;
- (6) the general uncertainty as to the ultimate intentions of the Mandatory Power.

Chapter V. - The Present Situation

The Jewish National Home is no longer an experiment. The growth of its population has been accompanied by political, social and economic developments along the lines laid down at the outset. The chief novelty is the urban and industrial development. The contrast between the modern democratic and primarily European character of the National Home and that of the Arab world around it is striking. The temper of the Home is strongly nationalist. There can be no question of fusion or assimilation between Jewish and Arab cultures. The National Home cannot be half-national.

Crown Colony government is not suitable for such a highly educated, democratic community as the National Home and fosters an unhealthy irresponsibility.

The National Home is bent on forcing the pace of its development, not only because of the desire of the Jews to escape from Europe, but because of anxiety as to the future in Palestine.

The Arab population shows a remarkable increase since 1920, and it has had some share in the increased prosperity of Palestine. Many Arab landowners have benefited from the sale of land and the profitable investment of the purchase money. The *fellaheen* are better off on the whole than they were in 1920. This Arab progress has been partly due to the import of Jewish capital into Palestine and other factors associated with the growth of the National Home. In particular, the Arabs have benefited from social services which could not have been provided on the existing scale without the revenue obtained from the Jews.

Such economic advantage, however, as the Arabs have gained from Jewish immigration will decrease if the political breach between the races continues to widen.

Arab nationalism is as intense a force as Jewish. The Arab leaders' demand for national self-government and the shutting down of the Jewish National Home has remained unchanged since 1929. Like Jewish

nationalism, Arab nationalism is stimulated by the educational system and by the growth of the Youth Movement. It has also been greatly encouraged by the recent Anglo-Egyptian and Franco-Syrian Treaties.

The gulf between the races is thus already wide and will continue to widen if the present Mandate is maintained.

The position of the Palestine Government between the two antagonistic communities is unenviable. There are two rival bodies - the Arab Higher Committee allied with the Supreme Moslem Council on the one hand, and the Jewish Agency allied with the Va'ad Leumi on the other - who make a stronger appeal to the natural loyalty of the Arab and the Jews than does the Government of Palestine. The sincere attempts of the Government to treat the two races impartially have not improved the relations between them. Nor has the policy of conciliating Arab opposition been successful. The events of last year proved that conciliation is useless.

The evidence submitted by the Arab and Jewish leaders respectively was directly conflicting and gave no hope of compromise.

The only solution of the problem put forward by the Arab Higher Committee was the immediate establishment of an independent Arab Government, which would deal with the 400,000 Jews now in Palestine as it thought fit. To that it is replied that belief in British good faith would not be strengthened anywhere in the world if the National Home were now surrendered to Arab rule.

The Jewish Agency and the Va'ad Leumi asserted that the problem would be solved if the Mandate were firmly applied in full accordance with Jewish claims: thus there should be no new restriction on immigration nor anything to prevent the Jewish population becoming in course of time a majority in Palestine. To that it is replied that such a policy could only be maintained by force and that neither British public opinion nor that of World Jewry is likely to commit itself to the recurrent use of force unless it is convinced that there is no other means by which justice can be done.

PART II: THE OPERATION OF THE MANDATE

The Commission exhaustively considered what might be done in one field after another in execution of the Mandate to improve the prospects of peace. The results of this enquiry are embodied in Part II of the Report. The problems confronting the various branches of the Mandatory Administration are described, and the grievances of the Arabs and Jews under each head discussed. The principal findings of the Commission are as follows:--

Chapter VI. - Administration

The Palestinian officers in the Government Service work well in normal times, but in times of trouble they are unreliable. There should be no hesitation in dispensing with the services of those whose loyalty or impartiality is uncertain.

As regards British officers, the cadre is too small to admit of a Civil Service for Palestine alone and the Administration must continue to draw on the Colonial Service, but the ordinary period of service in Palestine should be not less than seven years. Officers should be carefully selected and given a preliminary course of instruction.

The Commission recognises the difficulties of the British Administration, driven from the first to work at high pressure with no opportunity for calm reflection. There is over-centralization and insufficient liaison between Headquarters Departments and the District Administration.

The grievances and claims of the Arabs and Jews as regards the Courts cannot be reconciled and reflect the racial antagonism pervading the whole Administration. The difficulty of providing a judicial system suitable to the needs of the mixed peoples of Palestine is enhanced by the existence of three official lan-

guages, three weekly days of rest, three sets of official holidays and three systems of law. As regards Jewish suspicions as to the conduct of criminal prosecutions, the Commission point to the difficulties of the Legal Department in a land where perjury is common and evidence in many cases, particularly in times of crisis, unobtainable, and conclude that the animosity between the two races, particularly in times of crisis, has shown its influence to the detriment of the work of a British Senior Government Department. The appointment of a British Senior Government Advocate is recommended.

The Jaffa-Haifa road should be completed as speedily as possible.

Further expert enquiry is necessary before deciding whether a second deep-water port is required. It would be best to build such a port, if at all, at the junction of Jaffa and Tel Aviv, equally accessible from each.

There is no branch of the Administration with which the Jewish Agency does not concern itself but the Agency is not open to criticism on this ground. Article 4 of the Mandate entitles it to advise and co-operate with the Government in almost anything that may affect the interests of the Jewish population. It constitutes a kind of parallel government existing side by side with the Mandatory Government and its privileged position intensifies Arab antagonism.

The Arab Higher Committee was to a large extent responsible for maintaining and protecting the strike last year. The Mufti of Jerusalem as President must bear his due share of responsibility. It is unfortunate that since 1929 no action has been practicable to regulate the question of elections for the Supreme Moslem Council and the position of its President. The functions which the Mufti has collected in his person and his use of them have led to the development of an Arab *imperium in imperio*. He may be described as the head of a third parallel government. The Commission discuss a proposal for an enlarged Arab Agency, consisting of representatives of neighbouring Arab countries as well as of the Arabs in Palestine, to balance the Jewish Agency. If the present Mandate system continues some such scheme will have to be considered.

Chapter VII. - Public Security

Although expenditure on public security rose from £265,000 in 1923 to over £862,000 in 1935-36 (and £2,230,000 in 1936-37, the year of the disturbance) it is evident that the elementary duty of providing public security has not been discharged. Should disorders break out again of such a nature as to require the intervention of the Military, there should be no hesitation in enforcing martial law throughout the country under undivided military control. In such an event disarmament should be enforced and an effective frontier organisation established for stopping smuggling, illegal immigration and gun running. In the absence of disarmament the supernumerary police for the defence of Jewish Settlements should be continued as a disciplined force.

The collection of intelligence was unsatisfactory during the strike. The majority of Palestinian officers in the Criminal investigation Department are thoroughly devoted and loyal, but the junior ranks, like the majority of the District police, though useful in times of peace, are unreliable in time of trouble. It would be highly dangerous to expose the Arab police of Palestine to another strain of the same kind as that which they endured last summer.

In "mixed" areas British District Officers should be appointed.

Central and local police reserves are necessary. A large mobile mounted force is also essential, whether in the form of a Gendarmerie or by increasing the British Mounted Police.

After the 1929 disturbances, though 27 capital sentences were confirmed, only three murderers suffered the extreme penalty. In 1936 there were 260 reported cases of murder, 67 convictions and no death sentences. The prompt and adequate punishment of crime is a vital factor in the maintenance of law and order.

Collective fines totalling over £60,000 were imposed during the years 1929-36: only £18,000 has been collected up to date. If collective fines are to have a deterrent effect they should be limited to a sum that can be realized, and a body of punitive police should be quartered on the town or village until the fine has been paid.

The penalties provided by the Press ordinance and the action taken under it are insufficient. An Ordinance should be adopted providing for a cash deposit which can be confiscated and for imprisonment as well as payment of a fine; also, in case of a repetition of the offence, for forfeiture of the press.

Police barracks and married quarters are urgently necessary in certain towns.

The entire cost of the measures proposed could not be met from the revenues of Palestine. Grants-in-aid from His Majesty's Government in the United Kingdom would be required on a generous scale. The immediate effect of these measures would be to widen the gulf that separates the Arab from the Jew, with repercussions spreading far beyond the borders of Palestine.

Chapter VIII. - Financial and Fiscal Questions

Until recent years the public finances allowed no great scope for development in the social services. The accumulation of a considerable surplus was a feature of the four years beginning 1932, and there were grounds for a conservative attitude towards this development. The conclusion that the existence of a large surplus reflects undue parsimony is not borne out by close analysis, since the entire surplus is found to be so heavily mortgaged that it is little more than a reasonable provision for existing commitments.

If the inward flow of capital, which is the most singular feature of the economy of Palestine, were to be arrested, there is no reason why the removal of exceptional advantages should result in penury, though there might be some reduction in the standard of living until the new economy was established. In the event of a prolonged period of economic stagnation the danger of an exodus of capital cannot be altogether excluded.

It is not possible in the absence of adequate statistics to measure the truth of the Arab complaint that industrial protection chiefly benefits the Jews and that its burdens are chiefly borne by the Arabs. It is hoped that the new Department of Statistics may soon enquire into the incidence of taxation and that new duties will be considered in relation to the whole burden of taxation and not merely as affecting the particular industry.

There is no question as to the need of increasing the export trade and finding markets for the ever increasing citrus output. After examining various possible expedients for overcoming the difficulties which result from the non-discrimination in tariff policy required by Article 18 of the Mandate, the Commission conclude that the provisions of Article 18 are out of date. Without an amendment of that Article Palestine must continue to suffer from the restrictions which hamper international trade, and negotiations should be opened without delay to put the trade of Palestine on a fairer basis.

Chapter IX. - The Land

A summary of land legislation enacted during the Civil Administration shows the efforts made to fulfil the Mandatory obligation in this matter. The Commission point to serious difficulties in connection with the legislation proposed by the Palestine Government for the protection of small owners. The Palestine Order in Council and, if necessary, the Mandate should be amended to permit of legislation empowering the High Commissioner to prohibit the transfer of land in any stated area to Jews, so that the obligation to safeguard the right and position of the Arabs may be carried out. Until survey and settlement are complete, the Commission would welcome the prohibition of the sale of isolated and comparatively small plots of land to Jews. They would prefer larger schemes for the rearrangement of proprietorship under Government supervision. They favour the proposal for the creation of special Public Utility Companies to undertake such development schemes subject to certain conditions.

An expert Committee should be appointed to draw up a Land Code.

Recommendations are made with a view to the expediting of settlement (the need for which is paramount) and to the improvement of settlement procedure.

The present system of Land Courts is contributory to delay. Until survey and settlement are complete there should be two or three Land Courts separate from the District Courts and each under a single British Judge.

Up till now the Arab cultivator has benefited on the whole both from the work of the British Administration and the presence of Jews in the country, but the greatest care must now be exercised to see that in the event of further sales of land by Arabs to Jews the rights of any Arab tenants or cultivators are preserved. Thus, alienation of land should only be allowed where it is possible to replace extensive by intensive cultivation. In the hill districts there can be no expectation of finding accommodation for any large increase in the rural population. At present, and for many years to come, the Mandatory Power should not attempt to facilitate the close settlement of the Jews in the hill districts generally.

The shortage of land is due less to purchase by Jews than to the increase in the Arab population. The Arab claims that the Jews have obtained too large a proportion of good land cannot be maintained. Much of the land now carrying orange groves was sand dunes or swamps and uncultivated when it was bought.

Legislation vesting surface water in the High Commissioner is essential. An increase in staff and equipment for exploratory investigations with a view to increasing irrigation is recommended. The scheme for the development of the Huleh district is commended.

The Commission fully realize the desirability of afforestation on a large scale of a long term forest policy, but, having regard to their conclusion as to the scarcity of land in the hills for the agricultural population, they cannot recommend a policy involving expropriation of cultivators on a large scale until other cultivable land or suitable employment on the land can be found for them. In the aggregate, however, a large amount of land is fit for afforestation but not for cultivation, and the Commission endorse a policy of afforestation of steep hillsides to prevent erosion the prevention of grazing on land fit for afforestation, and, where practicable, the establishment of village forests for the benefit of neighbouring cultivators.

Chapter X. - Immigration

The problem of immigration has been aggravated by three factors:- (1) the drastic restrictions imposed on immigration in the United States, (2) the advent of the National Socialist Government in Germany, and (3) the increasing economic pressure on the Jews in Poland.

The continuous impact of a highly intelligent and enterprising race backed by large financial resources on a comparatively poor, indigenous community, on a different cultural level, may produce in time serious reactions. The principle of economic absorptive capacity, meaning that considerations of economic capacity and these alone should determine immigration, is at present inadequate and ignores factors in the situation which wise statesmanship cannot disregard. Political, social and psychological factors should be taken into account. His Majesty's Government should lay down a political high level of Jewish immigration. This high level should be fixed for the next five years at 12,000 per annum. The High Commissioner should be given discretion to admit immigrants up to this maximum figure, but subject always to the economic absorptive capacity of the country.

Among other alterations in the immigration regulations the Commission recommend that the Administration should have direct control over the immigrants coming in under Category A(i) (persons with £1,000 capital), and any person who desires to enter Palestine under this category should convince the Immigration authority not only that he is in possession of £1,000, but also that there is room in Palestine for additional members in the profession, trade or business which he proposes to pursue.

The definition of dependency should be revised so as to fall under two heads, (1) near relatives who, dependency being presumed, would have a right to come in, and (2) other relatives, in respect of whom the Immigration authority would have to be satisfied that they can be maintained by the immigrant or permanent resident concerned, as long as they remain dependent for maintenance.

The final allocation of immigration certificates as determined by the Jewish Agency should be submitted by the High Commissioner for approval.

Greater use should be made of the machinery of the District Administration in making enquiries in connection with the preparation of the half-yearly Labour Schedules. The housing situation is an economic consideration to which greater regard should be given when considering absorptive capacity.

In so far as immigration has been the major factor in bringing the Jewish National Home to its present stage of development, the Mandatory has fully implemented this obligation to facilitate the establishment of a National Home for the Jewish people in Palestine, as is evidenced by the existence of a Jewish population of 400,000 persons. But this does not mean that the National Home should be crystallized at its present size. The Commission cannot accept the view that the Mandatory, facilitated the establishment of a National Home, would be justified in shutting its doors. Its economic life depends to a large extent on further immigration and a large amount of capital has been invested in it on the assumption that immigration would continue.

Restrictions on Jewish immigration will not solve the Palestine problem. The National Home seems already too big to the Arabs and, whatever its size, it bars the way to their attainment of national independence.

Chapter XI. - Trans-Jordan

The articles of the Mandate concerning the National Home do not apply to Trans-Jordan and the possibility of enlarging the National Home by Jewish immigration into Trans-Jordan rests on the assumption of concord between Arabs and Jews. Arab antagonism to Jewish immigration is at least as bitter in Trans-Jordan as it is in Palestine. The Government of Trans-Jordan would refuse to encourage Jewish immigration in the teeth of popular resistance.

Chapter XII. - Health

The Jewish grievances are summed up as complaints that not enough money has been spent, by the Mandatory Government to assist the medical services established by the Jews from their own resources. What is given to one service must be taken from another, and it is not always remembered that Palestine, despite the economic development of the National Home is still a relatively poor country. The whole question illustrates the difficulty of providing services in one State for two distinct communities with two very different standards of living.

Chapter XIII. - Public Works and Services

If it be assumed that the distribution of posts as between the two races should be proportional to the size of their respective populations, the Government have fairly maintained this proportion in the Civil Service generally, although the rapid expansion of the Jewish community has made this extremely difficult.

In Palestine, where there are different rates of pay for Arab and Jewish unskilled labourers, and also frequent fluctuations in wage rates, it is practically impossible to maintain employment on public works on any fixed proportion between the races.

The Commission make no recommendation with regard to the employment of Jews and non-Jews in Government Departments and on public works and services. They refer to the difficulties created by the antagonism between the two races, the differences in their standard of living and rates of wages and the additional complication of three different Holy Days, and state that they are satisfied that the Government have taken a broad view in dealing with the situation and that there is no foundation for the suggestion that the Government attitude towards the employment of Jews is unsympathetic.

Chapter XIV. - The Christians

The religious stake of the Christians in the Holy Places is just as great as that of the Jews or Moslems. The Christians of the world cannot be indifferent to the justice and well-being of their co-religionists in the Holy Land.

A memorandum setting out the grievances of the Arab Orthodox Community and complaining of the laissez-faire attitude of the Government was received too late for examination in detail, but it is pointed out that the Financial Commission appointed under the Orthodox Patriarchate Ordinance of 1928 has carried out an effective reform of the Patriarchate's finances and that the reorganization of the internal affairs of the Patriarchate, including the establishment of a Mixed Council, has been discussed between the Government, the Patriarchate and the Laity and is at present under consideration by the Government.

The Commission refer to the question of Sunday work by Christian officials resulting from the strict observance of the Jewish Sabbath, and are disposed to agree with the view that the existing state of affairs throws too much work on Christians officials and impairs the spiritual influence of the Christian Church.

In political matters the Christian Arabs have thrown in their lot with their Moslem brethren.

Chapter XV. - Nationality Law and Acquisition of Palestinian Citizenship

As regards the grievances of the Arabs (stated to number about 40,000) who left Palestine before the War intending eventually to return but have been unable to obtain Palestinian citizenship, the Commission suggest that at least those who are able to establish all an unbroken personal connection with Palestine and who are prepared to give a definite formal assurance of their intention to return, should be admitted to Palestinian citizenship.

As regards Jews, the existing legislation implements the obligation of the Mandate on this subject. The Jews have not availed themselves readily of the opportunity afforded them of becoming Palestinian citizens, and this is accounted for by the fact that their chief interest is in the Jewish Community itself. Allegiance to Palestine and to the Government are minor considerations to many of them.

The Commission do not agree with those who criticise the restriction of the municipal franchise to Palestinian citizens. It is most desirable that all persons who intend to reside permanently in the country should become Palestinian citizens, and this qualification for voting is a direct inducement, to them to do so.

Chapter XVI. - Education

It seems unfortunate that the Administration has been unable to do more for education. It is not only the intrinsic value of education that should be considered. Any efforts to raise the material standards of life among the *fellaheen* can only be successful if they have received sufficient mental training to profit from technical instruction. Considering, the inadequacy of the existing provision for Arab education, the Administration should regard its claims on the revenue as second in importance only to those of public security.

Worse than the insufficiency of Arab schools, however is the nationalist character of the education provided in the schools of both communities and for that the Commission can see no remedy at all. The ideal system of education would be a single bi-national system for both races. But that is virtually impossible under the Mandate, which prescribes the right of each community to maintain its own schools for the education of its own members in its own language." The existing Arab and Jewish school systems are definitely widening and will continue to widen the gulf between the two races.

Wherever practicable, e.g. in new technical or trade schools, mixed education should be promoted.

As regards the Jews' claim for a larger grant for their system of education, the Commission consider that, until much more has been spent on the development of Arab education, so as to place it on a level with that of the Jews, it is unjustifiable to increase the grant to the latter, however desirable it might be in other circumstances. The extent to which the Jews have taxed themselves for education is one of the best features of the National Home; and such "self-help" deserves all support; but it should not be given by altering the present proportion between the grant to the Jews and the amount spent on the Arabs; it should result from an increase in the total expenditure on education.

The contrast between the Arab and Jewish systems of education is most striking at the top. The Jews have a university of high quality. The Arabs have none and the young *intelligenza* of the country are unable to complete their education without the cost and inconvenience of going abroad. In any further discussion of the project of a British University in the Near East the possibility should be carefully considered of locating it in the neighbourhood of Jerusalem or Haifa.

Chapter XVII. - Local Government

The present system of rural self-government (through local Councils) falls short (1) in a lack of flexibility, (2) in undue centralization. An attempt should be made to strengthen those few local councils which still exist in the Arab rural areas, but the Commission do not favour an attempt at present to revivify councils which have broken down or to create new ones unless there is a genuine demand for them. There can be little really effective extension of village self-government until the provision of primary education has had more time to take effect.

The deficiencies of the present system of municipal government are (1) a lack of initiative on the part of the more backward municipalities, and (2) the limitations set to initiative on the part of the more progressive municipalities by an Ordinance which subjects them all to the same measure of Government control and centralized administration. The limitation of power and responsibility largely accounts for the lack of interest shown by the townspeople in most municipal councils.

Tel Aviv has unique problems of its own caused by its phenomenal growth during the last five years. The objectives which the people of Tel Aviv have set before them in the way of social services are in themselves admirable, and the ratepayers have shown a commendable readiness to bear high rates for their realization. The town has been faced with, and to a considerable extent surmounted, exceptional difficulties without seriously impairing its financial position.

The more important local councils and all the municipalities should be reclassified by means of a new Ordinance into groups according to their respective size and importance. The degree of power and independence could then be varied to suit each class. For the first class of municipality the powers provided under the existing Ordinance are inadequate and should be extended.

The services of an expert authority on local government should be obtained to assist in drafting the new Ordinance and in improving and co-ordinating the relations between Government and the municipalities, particularly in the larger towns, with special reference to the need of removing the causes of the present delay in approving municipal budgets.

The need of Tel Aviv for a substantial loan should be promptly and sympathetically reconsidered.

The normal constitutional relationship between the central and local authorities is impossible in Palestine.

Chapter XVIII. - Self-governing Institutions

Such hopes as may have been entertained in 1922 of any quick advance towards self-government have become less tenable. The bar to it - Arab antagonism to the National Home - so far from weakening, has grown stronger.

The Jewish leaders might acquiesce in the establishment of a Legislative Council on the basis of parity, but the Commission are convinced that parity is not a practicable solution of the problem. It is difficult to believe that so artificial a device would operate effectively or last long, and in any case the Arab leaders would not accept it.

The Commission do not recommend that any attempt be made to revive the proposal of a Legislative Council, but since it is desirable that the Government should have some regular and effective means of sounding public opinion on its policy, the Commission would welcome an enlargement of the Advisory Council by the addition of Unofficial Members, who might be in a majority and might be elected, who could make representations by way of resolution, but who would not be empowered to pass or reject the budget or other legislative measures. Again, the Arabs are unlikely to accept such a proposal.

The Arabs of Palestine, it has been admitted, are as fit to govern themselves as the Arabs of Iraq or Syria. The Jews of Palestine are as fit to govern themselves as any organized and educated community in Europe. Yet, associated as they are under the Mandate, self-government is impracticable for both peoples. The Mandate cannot be fully implemented nor can it honourably terminate in the independence of an undivided Palestine unless the conflict between Arab and Jew can be composed.

Chapter XIX. - Conclusion and Recommendations

The Commission recapitulate the conclusions set out in this part of the Report, and summarize the Arab and Jewish grievances and their own recommendations for the removal of such as are legitimate. They add, however, that these are not the recommendations which their terms of reference require. They will not, that is to say, remove the grievances nor prevent their recurrence. They are the best palliatives the Commission can devise for the disease from which Palestine is suffering, but they are only palliatives. They cannot cure the trouble. The disease is so deep-rooted that in the Commissioners' firm conviction the only hope of a cure lies in a surgical operation.

PART III: THE POSSIBILITY OF A LASTING SETTLEMENT

Chapter XX. - The Force of Circumstances

The problem of Palestine is briefly restated.

Under the stress of the World War the British Government made promises to Arabs and Jews in order to obtain their support. On the strength of those promises both parties formed certain expectations.

The application to Palestine of the Mandate System in general and of the specific Mandate in particular implies the belief that the obligations thus undertaken towards the Arabs and the Jews respectively would prove in course of time to be mutually compatible owing to the conciliatory effect on the Palestinian Arabs of the material prosperity which Jewish immigration would bring in Palestine as a whole. That belief has not been justified, and there seems to be no hope of its being justified in the future.

But the British people cannot on that account repudiate their obligations, and, apart from obligations, the existing circumstances in Palestine would still require the most strenuous efforts on the part of the Government which is responsible for the welfare of the country.

The existing circumstances are summarized as follows.

An irrepressible conflict has arisen between two national communities within the narrow bounds of one small country. There is no common ground between them. Their national aspirations are incompatible. The Arabs desire to revive the traditions of the Arab golden age. The Jews desire to show what they can achieve when restored to the land in which the Jewish nation was born. Neither of the two national ideals permits of combination in the service of a single State.

The conflict has grown steadily more bitter since 1920 and the process will continue. Conditions inside Palestine especially the systems of education, are strengthening the national sentiment of the two peoples. The bigger and more prosperous they grow the greater will be their political ambitions, and the conflict is aggravated by the uncertainty of the future. Who in the end will govern Palestine?" it is asked. Meanwhile, the external factors will continue to operate with increasing force. On the one hand in less than three years' time Syria and the Lebanon will attain their national sovereignty, and the claim of the Palestinian Arabs to share in the freedom of all Asiatic Arabia will thus be fortified. On the other hand the hardships and anxieties of the Jews in Europe are not likely to grow less and the appeal to the good faith and humanity of the British people will lose none of its force.

Meanwhile, the Government of Palestine, which is at present an unsuitable form for governing educated Arabs and democratic Jews, cannot develop into a system of self-government as it has elsewhere, because there is no such system which could ensure justice both to the Arabs and to the Jews. Government therefore remains unrepresentative and unable to dispel the conflicting grievances of the two dissatisfied and irresponsible communities it governs.

In these circumstances peace can only be maintained in Palestine under the Mandate by repression. This means the maintenance of security services at so high a cost that the services directed to "the well-being and development" of the population cannot be expanded and may even have to be curtailed. The moral objections to repression are self-evident. Nor need the undesirable reactions of it on opinion outside Palestine be emphasized. Moreover, repression will not solve the problem. It will exacerbate the quarrel. It will not help towards the establishment of a single self-governing Palestine. It is not easy to pursue the dark path of repression without seeing daylight at the end of it.

The British people will not flinch from the task of continuing to govern Palestine under the Mandate if they are in honour bound to do so, but they would be justified in asking if there is no other way in which their duty can be done.

Nor would Britain wish to repudiate her obligations. The trouble is that they have proved irreconcilable, and this conflict is the more unfortunate because each of the obligations taken separately accords with British sentiment and British interest. The development of self-government in the Arab world on the one hand is in accordance with British principles, and British public opinion is wholly sympathetic with Arab aspirations towards a new age of unity and prosperity in the Arab world. British interest similarly has always been bound up with the peace of the Middle East and British statesmanship can show an almost unbroken record of friendship with the Arabs. There is a strong British tradition, on the other hand, of friendship with the Jewish people, and it is in the British interest to retain as far as may be the confidence of the Jewish people.

The continuance of the present system means the gradual alienation of two peoples who are traditionally the friends of Britain.

The problem cannot be solved by giving either the Arabs or the Jews all they want. The answer to the question which of them in the end will govern Palestine must be Neither. No fair-minded statesman can think it right either that 400,000 Jews, whose entry into Palestine has been facilitated by the British Government and approved by the League of Nations, should be handed over to Arab rule, or that, if the Jews should become a majority, a million Arabs should be handed over to their rule. But while neither race can fairly rule all Palestine, each race might justly rule part of it.

The idea of Partition has doubtless been thought of before as a solution of the problem, but it has probably been discarded as being impracticable. The difficulties are certainly very great, but when they are closely examined they do not seem so insuperable as the difficulties inherent in the continuance of the Mandate or in any other alternative arrangement. Partition offers a chance of ultimate peace. No other plan does.

Chapter XXI. - Cantonisation

The political division of Palestine could be effected in a less thorough manner than by Partition. It could be divided like Federal States into provinces and cantons, which would be self-governing in such matters as immigration and land sales as well as social services. The Mandatory Government would remain as a central or federal government controlling such matters as foreign relations, defence, customs and the like.

Cantonisation is attractive at first sight because it seems to solve the three major problems of land, immigration and self-government, but there are obvious weaknesses in it. First, the working of federal systems depends on sufficient community of interest or tradition to maintain harmony between the Central Government and the cantons. In Palestine both Arabs and Jews would regard the Central Government as an alien and interfering body. Secondly, the financial relations between the Central Government and the cantons would revive the existing quarrel between Arabs and Jews as to the distribution of a surplus of federal revenue or as to the contributions of the cantons towards a federal deficit. Unrestricted Jewish immigration into the Jewish canton might lead to a demand for the expansion of federal services at the expense of the Arab canton. Thirdly, the costly task of maintaining law and order would still rest mainly on the Central Government. Fourthly, Cantonisation like Partition cannot avoid leaving a minority of each race in the area controlled by the other. The solution of this problem requires such bold measures as can only be contemplated if there is a prospect of final peace. Partition opens up such a prospect. Cantonisation does not. Lastly, Cantonisation does not settle the question of national self-government. Neither the Arabs nor the Jews would feel their political aspirations were satisfied with purely cantonal self-government.

Cantonisation, in sum, presents most, if not all, of the difficulties presented by Partition without Partition's one supreme advantage - the possibilities it offers of eventual peace.

Chapter XXII. - A Plan of Partition

While the Commission would not be expected to embark on the further protracted inquiry which would be needed for working out a scheme of Partition in full detail, it would be idle to put forward the principle of Partition and not to give it any concrete shape. Clearly it must be shown that an actual plan can be devised which meets the main requirements of the case.

1. A Treaty System

The Mandate for Palestine should terminate and be replaced by a Treaty System in accordance with the precedent set in Iraq and Syria.

A new Mandate for the Holy Places should be instituted to fulfil the purposes defined in Section 2 below.

Treaties of alliance should be negotiated by the Mandatory with the Government of Trans-Jordan and representatives of the Arabs of Palestine on the one hand and with the Zionist Organisation on the other. These Treaties would declare that, within as short a period as may be convenient, two sovereign independent States would be established - the one an Arab State consisting of Trans-Jordan united with that part of Palestine which lies to the east and south of a frontier such as we suggest in Section 3 below; the other a Jewish State consisting of that part of Palestine which lies to the north and west of that frontier.

The Mandatory would undertake to support any requests for admission to the League of Nations which the Governments of the Arab and the Jewish States might make.

The Treaties would include strict guarantees for the protection of minorities in each State, and the financial and other provisions to which reference will be made in subsequent Sections.

Military conventions would be attached to the Treaties, dealing with the maintenance of naval, military and air forces, the upkeep and use of ports, roads and railways, the security of the oil pipe line and so forth.

2. The Holy Places

The Partition of Palestine is subject to the overriding necessity of keeping the sanctity of Jerusalem and Bethlehem inviolate and of ensuring free and safe access to them for all the world. That, in the fullest sense of the mandatory phrase, is "a sacred trust of civilization" - a trust on behalf not merely of the peoples of Palestine but of multitudes in other lands to whom those places, one or both, are Holy Places.

A new Mandate, therefore, should be framed with the execution of this trust as its primary purpose. An enclave should be demarcated extending from a point north of Jerusalem to a point south of Bethlehem, and access to the sea should be provided by a corridor extending to the north of the main road and to the south of the railway, including the towns Lydda and Ramle, and terminating at Jaffa.

The protection of the Holy Places is a permanent trust, unique in its character and purpose, and not contemplated by Article 22 of the Covenant of the League of Nations. In order to avoid misunderstanding, it might frankly be stated that this trust will only terminate if and when the League of Nations and the United States desire it to do so, and that, while it would be the trustee's duty to promote the well-being and development of the local population concerned, it is not intended that in course of time they should stand by themselves as a wholly self-governing community.

Guarantees as to the rights of the Holy Places and free access thereto (as provided in Article 13 of the existing Mandate), as to transit across the mandated area, and as to non-discrimination in fiscal, economic and other matters should be maintained in accordance with the principles of the Mandate System. But the policy of the Balfour Declaration would not apply; and no question would arise of balancing Arab against Jewish claims or *vice versa*. All the inhabitants of the territory would stand on an equal footing. The only official language" would be that of the Mandatory Administration. Good and just government without regard for sectional interests would be its basic principle.

It would accord with Christian sentiment in the world at large if Nazareth and the Sea of Galilee (Lake Tiberias) were also covered by this Mandate. The Mandatory should be entrusted with the administration of Nazareth and with full powers to safeguard the sanctity of the waters and shores of Lake Tiberias.

The Mandatory should similarly be charged with the protection of religious endowments and of such buildings, monuments and places in the Arab and Jewish States as are sacred to the Jews and the Arabs respectively.

For the upkeep of the Mandatory Government, a certain revenue should be obtainable, especially from the large and growing urban population in its charge, both by way of customs duties and by direct taxation; but it might prove insufficient for the normal cost of the administration. In that event, it is suggested that, in all the circumstances, Parliament would be willing to vote the money needed to make good the deficit.

3. The Frontier

The natural principle for the Partition of Palestine is to separate land and settled from the areas in which the Jews have acquired land and settled from those which are who are wholly or mainly occupied by Arabs. This offers a fair and practicable basis for Partition, provided that in accordance with the spirit of British obligations, (1) a reasonable allowance is made within the boundaries of the Jewish State for the growth of population and colonization, and (2) reasonable compensation is given to the Arab State for the loss of land and revenue.

Any proposal for Partition would be futile if it gave no indication, however rough, as to how the most vital question in the whole matter might be determined, i.e., the frontier. As a solution of the problem, which seems both practicable and just, a rough line is proposed below. A Frontier Commission should be appointed to demarcate the precise frontier.

Starting from Ras an Naqura, it follows the existing northern and eastern frontier of Palestine to Lake Tiberias and crosses the Lake to the outflow of the River Jordan, whence it continues down the river to a point a little north of Beisan. It then cuts across the Beisan Plain and runs along the southern edge of the Valley of Jezreel and across the Plain of Esdraelon to a point near Megiddo, whence it crosses the Carmel ridge in the neighbourhood of the Megiddo road. Having thus reached the Maritime Plain, the line runs southwards down its eastern edge, curving west to avoid Tulkarm, until it reaches the Jerusalem-Jaffa corridor near Lydda. South of the Corridor it continues down the edge of the Plain to a point about 10 miles south of Rehovot, when it turns west to the sea.

The observations and recommendations are made with regard to the proposed frontier and to questions arising from it:--

- (i) No frontier can be drawn which separates all Arabs and Arab-owned land from all Jews and Jewish-owned land.
- (ii) The Jews have purchased substantial blocks of land in the Gaza Plain and near Beersheba and obtained options for the purchase of other blocks in this area. The proposed frontier would prevent the utilization of those lands for the southward expansion of the Jewish National Home. On the other hand, the Jewish lands in Galilee, and in particular the Huleh basin (which offers a notable opportunity for development and colonization), would be in the Jewish Area.
- (iii) The proposed frontier necessitates the inclusion in the Jewish Area of the Galilee highlands between Safad and the Plain of Acre. This is the part of Palestine in which the Jews have retained a foothold almost if not entirely without a break from the beginning of the Diaspora to the present day, and the sentiment of all Jewry is deeply attached to the "holy cities" of Safad and Tiberias. Until quite recently, moreover the Jews in Galilee have lived on friendly terms with their Arab neighbours; and throughout the series of disturbances the *fellaheen* of Galilee have shown themselves less amenable to political incitement than those of Samaria and Judaea where the centres of Arab nationalism are located. At the "mixed" towns of Tiberias, Safad, Haifa, and Acre there have been varying degrees of friction since the "disturbances" of last year. It would greatly promote the successful operation of Partition in its early stages, and in particular help to ensure the execution of the Treaty guarantees for the protection of minorities, if those four towns were kept for a period under Mandatory administration.
- (iv) Jaffa is an essentially Arab town and should form part of the Arab State. The question of its communication with the latter presents no difficulty, since transit through the Jaffa-Jerusalem Corridor would be open to all. The Corridor, on the other hand, requires its own access to the sea, and for this purpose a narrow belt of land should be acquired and cleared on the north and south sides of the town.
- (v) While the Mediterranean would be accessible to the Arab State at Jaffa and at Gaza, in the interests of Arab trade and industry the Arab State should also have access for commercial purposes to Haifa, the only existing deep-water port on the coast. The Jewish Treaty should therefore provide for the free transit of goods in bond between the Arab State and Haifa. The Arab Treaty, similarly, should provide for the free transit of goods in bond over the railway between the Jewish State and the Egyptian frontier. The same principle applies to the question of access for commercial purposes to the Red Sea. The use of that exit to the East might prove in course of time of great advantage to both Arab and Jewish trade and industry, and, having regard to those possibilities, an enclave on the north-west coast of the Gulf of Aqaba should be retained under Mandatory administration, and the Arab Treaty should provide for the free transit of goods between the Jewish State and this enclave.

The Treaties should provide for similar facilities for the transit of goods between the Mandated Area and Haifa, the frontier and the Gulf of Aqaba.

4. Inter-State Subvention

The Jews contribute more *per capita* to the revenues of Palestine than the Arabs, and the Government has thereby been enabled to maintain public services for the Arabs at a higher level than would otherwise have been possible. Partition would mean, on the one hand, that the Arab Area would no longer profit from the taxable capacity of the Jewish Area. On the other hand, (1) the Jews would acquire a new right of sovereignty in the Jewish Area; (2) that Area, as we have defined it, would be larger than the existing area of Jewish land and settlement; (3) the Jews would be freed from their present liability for helping to promote the welfare of Arabs outside that Area. It is suggested, therefore, that the Jewish State should pay a subvention to the Arab State when Partition comes into effect. There have been recent precedents for equitable financial arrangements of this kind in those connected with the separation of Sind from Bombay and of Burma from the Indian Empire, and in accordance with those precedents a Finance Commission should be appointed to consider and report as to what the amount of the subvention should be.

The Finance Commission should also, consider and report on the proportion in which the Public Debt of Palestine, which now amounts to about £4,500,000, should be divided between the Arab and the Jewish States, and other financial questions. The Commission should also deal with telegraph and telephone systems in the event of Partition.

5. British Subvention

The Inter-State Subvention would adjust the financial balance in Palestine; but the plan involves the inclusion of Trans-Jordan in the Arab State. The taxable capacity of Trans-Jordan is very low and its revenues have never sufficed to meet the cost of its administration. From 1921 to the present day it has received grants-in-aid from the United Kingdom, which have amounted to a total sum of £1,253,000 or an average of about £78,000 a year. Grants have also been made towards the cost of the Trans-Jordan Frontier Force, and loans to the amount of £60, 000 have been provided for earthquake-relief and the distribution of seed.

The Mandate for Trans-Jordan ought not to be relinquished without securing, as far as possible, that the standard of administration should not fall too low through lack of funds to maintain it; and in this matter the British people might fairly be asked to do their part in facilitating a settlement. The continuance of the present Mandate would almost inevitably involve a recurrent and increasing charge on the British Treasury. If peace can be promoted by Partition, money spent on helping to bring it about and making it more effective for its purpose would surely be well spent. And apart from any such considerations the British people would, it is believed, agree to a capital payment in lieu of their present annual liability with a view to honouring their obligations and making peace in Palestine.

In the event of the Treaty system coming into force, Parliament should be asked to make a grant of £2,000,000 to the Arab State.

6. Tariffs and Ports

The Arab and Jewish States, being sovereign independent States, would determine their own tariffs. Subject to the terms of the Mandate, the same would apply to the Mandatory Government.

The tariff-policies of the Arab and Jewish States are likely to conflict, and it would greatly ease the position and promote the interests of both the Arab and Jewish States if they could agree to impose identical customs-duties on as many articles as possible, and if the Mandatory Government, likewise, could assimilate its customs-duties as far as might be with those of one or both of the two States.

It should be an essential part of the proposed Treaty System that a commercial convention should be concluded with a view to establishing a common tariff over the widest possible range of imported articles and to facilitating the freest possible interchange of goods between the three territories concerned.

7. Nationality

All persons domiciled in the Mandated Area (including Haifa, Acre, Tiberias, Safad and the enclave on the Gulf of Aqaba, as long as they remain under Mandatory administration) who now possess the status of British protected persons would retain it; but apart from this all Palestinians would become the nationals of the States in which they are domiciled.

8. Civil Services

It seems probable that, in the event of Partition, the services of the Arab and Jewish officials in the pre-existing Mandatory Administration would to a large extent be required by the Governments of the Arab and Jewish States respectively, whereas the number of British officials would be substantially reduced. The rights of all of them, including rights to pensions or gratuities, must be fully honoured in accordance with Article 28 of the existing Mandate. This matter should be dealt with by the Finance Commission.

9. Industrial Concessions

In the event of Partition agreements entered into by the Government of Palestine for the development and security of industries (e.g., the agreement with the Palestine Potash Company) should be taken over and carried out by the Governments of the Arab and Jewish States. Guarantees to that effect should be given in the Treaties. The security of the Electric Power Station at Jisr el Majami should be similarly guaranteed.

10. Exchange of Land and Population

If Partition is to be effective in promoting a final settlement it must mean more than drawing a frontier and establishing two States. Sooner or later there should be a transfer of land and, as far as possible, an exchange of population.

The Treaties should provide that, if Arab owners of land in the Jewish State or Jewish owners of land in the Arab State should wish to sell their land and any plantations or crops thereon, the Government of the State concerned should be responsible for the purchase of such land, plantations and crops at a price to be fixed, if requires, by the Mandatory Administration. For this purpose a loan should, if required, be guaranteed for a reasonable amount.

The political aspect of the land problem is still more important. Owing to the fact that there has been no census since 1931 it is impossible to calculate with any precision the distribution of population between the Arab and Jewish areas; but, according to an approximate estimate, in the area allocated to the Jewish State (excluding the urban districts to be retained for a period under Mandatory Administration) there are now about 225,000 Arabs. In the area allocated to the Arab State there are only about 1,250 Jews; but there are about 125,000 Jews as against 85,000 Arabs in Jerusalem and Haifa. The existence of these minorities clearly constitutes the most serious hindrance to the smooth and successful operation of Partition. If the settlement is to be clean and final, the question must be boldly faced and firmly dealt with. It calls for the highest statesmanship on the part of all concerned.

A precedent is afforded by the exchange effected between the Greek and Turkish populations on the morrow of the Greco-Turkish War of 1922. A convention was signed by the Greek and Turkish Governments, providing that, under the supervision of the League of Nations, Greek nationals of the Orthodox religion living in Turkey should be compulsorily removed to Greece, and Turkish nationals of the Moslem religion living in Greece to Turkey. The numbers involved were high - no less than some

1,300,000 Greeks and some 400,000 Turks. But so vigorously and effectively was the task accomplished that within about eighteen months from the spring of 1923 the whole exchange was completed. The courage of the Greek and Turkish statesmen concerned has been justified by the result. Before the operation the Greek and Turkish minorities had been a constant irritant. Now Greco-Turkish relations are friendlier than they have ever been before.

In Northern Greece a surplus of cultivable land was available or could rapidly be made available for the settlement of the Greeks evacuated from Turkey. In Palestine there is at present no such surplus. Room exists or could soon be provided within the proposed boundaries of the Jewish State for the Jews now living in the Arab area. It is the far greater number of Arab who constitute the major problem; and, while some of them could be re-settled on the land vacated by the Jews, far more land would be required for the re-settlement of all of them. Such information as is available justifies the hope that the execution of large-scale plans for irrigation, water-storage, and development in Trans-Jordan, Beersheba and the Jordan Valley would make provision for a much larger population than exists there at the present time.

Those areas, therefore, should be surveyed and an estimate made of the practical possibilities of irrigation and development as quickly as possible. If, as a result, it is clear that a substantial amount of land could be made available for the re-settlement of Arabs living in the Jewish area, the most strenuous efforts should be made to obtain an agreement for the transfer of land and population. In view of the present antagonism between the races and of the manifest advantage to both of them for reducing the opportunities of future friction to the utmost, it is to be hoped that the Arab and the Jewish leaders might show the same high statesmanship as that of the Turks and the Greeks and make the same bold decision for the sake of peace.

The cost of the proposed irrigation and development scheme would be heavier than the Arab State could be expected to bear. Here again the British people it is suggested, would be willing to help to bring about a settlement; and if an arrangement could be made for the transfer, voluntary or otherwise, of land and population, Parliament should be asked to make a grant to meet the cost of the foresaid scheme.

If it should be agreed to terminate the Mandate and establish a Treaty System on a basis of Partition, there would be a period of transition before the new regime came into force, and during this period the existing Mandate would continue to be the governing instrument of the Palestine Administration. But the recommendations made in Part II of the Report as to what should be done under the existing Mandate presupposed its continuance for an indefinite time and would not apply to so changed a situation as the prospect of Partition would bring about.

The following are recommendations for the period of transition:--

- (1) *Land.*- Steps should be taken to prohibit the purchase of land by Jews within the Arab Area (i.e., the area of the projected Arab State) or by Arabs within the Jewish Area (i.e., the area of the projected Jewish State).
The settlement of the plain-lands of the Jewish Area should be completed within two years.
- (2) *Immigration.*- Instead of the political "high-level" there should be a territorial restriction on Jewish immigration. No Jewish immigration into the Arab Area should be permitted. Since it would therefore not affect the Arab Area and since the Jewish State would soon become responsible for its results, the volume of Jewish immigration should be determined by the economic absorptive capacity of Palestine less the Arab Area.
- (3) *Trade.*- Negotiations should be opened without delay to secure the amendment of Article 18 of the Mandate and to place the external trade of Palestine upon a fairer basis.
- (4) *Advisory Council.*- The Advisory Council should, if possible, be enlarged by the nomination of Arab and Jewish representatives; but, if either party refused to serve, the Council should continue as at present.

- (5) *Local Government.*- The municipal system should be reformed on expert advice.
- (6) *Education.*- A vigorous effort should be made to increase the number of Arab schools. The "mixed schools" situated in the area to be administered under the new Mandate should be given every support, and the possibility of a British University should be considered, since those institutions might play an important part after Partition in helping to bring about an ultimate reconciliation of the races.

Chapter X. - Conclusion

Considering the attitude which both the Arab and the Jewish representatives adopted in giving evidence, the Commission think it improbable that either party will be satisfied at first sight with the proposals submitted for the adjustment of their rival claims. For Partition means that neither will get all it wants. It means that the Arabs must acquiesce in the exclusion from their sovereignty of a piece of territory, long occupied and once ruled by them. It means that the Jews must be content with less than the Land of Israel they once ruled and have hoped to rule again. But it seems possible that on reflection both parties will come to realize that the drawbacks of Partition are outweighed by its advantages. For, if it offers neither party all it wants, it offers each what it wants most, namely freedom and security.

The advantages to the Arabs of Partition on the lines we have proposed may be summarized as follows:--

- (i) They obtain their national independence and can co-operate on an equal footing with the Arabs of the neighbouring countries in the cause of Arab unity and progress.
- (ii) They are finally delivered from the fear of being swamped by the Jews, and from the possibility of ultimate subjection to Jewish rule.
- (iii) In particular, the final limitation of the Jewish National Home within a fixed frontier and the enactment of a new Mandate for the protection of the Holy Places, solemnly guaranteed by the League of Nations, removes all anxiety lest the Holy Places should ever come under Jewish control.
- (iv) As a set-off to the loss of territory the Arabs regard as theirs, the Arab State will receive a subvention from the Jewish State. It will also, in view of the backwardness of Trans-Jordan, obtain a grant of £2,000,000 from the British Treasury; and, if an agreement can be reached as to the exchange of land and population, a further grant will be made for the conversion, as far as may prove possible, of uncultivable land in the Arab State into productive land from which the cultivators and the State alike will profit.

The advantages of Partition to the Jews may be summarized as follows:--

- (i) Partition secures the establishment of the Jewish National Home and relieves it from the possibility of its being subjected in the future to Arab rule.
- (ii) Partition enables the Jews in the fullest sense to call their National Home their own; for it converts it into a Jewish State. Its citizens will be able to admit as many Jews into it as they themselves believe can be absorbed. They will attain the primary objective of Zionism - a Jewish nation, planted in Palestine, giving its nationals the same status in the world as other nations give theirs. They will cease at last to live a minority life.

To both Arabs and Jews Partition offers a prospect - and there is none in any other policy - of obtaining the inestimable boon of peace. It is surely worth some sacrifice on both sides if the quarrel which the Mandate started could be ended with its termination. It is not a natural or old-standing feud. The Arabs throughout their history have not only been free from anti-Jewish sentiment but have also shown that the spirit of compromise is deeply rooted in their life. Considering what the possibility of finding a refuge in Palestine means to man thousands of suffering Jews, is the loss occasioned by Partition, great as it would be, more than Arab generosity can bear? In this, as in so much else connected with Palestine, it is not only the peoples of that country who have to be considered. The Jewish Problem is not the least of the many problems which are disturbing international relations at this

critical time and obstructing the path to peace and prosperity. If the Arabs at some sacrifice could help to solve that problem, they would earn the gratitude not of the Jews alone but of all the Western World.

There was a time when Arab statesmen were willing to concede little Palestine to the Jews, provided that the rest of Arab Asia were free. That condition was not fulfilled then, but it is on the eve of fulfilment now. In less than three years' time all the wide Arab area outside Palestine between the Mediterranean and the Indian Ocean will be independent, and, if Partition is adopted, the greater part of Palestine will be independent too.

As to the British people, they are bound to honour to the utmost of their power the obligations they undertook in the exigencies of war towards the Arabs and the Jews. When those obligations were incorporated in the Mandate, they did not fully realize the difficulties of the task it laid on them. They have tried to overcome them, not always with success. The difficulties have steadily become greater till now they seem almost insuperable. Partition offers a possibility of finding a way through them, a possibility of obtaining a final solution of the problem which does justice to the rights and aspirations of both the Arabs and the Jews and discharges the obligations undertaken towards them twenty years ago to the fullest extent that is practicable in the circumstances of the present time.



NORMAN BENTWICH, NOTES OF A TALK WITH JAMAL HUSSEINI ON ARAB-JEWISH NEGOTIATIONS, LONDON, 14 JULY 1937

[After the establishment of the British civil administration in Palestine in 1920, Bentwich became legal secretary and later first British attorney general in mandatory Palestine; at the time of his talks with Husseini, he was Professor at the Hebrew University of Jerusalem; Jamal Husseini was at the time Chairman of the Mufti's Palestine Arab Party and member of the Arab Higher Committee.]

SUGGESTED BASIS FOR NEGOTIATIONS BETWEEN JEWISH AND ARAB REPRESENTATIVES WITH A VIEW TO FINDING AN ALTERNATIVE SETTLEMENT TO PARTITION IN PALESTINE

- (1) Both the Arab and Jewish communities are in Palestine as of right.
- (2) Both communities are opposed to any partition of their common home.
- (3) Great Britain should conclude a treaty with the united people of Palestine providing for the establishment of an autonomous Government in which Jews and Arabs should be equally represented on a cantonal basis and providing for the termination of the Mandate after five years, if the peoples of Palestine have, in the opinion of the Council of the League [of Nations], at that time shown their fitness to govern themselves and lives in peace with each other.
The powers of the British advisers in Palestine during the period of five years would be similar to those now exercised by the British Advisers in Trans-Jordan.
- (4) The Arabs recognise the historical and moral right of the Jews to a home in Palestine, and consequently the rights of Jews from other countries to immigrate into Palestine, it being understood that:
 - (a) Jewish immigration would for a period of years, until the relations of the two communities have been adjusted, be limited by some relation to the existing population and the difference between the natural increase of the Arabs over the natural increase of the Jews.
 - (b) The Jews in Palestine do not claim special political privileges, but full civil and political rights of citizens.
- (5) Palestine should be combined with Trans-Jordan in a single autonomous state, and Jews should have the same rights of immigration and settlement in Trans-Jordan as they have in Palestine west of the Jordan.
- (6) British authority in Palestine after the period of five years should be restricted to special of Defense in accordance with a Treaty of Alliance; and the government of the Holy Cities of Jerusa-

lem, Bethlehem and Nazareth and the supervision of the Holy places, until such time as the Council of the League of Nations agreed that special control was unnecessary.



**REPORT OF A CONVERSATION OF COL H. R. P. DICKSON WITH
KING ABDUL AZIZ IBN SAUD OF SAUDI ARABIA, 28 OCTOBER 1937**

[In this conversation, King Saud explained Dickson, a former British political official in Kuwait, why the Arabs would oppose partition of Palestine as recommended by the Peel Commission, and urged the British to stop Jewish immigration and pro-Jewish concessions]

Submitted to George Rendel, head of the Eastern Department of the Foreign Office.

His Majesty early on turned to the subject obviously close to his heart, namely the Palestine tangle, and for close on an hour and a half delivered himself as follows. He spoke for the most part in low earnest voice as those his words were not intended for his Counsellors sitting and he continually kept placing his hand on my arm as though to emphasize his meaning.

(Here I shall use the King's words as near as possible using the first person plural for the most part).

'We are aware O Dickson that you are no longer a Government Official, but as you have held high and honourable post under His Majesty's government for many years, we know also that you are trusted by your Government, and so not only do we make you doubly welcome, but we feel we can open our heart to you, and we are glad that you have been able to visit us in our capital.

'We are most anxious that the British Government should send us every eight months or so an experienced officer whom they trust, or equally well an ex-official like yourself, who can listen personally to what we have on our minds, and what troubles our hearts, for times are deeply serious and full of danger these days. We feel that personal contact of such a nature will be far more efficacious, than any amount of letter writing or telegraph representations. The latter though well enough in themselves must nearly always fail to convey the full meaning of our thoughts and anxieties, and if anything will tend rather to breed misunderstanding and misconception than remove same. But such a person, if and when he is sent us must be thoroughly conversant with our language (Arabic) and must understand the wider meaning of our beautiful tongue which is so full of parable and expressive phrase. It is no use sending a man who has to listen to what we have to say through the medium of an interpreter. The person sent should know and understand our Arab psychology, be conversant if possible with our Arabian manners and customs, and above all should be acquainted with our Arab pride and our hopes, and have read something of God's Holy Word, as vouchsafed to us in our Blessed Qur'an.

'O Dickson when will your London Government realize that we Arabs by our very nature can be bought body and soul by an act of kindness and vice versa become implacable enemies for all time of those who treat us harshly or deal unjustly with us.

'Today we and our subjects are deeply troubled over this Palestine question, and the cause of our disquiet and anxiety is the strange attitude of your British Government, and the still more strange hypnotic influence which the Jews, a race accursed by God according to His Holy Book, and destined to final destruction and eternal damnation hereafter, appear to wield over them and the English people generally.

'God's Holy Book (the Qur'an) contains God's own word and divine ordinance, and we commend to His Majesty's government to read and carefully peruse that portion which deals with the Jews and especially what is to be their fate in the end. For God's words are unalterable and must be.

'We Arabs believe implicitly in God's revealed word and we know that God is faithful. We care for nothing else in this world but our believe in the One God, His Prophet and our Honour, everything else matters nothing at all, not even death, nor are we afraid of hardship, hunger, lack of this worlds goods etc, etc. and we are quite content to eat camel's meat and dates to the end of our days, provided we hold to the above three things.

'Our hatred for the Jews dates from God's condemnation of them for their persecution and rejection of Isa (Jesus Christ), and their subsequent rejection later of His chosen Prophet. It is beyond our understanding how your Government, representing the first Christian power in the world today, can wish to assist and reward these very same Jews who maltreated your Isa (Jesus).

"We Arabs have been the traditional friends of Great Britain for many years, and I, Bin Sa'ud, in particular have been your Government's firm friend all my life, what madness then is this which is leading on our Government to destroy this friendship of centuries, all for the sake of an accursed and stiffnecked race which has always bitten the hand of everyone who has helped it since the world began.

It were far preferable from every point of view if Great Britain were to make Palestine a British Possession and rule it for the next 100 years, rather than to partition it in the way they propose: such partition cannot possibly solve the difficulty but must only perpetuate it and lead to war and misery. Some people seem to think that I, Bin Sa'ud, have an eye on Palestine myself, and would like to benefit by the disturbed state of affairs existing there, to step in and offer to take it over myself. That certainly would be a solution, but God forbid that this should happen, for I have enough and to spare as it is.

'Today I am the 'Imam' or 'Spiritual Leader" as well as the Temporal Ruler of the greater part of Arabia. I also have not a little influence in all the great Muslim countries of the world. I am being placed in the most difficult and most invidious of all positions by the British Government my friends. On the one hand I am being appealed to by means of myriads of letters and telegrams by day and night from all quarters of the Muslim world to step in and save Palestine for the Arabs. I am even urged by my own people of Najd, and all good Muslims in the outer world to break with the English and save Palestine for its people by war. On the other hand I see that it would be utterly futile to break with my old friends the English, for to do so would bring untold woe on the world, and would be to play right into the hands of the Jews, the enemies of Arabia as well as of England.

I definitely shall not wage war against you English and I have told my people this, because I am the only man among them who can see far ahead and I know that by so doing I should lose the one potential ally I know have. For are not Italy, Germany and Turkey (especially the latter) like ravening wolves today seeking whom they may devour. They are all flirting with me at the present moment, but I know they will wish to devour me later. A friendly England will, I believe, always prevent them from accomplishing their ends. Hence, though as a Muslim I have no particular love for any Christian European nation, political interest demands that I keep in with the best of them, that is, England.

'The difficulty is my Arabs and the Ikhwan tribes of Najd - Over this Palestine business their senses are only in their eyes, and they cannot see one cubit ahead. They even now blame me for wavering and obeying the orders of the English, and yet your Government should remember that I am the Arabs' religious leader and so am the interpreter of the scriptures. God's word to them cannot be got round.

'Verily the word of God teaches us, and we implicitly believe this O Dickson, that for a Muslim to kill a Jew, or for him to be killed by a Jew ensures him an immediate entry into Heaven and into the august presence of God Almighty. What more then can a Muslim want in this hard world, and that is what my people are repeatedly reminding me of? Most assuredly your

government is placing me in the same dilemma that they did in 1929-30 which ended in the Ikhwan going out in rebellion against me.

'The Jews are of course your enemies as well as ours though they are cleverly making use of you now. Later your Government will see and feel their teeth. For the present they (the Jews) prefer biding their time. Perhaps your Government does not know that the Jews contemplate as their final aim not only the seizure of all Palestine but the land south of it as far as Medina. Eastward also they hope some day to extend to the Persian Gulf. They cozen certain imperialistic-minded Englishmen with stories of how a strong Jewish and Pro-British State stretching from the Mediterranean to the Persian Gulf will safeguard England's communications with the East, saying that the Arabs are England's enemies and will always be so. At the same time they play on the minds of the sentimental British masses, by telling them that the Old Testament prophets foretold how they, the Jews, would eventually return to their Promised Land, or again that they, the persecuted and wandering Bani Israel, should not be denied a small place in the world where to lay their weary heads. Now, O Dickson, would the people of Wales like it if you English suddenly gave the Jews their country? But no, it is easier to give away other peoples countries and not so dangerous.

'That the Jews of Palestine are even now straining every nerve to cause a permanent split between the English people and the Arabs can be proved to the hilt by the recent murders of officials in Palestine. It is as clear as daylight to me that the Godless Arab gunmen, hired from abroad, who committed those vile deeds were hired and paid for by Jewish money. We state this to be an absolute fact, for did not the Grand Mufti of Jerusalem swear to us in the 'Haram' of Mecca by the Holy Kaaba that he would never resort to any but constitutional methods in opposing the Zionist machinations in Palestine? And I believe him even today.

'What we fear so greatly and what Great Britain must not allow to come to pass is the turning of the Arabs of Arabia and neighboring Arab countries into enemies of England. Once this happens then an irreparable crime will have been committed, for, as we said above, the Arabs will never forget an injury, and will bide their opportunity to take revenge for a hundred years if need be. Enemies of England would not be slow to take advantage of this, and an England in difficulties, or engaged elsewhere in war, would then be the signal for the Arabs to act.

'The very thought of the above happening is hateful to me Abdul Aziz, yet be assured the Partition in Palestine will bring this about in spite of all your misdirected efforts. And after all I cannot help you forever as I cannot live more than a few years more. I repeat then that the only solution that I can see is for your Government to rule Palestine herself. The Zionists of course will not like this, but their views should not be asked. The Arabs will agree to this solution and those who do not must be made to agree by such people as myself.

'The main thing at all costs is to prevent the Jews from having an independent state of their own sliced out of Arab territory with no one to guide their future acts and policy. For from such will come a perpetual struggle with the Arabs living round them. Firstly because the Jews are determined to expand, will intrigue from the very beginning, and not rest until they have created discord between Great Britain and us Arabs, out of which they will hope to benefit. Secondly, they, having the money, will create a highly effective though perhaps small mechanized Army and Air Force, which they will assuredly use one day for aggressive purposes against the Arabs, seeing that their aim is the whole of Palestine, Transjordan and their old stronghold Medina - the land they went to when driven out of Palestine and dispersed after the Romans destroyed Jerusalem.

'On top of this your Government must at once restrict further immigration of Jews into Palestine leaving alone all those already there but allowing no more to come in.'

I here took advantage of a pause in the King's rather forcible harangue to try and explain His Majesty's Government's point of view on the lines suggested by Rendel when I saw him recently in Lon-

don. But before I had gone very far the King in vigorous fashion checked and rather overwhelmed me with the words, 'By God, your Government has no point of view, except the willful committing of an injustice. Every God-fearing man be he Muslim or Christian knows that it cannot be right to do a wrong, however cleverly the committing may be served up to the people. If I, an ignorant Badawin Arab of Arabia can see, as clearly as I see the sun rise, that the proposed partition of Palestine is wicked and wrong in God's sight, surely the more clever Western politicians, if they fear God at all, can see this also. Thank God I believe in God and his Oneness, and I know that it is this very belief of mine that makes me see things as clearly as I do. I am firmly convinced that I am right, and that God has opened my eyes to the right, as I believe that God will punish me if I lie to him. Therefore there is no other side to this question except bargaining with Satan.



THE "HYAMSON-NEWCOMBE" SCHEME - DRAFT BASES FOR DISCUSSION, 1937-38

[Albert M. Hyamson was a non-Zionist English Jew, who represented the UK before the League of Nations in 1936; Col. S. F. Newcombe was a pro-Arab Englishman. Together they tried to mediate a reconciliation between Arabs and Jews, based on local autonomies for both sides and the premise that the Jewish population must remain less than 50% of the total population. The Zionist showed no interest in the plan, while the Supreme Islamic Council considered its examination.]

A. LONDON, 9 OCTOBER 1937

1. A sovereign independent Palestinian state to be created on 1st January... providing that the League of Nations certifies that the population of Palestine is then fit for self-government.
2. Every Palestinian independent of race, religion and nationality shall have equal and complete political and civil rights.
3. In the meanwhile Gt. Britain shall continue to be responsible for the Government of the country, the Palestine Government giving members of the population, Arabs and Jews, an ever-increasing share in the administration.
4. Complete autonomy shall be granted to all communities in communal matters in the widest sense as possible, provided that no community has jurisdiction over members of another community in those matters. A Jewish National Home but not a Jewish state would thereby be provided.
5. Complete municipal autonomy should be granted as soon as possible to all-Jewish and all-Arab towns, village and districts.
6. The maximum Jewish population of Palestine and later of Transjordan shall not exceed an agreed figure which shall be less than 50% of the total population.
7. The interests of the different communities of Palestine after the creation of the independent state shall be watched over by the British Government.
8. Great Britain shall retain special rights at Haifa.
9. This agreement shall hold for a term of ... years from ... and shall be renewable.

B. BEIRUT, 12 JANUARY 1938

1. A sovereign independent Palestinian state to be created on 1st January ...
2. Every Palestinian independent of race and religion shall have equal and complete political and civil rights.
3. In the meanwhile Gt. Britain shall continue to be responsible for the Government of the country, the Palestine Government giving members of the population, Arabs and Jews, an ever-increasing share in the administration.
4. Complete autonomy shall be granted to all communities in communal matters in the widest sense as soon as possible, provided that no community has jurisdiction over members of another community in those matters.

5. Complete municipal autonomy should be granted as soon as possible to all-Jewish and all-Arab towns, villages and districts.
6. The maximum Jewish population of Palestine should be the present population. All Jews in Palestine on 1st ... shall be entitled to apply for and receive Palestinian citizenship. During the interim period envisaged, the Arab leaders have not been authorised by [the Bludan] Congress or by the Arab Kings to agree either to further Jewish immigration or to further land sales.
7. The interests of the different communities of Palestine after the creation of the independent state shall be guaranteed by the British Government.
8. The legitimate interests of Gt. Britain shall be safeguarded.

C. BEIRUT, 6 FEBRUARY 1938 (“NURI DRAFT”)

1. A sovereign independent Palestinian state to be created on 1st January ... in accordance with the procedure adopted by the League for other Mandated Territories such as Iraq and Syria.
2. Every Palestinian independent of race, religion and nationality shall have equal and complete political and civil rights.
3. In the meanwhile Gt. Britain shall continue to be responsible for the Government of the country, the Palestine Government giving members of the population, Arabs and Jews, an ever-increasing share in the administration.
4. Complete autonomy shall be granted to all communities in communal matters in the widest sense as soon as possible, provided that no community has jurisdiction over members of another community in those matters.
5. Complete municipal autonomy should be granted as soon as possible to all-Jewish and all-Arab towns, villages and districts.
6. The maximum Jewish population of Palestine shall be X% until there be a further agreement between the two peoples.
7. The interests of the different communities of Palestine after the creation of the independent state shall be watched over and guaranteed by the British Government.
8. The legitimate interests of Gt. Britain shall be safeguarded.

D. BAGHDAD, JULY 1938

1. A sovereign independent Palestinian state to be created.
2. Every Palestinian without distinction of race and religion shall have political and civil rights in the state.
3. Britain shall continue to be responsible for the Government of the country for a period to be defined between the parties (the predominant view is that it should be for 10 years). During this period Arabs and Jews would be permitted to apply for jobs and have an ever-increasing participation in the administration until [British] responsibility comes to an end.
4. The communities will have broad authority over matters relating to their communal affairs, but not including any jurisdiction over members of other communities.
5. Municipalities and village councils in the Arab and Jewish towns and villages shall be extensively decentralised, giving them control over education, personal and civil matters, and local administration.
6. The maximum number of Jews shall be their present [number].
7. The interests of the different communities of Palestine after the creation of the state shall be guaranteed by the British Government. This guarantee will be limited, according to custom, to a fixed period and will be included in the text of the state's constitution.
8. The legitimate interests of Gt. Britain shall be safeguarded.



**AMIR ABDALLAH, PROPOSAL FOR THE SOLUTION OF THE PALESTINE PROBLEM
SUBMITTED TO THE WOODHEAD COMMISSION, MAY 1938**

1. A United Arab Kingdom shall be established from Palestine and Transjordan under an Arab monarchy capable of carrying out its duties and executing its obligations.
2. This Kingdom will allow the Jews to choose their own administration in the Jewish areas, which shall be designated by a map drawn up by a committee composed of British, Arab and Jewish members.
3. The Jews will enjoy whatever any other self-governing administration would enjoy.
4. The Jews will be represented in the Parliament of the Arab State in proportion to their numbers, and the Cabinet of the United State will include Jewish Ministers.
5. Jewish immigration, on a reasonable scale, shall be limited to the areas under [Jewish] administration.
6. The Jews will not have the right to offer to purchase land or to admit any immigrants outside of the Jewish areas.
7. This scheme shall be [in force] for a period of ten years, of which eight years shall be probationary and the remaining two years given to consideration of the final decision on the destiny of the country.
8. Should the Arabs experience good faith and willingness on the part of the Jews to mix with them, and should they see no harm in the immigration of a suitable number [of Jews] into the [Arab] lands of the United State, the Arabs will have the right [to permit such mixing and immigration].
9. During this period, the Mandate shall remain solely in a moral form, and shall not go beyond observation and supervision in the United State.
10. There is no objection to the British Army remaining during this ten-year period.
11. At the end of the eighty year and the beginning of the ninth, it will be the duty of the Government and Parliament of the United State to declare their final decision and to execute whatever has been decided upon.
12. Discussion about Great Britain's interests shall begin immediately, and [Great Britain] shall prepare for the ratification of the final decision one it is reached by the State.
13. Projects for general reforms irrigation, the army, posts and telecommunications, customs and other means for modernisation and prosperity shall all be carried out at an even pace and under one authority.



**CHAIM WEIZMANN, SUMMARY OF AN INTERVIEW WITH IRAQI FOREIGN
MINISTER TAWFIQ AS-SUWAIDI, LONDON, 6 OCTOBER 1938**

[Note: T.S. = Tawfiq as-Suwaidi; N. = Nuri as-Sa'id; C.W. = Chaim Weizmann]

T.S. was a first inclined to take a somewhat rigid line, and said that no settlement was possible without a stoppage of immigration.

We said that from his point of view, no settlement was possible which *did* involve a stoppage of immigration; that solution might be ruled out from the start.

T.S. went on to say that in that case there was no possibility of an agreement and proceeded to indulge in a tirade in which he talked of the Jews coming in line invaders, etc. etc.

W. remark that he was talking like an Arab pamphlet, and that they were not likely to get anywhere on that basis.

T.S. then calmed down a little, and said that if there were a Jewish State, the Jews would find it difficult to defend in case of war.

W. said that the question of defense in those circumstances would be our business. In the event of war (to which the Arabs were apparently looking forward) they might even get what they had failed to get in the last war; on the other hand, they might lose what they had already gained.

T.S. then reverted to the immigration question, and asked what W. thought about a proportion of 35 per cent.

W. said there was no use talking about it.

N. (who had up to then been silent) said: What about 50 per cent.

To this W. replied that now they were getting a little nearer. The Jews did not want to dominate anybody, but on the other hand, they would not agree to be dominated themselves.

T.S. said: But we should give you autonomy.

W. retorted: You will give us nothing.

In spite of this the interview ended on a cordial note, and it was agreed that a further meeting should be arranged shortly.



**PALESTINE PARTITION COMMISSION (“WOODHEAD COMMISSION”) – NOTE OF
RESERVATIONS BY THOMAS REID ON THE PLANS FOR THE PARTITION OF
PALESTINE 1938, 19 OCTOBER 1938 [EXCERPTS]**

[Mr. Thomas Reid was a member of the Palestine Partition Commission led by Sir John Woodhead, whose function was to consider possibilities for partition. The Commission looked at three alternative schemes: Plan A (Partition Plan of the Peel Commission), B, and C. See also Map 6 in the Annex]

The scheme for confining the Jewish State to the part of the Maritime Plain indicated in plan C seems to be the least objectionable that can be devised under our terms of reference. We were directed to include as few Arabs and enterprises owned by Arabs in the Jewish State as possible and vice versa. Plan C, however, may be at variance with our terms of reference, inasmuch as 821,700 dunums of land owned by Arabs is included in the Jewish State. This is nearly 70 per cent of the total area of that state, 1,257,800 dunums. Incidentally, it is nearly double the area of land, 436,100 dunums, owned by Jews in this proposed Jewish State. Whether the inclusion of 54,000 Arabs in the Jewish State with its total population of 280,400, of whom 226,000 are Jewish, is in accordance with the terms of reference referred to above is not easy to decide, as a definite formula was not laid down therein. In fact, it is not possible to set apart an area for a Jewish State which is Jewish both as regards population and enterprises. I was forced by our terms of reference to search for a Jewish area where the population at least was predominantly Jewish; and the only possible place to find such an area large enough to form the territory even of a miniature state, was that part of the Maritime Plain set aside as the proposed area of the Jewish State under plan C.

That plan of partition, however, is in my opinion impracticable, as is the scheme set out in plans A and B. The criticisms applicable to plan C apply also as a rule to them, but with greater force. We have devised and tested several plans of partition on communal lines and I cannot envisage any scheme which would not be even more defective and lead to stranger results than that set out in plan C, whatever formulae were laid down in our terms of reference.

Our task was to devise the best possible scheme of partition and then to state if, in our opinion, that scheme was practicable. In giving reasons for my conclusions on this subject I have deemed it to be my duty to state the relevant facts and opinions, my own included, necessary to enable the implications of the proposal to partition Palestine according to plan C to be realized.

ABSENCE OF CONSENT

[...] From the statements placed before us, oral and written, and judging by the violent opposition shown by the Arabs to partition since the policy of partition was announced, it is clear that the Arab community, who form about two-thirds of the population of Palestine, would not accept either of the schemes B or C proposed. This also makes both impracticable in my opinion and also any scheme of partition. Here again the people concerned are not primitive folk. A distinguished Jew, Lord Samuel, speaking with a knowledge of Palestine such as only the holding of high office for several years in that country can give, said in the House of Lords in July, 1937, "The Arabs are intensely aware of their history-that they acquired great territory, built up a remarkable culture and gave to the world one of its greatest civilizations." [...]

ABSENCE OF EQUITY

[...] The establishment of the Mandate and the validation therein of the national home or *foyer* is a *fait accompli*. It honoured a promise made in the stress of war. But the proposal to partition the country is quite another matter, a revolution that should not be carried out by trustees, without the consent of the people of Palestine, who are not primitive folk devoid of political consciousness, incapable of making a decision on this subject.

The Arab residents in this tiny Jewish State, which would be about as large as an English county, a little over 300,000 acres in extent, would, if the state were set up, be forced to change their nationality, or to leave their homes and occupations there, unless they became citizens of the States. There would be about 54,400 Arabs within the State and nearly a million in other parts of Palestine united in their detestation of Jewish rule. It would not appear just to these people whose ancestors have lived in Palestine for thirteen centuries, that 54,400 of their number should be placed by their trustees under the rule in the Maritime Plain of Jews, nearly all of whom immigrated from overseas into that Plain during the last eighteen years. [...]

Moreover, the Arabs will see, in the scheme of immigration proposed in this northern territory, the intention of establishing there in the future a Jewish State when the Jews by extending towns where they would be allowed to reside and by other settlement in the area become a majority. The clause stating that this cannot occur until most of the minority race agree to it, will not inspire any confidence in people whose native land would have been disintegrated by then, without consulting the people of Palestine, under a disruptive scheme of partition based largely on the counting of heads communally and the value and extent of property of each community in selected places. [...]

In my opinion the C scheme of partition, and others more defective still, would be an eminent departure from justice, and therefore impracticable.

ABSENCE OF SECURITY

[...] Our task was to propose the creation of two states possessing adequate security. As this is not feasible, in my opinion, partition is also impracticable on this ground.

In my opinion, Arab and Jew, in spite of the communal rancour roused by the proposed policy of partition, can cooperate in Palestine and live at peace with each other, but the first essential to the restoration of peace is the abandonment of all schemes for carving up the country by artificial boundaries, of plans for its dismemberment and the logical sequel thereto, removal of Arabs from their homes and occupations to make room for Jews. These schemes seem to me to be unjust, unwise and impracticable.

CONCLUSION

It may be said that one cannot make an omelette without breaking eggs, but it would not be easy to discover an omelette in any possible scheme of partition. Finally, in my opinion, if plan C were adopted, it would not and could not be implemented.

In stating that partition is impracticable I am in accord with nearly 100 per cent. of non-Arab and non-Jewish persons in Palestine, in direct contact with the problem, who by experience and impartiality are best qualified to judge. Probably most Arabs in Palestine and certainly many Jews in Palestine are of the same opinion. I am not a lonely recusant flying in the face of the facts or of the evidence.

I regret that I felt bound to disagree with the opinions of my colleagues and to write this lengthy memorandum; but the matter is of great importance and I had to place my dissenting views fairly fully on record. My conclusions are purely negative, but our terms of reference compelled us to devise a scheme of partition and then to state if it were impracticable. I undertook, made use of the freedom to judge which was a condition of acceptance of that mission, and have not put forward any solution as an alternative to partition.



**PALESTINE PARTITION COMMISSION (“WOODHEAD COMMISSION”) - BRITISH
POLICY STATEMENT AGAINST PARTITION, NOVEMBER 1938**

[The Woodhead Commission, headed by Sir John Woodhead, was sent by the British Government to Palestine in April 1938 in order to examine the practicability of partition and to recommend boundaries; their report concluded that partition was not practical].

PALESTINE - STATEMENT BY HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM

1. The Royal Commission, presided over by the late Earl Peel, published its report in July, 1937, and proposed a solution of the Palestine problem by means of a scheme of partition under which independent Arab and Jewish States would be established while other areas would be retained under mandatory administration. In their statement of policy following upon the publication of the report, His Majesty's Government in the United Kingdom announced their general agreement with the arguments and conclusions of the Royal Commission, and expressed the view that a scheme of partition on the general lines recommended by the Commission represented the best and most hopeful solution of the deadlock.
2. The proposal of the Commission was framed in the light of the information available at the time, and it was generally recognized that further detailed examination would be necessary before it could be decided whether such a solution would prove practicable. This proposal was subsequently discussed in Parliament and at meetings of the Permanent Mandates Commission and the Council and Assembly of the League of Nations, when His Majesty's Government received authority to explore the practical application of the principle of partition. A despatch of 23rd December, 1937, from the Secretary of State for the Colonies to the High Commissioner for Palestine*⁶, announced the intention of His Majesty's Government to undertake the further investigations required for the drawing up of a more precise and detailed scheme. It was pointed out that the final decision could not be taken in merely general terms and that the further enquiry would provide the necessary material on which to judge, when the best possible partition scheme had been formulated, its equity and practicability. The despatch also defined the functions and terms of reference of the technical Commission who were appointed to visit Palestine for the purpose of submitting in due course to His Majesty's Government proposals for such a detailed scheme.
3. His Majesty's Government have now received the report of the Palestine Partition Commission who have carried out their investigations with great thoroughness and efficiency, and have collected material which will be very valuable in the further consideration of policy. Their report is now published, together with a summary of their conclusions. It will be noted that the four members of the Commission advise unanimously against the adoption of the scheme of partition outlined by the Royal Commission. In addition to the Royal Commission's scheme, two other schemes described as plans B and C are examined in the report. One member prefers plan B. Two other members, includ-

⁶ * Cmd. 5634.

ing the Chairman, consider that plan C is the best scheme of partition which, under the terms of reference, can be devised. A fourth member, while agreeing that plan C is the best that can be devised under the terms of reference, regards both plans as impracticable. The report points out that under either plan, while the budget of the Jewish State is likely to show a substantial surplus, the budgets of the Arab State (including Trans-Jordan) and of the Mandated Territories are likely to show substantial deficits. The Commission reject as impracticable the Royal Commission's recommendation for a direct subvention from the Jewish State to the Arab State. They think that, on economic grounds, a customs union between the States and the Mandated Territories is essential and they examine the possibility of finding the solution for the financial and economic problems of partition by means of a scheme based upon such a union. They consider that any such scheme would be inconsistent with the grant of fiscal independence to the Arab and Jewish States. Their conclusion is that, on a strict interpretation of their terms of reference, they have no alternative but to report that they are unable to recommend boundaries for the proposed areas which will afford a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States.

4. His Majesty's Government, after careful study of the Partition Commission's report, have reached the conclusion that this further examination has shown that the political, administrative and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine are so great that this solution of the problem is impracticable.
5. His Majesty's Government will therefore continue their responsibility for the government of the whole of Palestine. They are now faced with the problem of finding alternative means of meeting the needs of the difficult situation described by the Royal Commission which will be consistent with their obligations to the Arabs and the Jews. His Majesty's Government believe that it is possible to find these alternative means. They have already given much thought to the problem in the light of the reports of the Royal Commission and of the Partition Commission. It is clear that the surest foundation for peace and progress in Palestine would be an understanding between the Arabs and the Jews, and His Majesty's Government are prepared in the first instance to make a determined effort to promote such an understanding. With this end in view, they propose immediately to invite representatives of the Palestinian Arabs and of neighbouring States on the one hand and of the Jewish Agency on the other, to confer with them as soon as possible in London regarding future policy, including the question of immigration into Palestine. As regards the representation of the Palestinian Arabs, His Majesty's Government must reserve the right to refuse to receive those leaders whom they regard as responsible for the campaign of assassination and violence.
6. His Majesty's Government hope that these discussions in London may help to promote agreement as to future policy regarding Palestine. They attach great importance, however, to a decision being reached at an early date. Therefore, if the London discussions should not produce agreement within a reasonable period of time, they will take their own decision in the light of their examination of the problem and of the discussions in London, and announce the policy which they propose to pursue.
7. In considering and settling their policy His Majesty's Government will keep constantly in mind the international character of the Mandate with which they have been entrusted and their obligations in that respect.



MINUTES OF SECRETARY MALCOLM MACDONALD'S STATEMENTS AT THE SAINT JAMES CONFERENCE, LONDON, 14 FEBRUARY 1939 [EXCERPTS]

Mr. MacDonald opened the proceedings at 4:30 P.M. by remarking that the subject for discussion at this meeting, which was the strategic issue, arose out of his reference at a previous meeting to the importance of maintaining generally friendly relations with the Arab States of the Middle East. He therefore thought it would perhaps be preferable for him to open this afternoon's discussion, which was unfortunately by no means an academic question. The security of British forces in the Middle East and lines of communication with India and the Far East depended to a considerable extent on our being able to persuade the Egyptian and other Governments in that part of the world to fulfill their

treaty engagements where these were in existence, or otherwise to maintain a friendly neutrality. For example, Egypt commanded the air and sea route to the East and the air and land route to the Sudan and Africa, and contained the land base for the defense of the Suez Canal and the only naval base (Alexandria) suitable for the defense of the Eastern Mediterranean. Iraq commanded the air and land routes to the East and was the center of important oil interests there and Iran. A hostile Saudi Arabia could threaten lines of communication through Trans-Jordan to Iraq, and the Aden Protectorate. His Majesty's Government's advice was that in the event of war Ibn Saud could without assistance cause us great embarrassment if he so desired, and with the support of a hostile Power could do very serious damage.

It was necessary not to exaggerate, and he wished to maintain a detached view, but he must emphasize that a great deal depended in the event of war on the active support of our allies in the Middle East and the friendship of the remaining States. The strength of the British forces in the Middle East and their dispositions were all made on this assumption. If this assumption were incorrect, and if we must contemplate even the risk that one or more of these States might be neutral or, at worst, hostile, our land, air and naval forces in the Middle East would have to be greatly increased as soon as possible.

According to His Majesty's Government's estimate, it would be necessary to reckon with this potential hostility, and to make this readjustment, if the States of the Middle East were tried too hard in the matter of British policy in Palestine. Their Governments, even if willing, would be inhibited from cooperating with us by the force of hostile public opinion which would be aroused.

Moreover, in the eventuality which he had just described it would be necessary to assume an extension of anti-British feeling beyond the Middle East. For example, there was the question of Northern Africa. In the event of war with a Mediterranean Power, valuable support could be looked for from the Moslem populations of Northern Africa, encouraged by Egypt, only if British-Moslem relations generally were good. This potentiality too would be destroyed by a continuation of the estrangement over Palestine. Similarly, it would be necessary to postulate a good deal of unrest among the Moslems of India which could be exploited by parties interested in preventing Indian cooperation with the rest of the British Empire in a crisis.

His Majesty's Government had received strong and unanimous warnings from all their sources of information in the Near and Middle East and in India as to the probable effects on public opinion in those countries of the pursuance of certain policies in Palestine. The military advisers had in turn given a strong warning to the Cabinet.

He was well aware that there were other considerations. In the event of war, American feeling towards Great Britain was of great importance, and policy in Palestine was a considerable factor in the formation of that opinion. His Majesty's Government certainly kept this fact in mind. But it might be that the crucial moment would be in the early stages of a possible war, in which the theatre of war in the Near and Middle East would be as important, perhaps more important, than any. In certain circumstances this area might be the "Achilles' Heel." He had emphasized at an earlier meeting that the defeat of the British Empire would be, at least for a time, an equal disaster for the Jews.



**OFFICIAL MINUTES FROM THE INFORMAL DISCUSSIONS BETWEEN ARAB AND
JEWISH DELEGATES, ST. JAMES'S CONFERENCE, LONDON, 23 FEBRUARY 1939**

Opening the discussion, Mr. MACDONALD said that the members of the British Delegation would like to say how glad they were that it was possible for the present gathering to take place. The meeting would be an informal one and would not be regarded as an official meeting of the Conference but rather as a meeting of individual delegates. [...] If all parties were prepared to make reasonable concessions, it should be possible to obtain agreement.

[...T]he purpose of this morning's informal discussion was to consider in particular the constitutional aspect of the problem. [...] It was obvious that the Mandate could not continue for ever and that one day the people of Palestine must have their independence. If we were to follow the model of Iraq, the Mandate would be replaced in due course by an independent Palestinian State in treaty relations with Great Britain. There was much criticism in Palestine today because the British Government had taken no steps during the past twenty years towards conceding the people of Palestine the political freedom which their neighbors had gradually gained. [...]

It appeared to be very desirable that the British Government should take two steps:

- (1) A declaration should be issued dealing with the termination of the Mandate and the establishment of an independent Palestinian State in treaty relations with Great Britain.
- (2) As soon as peace was established in Palestine, but not before, some practical step should be taken which would give proof of the good faith of the declaration.

[...T]wo questions called for consideration:

- (1) What form of institution or institutions could be set up as soon as peace had been restored to give practical expression to the proposed declaration? [...]
- (2) What safeguards would have to be embodied in the constitution (a) in order to ensure that the British Government had authority in things that mattered; (b) in order to secure British interests; (c) in order to secure the interests of various religious communities, Moslem, Jewish and Christian; (d) in order to secure the special rights of the Jewish community in Palestine?

The Jewish community in Palestine was in fact at present a minority, but it was not an ordinary minority like the minorities of other countries. It was an extraordinary minority. Other minorities had some countries in the world which they could call their own. The Jews had not. In any case, under the Mandate the Jews had been promised a national home. The crucial question was that of the safeguards to be provided in respect of the interests of the Jewish community. [...]

ALY MAHER PASHA said that in the view of the Egyptian, Iraqi and Saudi Arabian delegates there ought to be an independent State in Palestine ready to give all necessary guarantees. He and the Arab representatives present were ready to hear what kind of guarantees were proposed and they would then be able to form an opinion as to whether such guarantees allowed of an independent Arab State.

DR. WEIZMANN congratulated Mr. MacDonald on the fact that through his exertions an opportunity had been given to him and his colleagues to meet the representatives of the neighboring Arab States. [...] He would like to begin by reminding the distinguished representatives of Egypt and the Arab States that the Jews had had many contacts with them in the past. Aly Maher Pasha would remember the times of Moses and Joseph, and General Nuri al-Said would remember Babylon. There was between the Jews and the Arabs a community of history and language.

Nothing would make the Jews happier than to see an independent and peaceful Palestine, and Dr. Weizmann thought that such an ideal was not beyond the capacity of the Jews and the Arabs in co-operation. He understood that the Arabs of Palestine were afraid of being dominated by the Jews. Domination was, however, very remote from the minds of the Jews, and any constitution which embodied the principle of non-domination by either side would please the Jews and would be supported by all their energies.

Dr. Weizmann went on to say that he would be doing an injustice to the British Delegation and to the Arab representatives if he failed to admit that the Jews desired further Jewish immigration and development, in the interests of Arabs as well as of Jews. He believed that such immigration and development was possible with the support and co-operation of the neighboring States. As for self-governing institutions, he agreed that the first steps should be taken at once, but he thought that their development should be a matter of organic growth. In contradistinction to other Arab countries, Palestine was the confluence of three great religions. Nothing would be more welcome to Jews inside and outside

Palestine or to representatives of the Jewish Agency than the early establishment of representative institutions. [...] Speaking on behalf of his colleagues and of other Jews not represented at the meeting, he would welcome the principle of the independence of Palestine, provided that the principle of non-dominance were observed. [...]

ALY MAHER PASHA expressed appreciation of the patience of Mr. MacDonald and thanked Dr. Weizmann for his kind words on the subject of co-operation between Jews and Arabs. Everyone knew how the Jews were co-operating in Egypt. He himself as a boy at school had a Jew sitting beside him. In the Royal Court the Lords-in-Waiting were all Jews, in economic matters throughout Egypt Jewish co-operation was general.

But when he and his friends referred to an independent Palestinian State they meant an independent Palestinian State as it stood at present. At the end of the War Palestine's population was about 92% Arab and 8% Jew. All these people lived together happily, sharing a common culture and a common language. The main point for discussion now was not the safeguards required for British interests or the general safeguards required for the different communities in Palestine, but the situation created by the exceptional position of the Jews in Palestine. [...] When the Balfour Declaration was issued, the Jews were given an exceptional position in Palestine, and this was the whole point at issue. He had three observations to make:

- (1) [...] the Jewish problem could not be solved by Palestine alone. Arab hospitality would enable a certain number of Jews to find homes anywhere in the Arab States and the Arab States were ready to help the Jews to the best of their ability.
- (2) The Balfour Declaration did not give the Jews any right of sovereignty or control. It held no promise of a Jewish State. [...]
- (3) Great Britain never had the right to dispose of Palestine. There was no right of conquest [...]

We must, however, take the situation as it stands. During the past twenty years nearly 400,000 Jews had entered Palestine. He would not discuss the question whether this was for the good of the country or not, but in any case it made government difficult. There were differences of language, culture and political and social ideas, but a practical and social ideals, but a practical solution must be envisaged. The present Jewish inhabitants of the country were welcome. The Arabs wished to establish peace. They wished to help the Jews who were in Palestine at present. They were prepared to accord them not only equal rights, not only guarantees, but also to co-operate with them in Palestine as in other Arab countries. [...] He suggested that the most states-manlike solution would be to face the situation as it stands and to adopt a policy that would establish peace between Arabs and Jews. [...] The only way to peace was for the Jews to acquire Arab friendship by pacific penetration. [...] If there were need for further Jewish immigration, such immigration should not be permitted on the basis of some principle or treaty. It should be permitted on its merits as, for example, immigration into Egypt or Iraq. This was another principle altogether. We might decide now that such and such a number of additional immigrants could be admitted, but, given peace and cooperation between Jews and Arabs, the number of immigrants might be increased.

TAUFIQ BEY ES-SUWAIDI agreed with what Aly Maher Pasha had said. He thought that the important thing was to find out whether all those present agreed that it was impossible to deny the right of Palestine to independence. If this was once admitted, there would be no difficulty in dealing with the secondary problem.

In his view the admission of the right of Palestine to independence was incompatible with the conception of further immigration. The immigration which had taken place during the last twenty years meant, to the Jews, independence for a people coming from abroad. The Jews said that they were coming home; but he knew from personal acquaintance that this meant to them constituting a majority and a government in Palestine. So far they had not succeeded, but we were now faced with the

fact of a substantial Jewish population in Palestine. The Arabs were willing to adopt every possible means to protect the later. But if the Jews were anxious to continue to bring in more and more immigrants, he was convinced that the result would be further disturbances in Palestine, the perpetuation of the estrangement between Jews and Arabs, and the continuation of the anxieties of Great Britain. In Taufiq Bey es-Suwaidi's view continued immigration would not be logical because it would not lead to conditions in which independence could grow.

The task before them was to agree in principle to the independent status of Palestine and to ensure that all sections of the population there were suitably safeguarded. But they could not lay down conditions for the future conduct of the government of Palestine. The main difficulty, as Aly Maher Pasha had said, was political, and due to the importance of a people of alien culture.

He suggested that the precedent of Iraq should be followed in the development of self-government by stages. In this way the friendship and co-operation between Jews and Arabs which, as Dr. Weizmann had said, dated from the days of Abraham, could be reconstituted in Palestine.

[... Exchange of information and views on the constitutional development of Iraq.]

DR. WEIZMANN said that he was sorry to interrupt the discussion, but it seems to him somewhat premature to go into these details. The thesis that Palestine was analogous to Iraq could not be accepted without qualification, and the Jewish representatives could not agree to the statements of Aly Maher Pasha and Taufiq Bey es-Suwaidi, without comment, as a basis for discussion.

He asked for the opportunity for two of his colleagues to speak at this juncture.

MR. BEN-GURION said that he thought there were a number of common factors on which all present were agreed. First, there was the pressing need for peace in Palestine. Secondly, the prosperity of Palestine: the country had made great material progress in the last twenty years, and he thought it was to the common interest of Jews and Arabs that this progress should continue. Thirdly, the desirability of friendly and healthy relations between Palestine and the neighboring countries.

Fourthly, the safeguarding and preservation of British interests, since he thought that the interests of the Jewish and Arab peoples were identical with those of the British Empire.

The fifth point, which was that of the independence of Palestine, was not so simple a matter, and it would depend on circumstances whether it could be counted as an agreed common factor. Mr. Ben-Gurion wished to make it clear that, in his view, the independence of Palestine could sooner or later be achieved, and that if agreement on the precise mode could not be reached now, it would come in time. He added that unless he was certain of this he would not be able to live in Palestine.

But there were certain points which had to be made clear. The first was that the Jews were in Palestine of right, not as guests or aliens. Palestine was and would continue to be their home, though not to the exclusion of the other peoples whose home it also was.

He appreciated Aly Maher Pasha's cordial reference to the standing and importance of the Jewish community in Egypt, and the Jews had never had any complaint in that regard. But the Jews were not in Palestine in the same way they were in Egypt; they were in their own country. The only limit to their rights in Palestine which they recognized was that there should be no addition to their numbers by immigration which involved the displacement of any of the existing inhabitants. It was legitimate for the Government and people of Egypt to say whether or not they would accept further "guests" within their frontiers. But this was not the case in Palestine. ALY MAHER PASHA intervened to ask what Mr. Ben-Gurion meant in calling Palestine the Jews' "own country".

MR. BEN-GURION said that the world admitted the historical connection of the Jews with Palestine dating back over 3,000 years. [... Further interruptions.]

MR. MACDONALD intervened to suggest that Mr. Ben-Gurion be allowed to continue his statement.

MR. BEN-GURION, continuing, said that the Jews did not regard themselves as a minority in Palestine in the same sense in which they were a minority in Egypt or in Iraq. On the basis of this distinction, he believed that it would be possible to remove any misunderstandings, such as the belief that the Jews wished to dominate in Palestine.

Only if these misunderstandings could be removed would it be possible to discuss constructively the question of the independence of Palestine. He would only add that this problem could not be solved against the will of either of the communities in Palestine. [Rabbi S. Wise remarks ...]

FUAD BEY HAMZA said that [...h]e saw no point in continuing these meetings if the proceedings were to consist simply of general speeches. so far he did not think that the Jewish representatives had recognized the gravity of the situation. He did not wish to discuss hypothetical questions [...].

DR. WEIZMANN said that he fully shared Fuad Bey Hamza's view as to the importance of concentrating on practical proposals. But he thought that it was impossible to consider the constitutional issue alone when there were other equally vital matters such as immigration. The Jewish representatives would not have spoken as they had done if Taufiq Bey es-Suwaidi had not expressed himself so definitely on the broader question of immigration. [...]

FUAD BEY HAMZA said that, if the subject for discussion was an independent Arab State, these other matters, such as immigration, would solve themselves, since they would come within the competence of the future Palestinian Government.

DR. WEIZMANN said that he understood this attitude, but that he could not be expected to agree to it. They were all concerned to face realities, and that it must be realized that for the Jews immigration was one of the fundamental realities which could not be left to chance and which must form an integral part of any general agreement. [...]



**OFFICIAL MINUTES FROM THE INFORMAL DISCUSSION BETWEEN ARAB AND
JEWISH DELEGATES, ST. JAMES'S CONFERENCE, LONDON, 7 MARCH 1939**

MR. MACDONALD invited Dr. Weizmann to open the discussion.

DR. WEIZMANN referred to the suggestion of the British Delegation that the establishment of an independent Palestine should be the objective, and that the first step towards this objective should be taken in the near future. This suggestion has not been accepted by the Jewish Delegation as a basis for discussion, but he was ready in the present informal conversation to offer his personal views on the subject. He said that he agreed that independence must come at some future date and that there must be a transition period. He understood that the question of safeguards for the Jewish National Home had been under discussion with the Arabs, but the point which he wished to emphasize was that an essential condition of an independent State must be Jewish consent. The Peel Commission had endorsed the view that it would not be right to force the Jews to enter a Palestine State against their will. The second point which Dr. Weizmann wished to emphasize was that any constitutional arrangements directed towards the goal of independence must be of such a nature as to leave unimpaired the right of the Jewish National Home to grow by immigration.

MR. BEN-GURION expressed the view that discussion of the question of safeguards for the Jewish National Home in an independent Palestine was irrelevant. In his opinion, the Jews of Palestine needed no safeguards. They could look after themselves. From this point of view, the question was as much one of securing independence for the Jews as of securing independence for the Arabs, and, though a Palestinian Jew himself, he was not so much interested in Palestine, as in the sixteen million Jews outside Palestine, all of whom had a right to go there [...]. To him the problem posed itself on a wider canvas than that of Palestine. It was a question of securing a rapprochement between the Jews of the world and the Arab peoples as a whole. On this basis he did not despair of the possibility of agreement.

ALY MAHER PASHA said that, though he was a lawyer, he proposed to leave aside all questions of legality and to come down to realities. He said that he appreciated and respected the Zionist ideal for the reconstruction of their National Home in Palestine, but he begged them to recognize realities, and in particular the fact of the existing inhabitants of Palestine. If Palestine had been an empty country, Egypt and, no doubt, the surrounding Arab countries, would have welcomed the establishment of a Jewish State there, and would have been glad to cooperate with it in the economic sphere. At this point he paid tribute to the perseverance and ability of the Jews who had organized in Palestine in twenty years a community which now numbered something like 450,000, but he would ask the Zionists to recognize the existence of the Arab inhabitants in Palestine, whose ancestors had lived there for 1,300 years, who were attached to their native soil, and regarded the incoming Jews, rightly or wrongly, as intruders. Unless the Jews were prepared to respect the genuine feelings of the Arabs there could never be peace. [... Reference to the 1903 British offer of a haven for the Jews in East Africa.]

MR. SHERTOK recalled the history of Zionism [...] The urge of the Zionist ideal, though a psychological reality, was as much a fact as the physical reality of the existence of the Arabs in Palestine. The Jews had always been ready to cooperate with the Arabs in Palestine, but had met with no response. [...]

MR. BEN-GURION said that his proposal [to widen the frame of reference] would be that the whole of Western Palestine should be made a Jewish State and that this State should be federated with the surrounding Arab States. In this way the Arabs of Palestine would not feel that they were under Jewish domination, as they would be members of a wider and pre-dominantly Arab Federation.

[ALY MAHER PASHA:] Had not the time come for the Jews to call a halt in the realization of their ideal and to consolidate the successes which they had already won? [...] If the Jews would now slow down their advance in Palestine peace might be secured, and later, in a better atmosphere, they might (he thought they certainly would) be able to make a further advance, not, as hitherto, with the aid of force, but with the good will of the Arabs. [...]

DR. WEIZMANN expressed his appreciation of Aly Maher Pasha's remarks. There had, he thought, been no such conversations as this between Jews and representatives of the Arab side since his talk with the Amir Faisal in 1918. He appreciated the force of Aly Maher Pasha's suggestion that, for the sake of securing peace in Palestine, the Jews should now be ready to slacken the pace of the development of the Jewish National Home, and, speaking for himself, he would be prepared, for the sake of peace, to go a long way in the direction of slowing down. [...] Dr. Weizmann suggested to Aly Maher Pasha that he and his friends from Iraq and Saudi Arabia should take an early opportunity of visiting Palestine and seeing the Jews at work. He would find that their activities were peaceful and not warlike, though they were peaceful and not warlike, though they were prepared to defend themselves against aggression. He would like to see the present Conference adjourned and an early Conference in Palestine itself between Arabs (including representatives of the neighboring countries) and Jews, with a view to reaching a compromise. He repeated that he would be prepared, for his part, to go a long way in the direction of slowing down, provided that future development was not prejudiced.

ALY MAHER PASHA expressed his appreciation of Dr. Weizmann's invitation to him to visit Palestine, but thought that a Conference in Palestine was out of the question until peace was restored. He

desired again to urge upon the Jews that they should now call a halt and consolidate their position with a view to securing peace and obtaining the goodwill of the Arabs for a further advance. [...]

FUAD BEY HAMZA [...] strongly supported Aly Maher Pasha's plea that the Jews should slow down the development of the Jewish National Home in the interests of peace. He thought that hitherto the Jews had made no genuine effort to co-operate with the Arabs.

DR. WEIZMANN demurred. He reminded Fuad Bey Hamza of his own agreement with the Amir Faisal and pointed out that in 1934 there were as many as 10,000 Arabs employed on Jewish plantations [etc. ...]

MR. MACDONALD said that he had listened with interest to the discussion and, as he understood it, one point of agreement between the two sides had emerged, namely the expediency and necessity for slowing down of the development of the Jewish National Home in Palestine. If agreement could be reached on this point in principle, the only question remaining for discussion would be the degree of slowing down.

MR. BEN-GURION said that his own suggestion would be that immigration, so far from being slowed down, should be doubled.

FUAD BEY HAMZA asked how this could be expected to secure peace. He could not regard Mr. Ben-Gurion's suggestion as a serious contribution to a discussion the object of which was to face realities and to find a solution off the present problem. [...He] referred to Mr. Ben-Gurion's uncompromising statement of the Zionist case, and reminded him that the Arabs did not recognize that the Jews had any right to Palestine. So far as the Arabs of Palestine were concerned, it was not to be expected that they would discuss a mere slowing down of the rate of immigration. Their demand was that immigration should be completely stopped.

MR. BEN-GURION said that there could be no one-sided surrender on the part of the Jews. IT was not the Jews who had broken the peace, and those who had broken the peace should make peace. So far as the Jews were concerned, there had been and would be peace. The Jews could never give up their right to Palestine, although Great Britain had the power to impose any decision that it might see fit. [...]

MR. MACDONALD thought that the discussion had shown that there was perhaps a two or three per cent prospect of securing an agreement, and that it would be worthwhile to continue discussion at a later date.

DR. WEIZMANN said that he would let Mr. MacDonald have his views on the question of a further discussion tomorrow. [...]



**CHAIM WEIZMANN, NOTE TO BRITISH COLONIAL SECRETARY MACDONALD,
10 MARCH 1939 [EXCERPTS]**

[The first three articles dealt with the Jewish agency's rejection of the British proposals of Feb. 1939 (Palestine's independence with an Arab majority), which had since only been repeated.]

4. Moreover, the injunction of Article 2 of the Mandate to develop self-governing institutions must be read in the light of the immediately preceding injunction to place the country "under such political, administrative, and economic conditions as will secure the establishment of the Jewish National Home." The Royal Commission stated that "unquestionably ... the primary purpose of the Mandate, as expressed in its preamble and its articles, is to promote the establishment of the Jewish National Home" (Report, page 39). In the submission of the Jewish Delegation, this involves

- the positive obligation to facilitate Jewish immigration in accordance with the principle of absorptive capacity, as laid down by the Council of the League of Nations, and the encouragement of close settlement by Jews on the land, without discriminatory or restrictive measures calculated to hinder such settlement and reduce the absorptive capacity.
5. The Jewish Delegation feel bound at this stage to formulate certain principles the acceptance of which they regard as an essential preliminary to the discussion of any concrete scheme:
 - (a) In any scheme for the government of Palestine effect shall be given to the obligations contained in the Balfour Declaration and the Mandate, and the continuation and growth of the Jewish National Home shall be secured. In particular, in pursuance of these obligations, facilities for Jewish immigration and land settlement shall be assured.
 - (b) The Mandate shall not be terminated save on conditions which would secure the promotion of the Jewish National Home as indicated above.
 - (c) No independent unitary Palestine State shall be set up without the consent of both Jews and Arabs.
 6. If these principles are accepted, the Jewish Delegation would offer the following suggestions as a basis for discussion:
 - (a) During the Mandatory regime, self-governing institutions to be developed on a basis of parity as between Jews and Arabs, to ensure the non-domination of either race by the other. With regard to land settlement, while the Jewish Delegation could not agree to any negative policy of restriction and discrimination, they are anxious to cooperate with His Majesty's Government in a development scheme designate to promote the utilisation of the productive resources of Palestine in the interests of both Arabs and Jews.
 - (b) In the event of the termination of the Mandate otherwise than by the establishment, with the consent of both Jews and Arabs, of a unitary independent State, the following two alternatives might be explored:
 - (i) the establishment of a Jewish State in a part of Palestine with an area adequate to allow for further immigration and land settlement on a substantial scale;
 - (ii) the setting up of an administration for Palestine based on a federal arrangement with full Jewish control over immigration, and with federal institutions based on parity, always allowing for the adequate growth of the Jewish National Home.
 7. It will be recalled that His Majesty's Government, in announcing, in the White Paper of July 1937, their acceptance in principle of the scheme proposed by the Royal Commission, stated that among the advantages of that proposal were:
 - (i) that the National Home would be relieved "from any possibility of its being subjected in future to Arab rule";
 - (ii) that "it would convert the Jewish National Home into a Jewish State with full control over immigration";
 - (iii) that "the Jews would at last cease to live a minority life."
 8. The Jewish Delegation would be glad to be informed whether the suggestions outlined above offer, in view of His Majesty's Government, a basis for further discussion.

I have the honour to be, Sir, Your obedient Servant,

[Signed] Ch. Weizmann



THE BRITISH WHITE PAPER ("MACDONALD WHITE PAPER"), 17 MAY 1939

In the statement on Palestine, issued on 9th November, 1938, His Majesty's Government announced their intention to invite representatives of the Arabs of Palestine, of certain neighboring countries and of the Jewish Agency to confer with them in London regarding future policy. It was their sincere hope that, as a result of full, free and frank discussion, some understanding might be reached. Conferences recently took place with Arab and Jewish delegations, lasting for a period of several weeks, and served the purpose of a complete exchange of views between British ministers and the Arab and Jewish representatives. In the light of the discussions as well as the situation in Palestine and of the Re-

ports of the Royal Commission and the Partition Commission, certain proposals were formulated by His Majesty's Government and were laid before the Arab and Jewish delegations as the basis of an agreed settlement. Neither the Arab nor the Jewish delegation felt able to accept these proposals, and the conferences therefore did not result in an agreement. Accordingly His Majesty's Government are free to formulate their own policy, and after careful consideration they have decided to adhere generally to the proposals which were finally submitted to, and discussed with, the Arab and Jewish delegations.

2. The Mandate for Palestine, the terms of which were confirmed by the Council of the League of Nations in 1922, has governed the policy of successive British Governments for nearly 20 years. It embodies the Balfour Declaration and imposes on the Mandatory four main obligations. These obligations are not set out in Article 2, 6 and 13 of the Mandate. There is no dispute regarding the interpretation of one of these obligations, that touching the protection of and access to the holy Places and religious building or sites. The other three main obligations are generally as follows:
 - (a) To place the country under such political, administrative and economic conditions as will secure the establishment in Palestine of a national home for the Jewish people, to facilitate Jewish immigration under suitable conditions, and to encourage, in co-operation with the Jewish Agency, close settlement by Jews on the land.
 - (b) To safeguard the civil and religious rights of all the inhabitants of Palestine irrespective of race and religion, and, whilst facilitating Jewish immigration and settlement, to ensure that the rights and position of other sections of the population are not prejudiced.
 - (c) To place the country under such political, administrative and economic conditions as will secure the development of self-governing institutions.
3. The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression "a national home for the Jewish people", and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews. His Majesty's Government are convinced that in the interests of the peace and well-being of the whole people of Palestine a clear definition of policy and objectives is essential. The proposal of partition recommended by the Royal Commission would have afforded such clarity, but the establishment of self-supporting independent Arab and Jewish States within Palestine has been found to be impracticable. It has therefore been necessary for His Majesty's Government to devise an alternative policy which will, consistently with their obligations to Arabs and Jews, meet the needs of the situation in Palestine. Their views and proposals are set forth below under the three heads, (I) The Constitution, (II) Immigration, and (III) Land.

I. THE CONSTITUTION

4. It has been urged that the expression "a national home for the Jewish people" offered a prospect that Palestine might in due course become a Jewish State or Commonwealth. His Majesty's Government do not wish to contest the view, which was expressed by the Royal Commission, that the Zionist leaders at the time of the issue of the Balfour Declaration recognised that an ultimate Jewish State was not precluded by the terms of the Declaration. But, with the Royal Commission, His Majesty's Government believe that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. That Palestine was not to be converted into a Jewish State might be held to be implied in the passage from the Command Paper of 1922 which reads as follows:

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that 'Palestine is to become as Jewish as England is English.' His Majesty's Government regard any such expectations as impracticable and have no such aim in view. Nor have they at any time contemplated ... the disappearance or the subordination of the Arabic population, language or

culture in Palestine. They would draw attention to the fact that the terms of the (Balfour) Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded *in Palestine.*”

But this statement has not removed doubts, and His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will.

5. The nature of the Jewish National Home in Palestine was further described in the Command Paper of 1922 as follows:

“During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organization for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organizations, its own language, its own customs, its own life, has in fact ‘national’ characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a center in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognised to rest upon ancient historic connection.”

6. His Majesty's Government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine. It envisaged the further development of the existing Jewish community with the assistance of Jews in other parts of the world. Evidence that His Majesty's Government have been carrying out their obligation in this respect is to be found in the facts that, since the statement of 1922 was published, and that the population of the National Home has risen to some 450,000, or approaching a third of the entire population of the country. Nor has the Jewish community failed to take full advantage of the opportunities given to it. The growth of the Jewish National Home and its achievements in many fields are a remarkable constructive effort which must command the admiration of the world and must be, in particular, a source of pride to the Jewish people.
7. In the recent discussions the Arab delegations have repeated the contention that Palestine was included within the area in which Sir Henry McMahon, on behalf of the British Government, in October, 1915, undertook to recognise and support Arab independence. The validity of this claim, based on the terms of the correspondence which passed between Sir Henry McMahon and the Sharif of Mecca, was thoroughly and carefully investigated by British and Arab representatives during the recent conferences in London. their Report, which has been published, states that both the Arab and the British representatives endeavoured to understand the point of view of the other party but that they were unable to reach agreement upon an interpretation of the correspondence.

There is no need to summarize here the arguments presented by each side. His Majesty's Government regret the misunderstandings which have arisen as regards some of the phrases used. For their party they can only adhere, for the reasons given by their representatives in the Report, to the view that the whole of Palestine west of Jordan was excluded from Sir Henry McMahon's pledge, and they therefore cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State.

8. His Majesty's Government are charged as the Mandatory authority "to secure the development of self-governing institutions" in Palestine. Apart from this specific obligation, they would regard it as contrary to the whole spirit of the Mandate system that the population of Palestine should remain forever under Mandatory tutelage. It is proper that the people of the country should as early as possible enjoy the rights of self-government which are exercised by the people of neighboring countries. His Majesty's Government are unable at present to foresee the exact constitutional forms which government in Palestine will eventually take, but their objective is self-government, and they desire to see established ultimately an independent Palestine State. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured.
9. The establishment of an independent State and the complete relinquishment of Mandatory control in Palestine would require such relations between the Arabs and the Jews as would make good government possible. Moreover, the growth of self-governing institutions in Palestine, as in other countries, must be an evolutionary process. A transitional period will be required before the independence is achieved, throughout which ultimate responsibility for the Government of the country will be retained by His Majesty's Government as the Mandatory authority, while the people of the country are taking an increasing share in the Government, and understanding and co-operation amongst them are growing. It will be the constant endeavour of His Majesty's Government to promote good relations between the Arabs and the Jews.
10. In the light of these considerations His Majesty's Government make the following declaration of their intentions regarding the future government of Palestine:
 - (1) The objective of His Majesty's Government is the establishment within ten years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactorily for the commercial and strategic requirements of both countries in the future. The proposal for the establishment of the independent State would involve consultation with the Council of the League of Nations with a view to the termination of the Mandate.
 - (2) The independent State should be one in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded.
 - (3) The establishment of the independent State will be preceded by a transitional period throughout which His Majesty's Government will retain responsibility for the government of the country. During the transitional period the people of Palestine will be given an increasing part in the government of their country. Both sections of the population will have an opportunity to participate in the machinery of government, and the process will be carried in the machinery of government, and the process will be carried on whether or not they both avail themselves of it.
 - (4) As soon as peace and order have been sufficiently restored in Palestine steps will be taken to carry out this policy of giving the people of Palestine an increasing part in the government of their country, the objective being to place Palestinians in charge of all the Departments of Government, with the assistance of British advisers and subject to the control of the High Commissioner. With this object in view His Majesty's Government will be prepared immediately to arrange that Palestinians shall be placed in charge of certain Departments, with British advisers. The Palestinian heads of Departments will sit on the Executive Council which advises the High Commissioner. Arab and Jewish representatives will be invited to serve as heads of Departments approximately in proportion to their respective populations. The number of Palestinians in

charge of Departments will be increased as circumstances permit until all heads of Departments are Palestinians, exercising the administrative and advisory functions which are at present performed by British officials. When that stage is reached consideration will be given to the question of converting the Executive Council into a Council of Ministers with a consequential change in the status and functions of the Palestinian heads of Departments.

- (5) His Majesty's Government make no proposals at this stage regarding the establishment of an elective legislature. Nevertheless they would regard this as an appropriate constitutional development, and, should public opinion in Palestine hereafter show itself in favor of such a development, they will be prepared, provided that local conditions permit, to establish the necessary machinery.
- (6) At the end of five years from the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government will be set up to review the working of the constitutional arrangements during the transitional period and to consider and make recommendations regarding the constitution of the independent Palestine State.
- (7) His Majesty's Government will require to be satisfied that in the treaty contemplated by such-paragraph (1) or in the constitution contemplated by sub-paragraph (6) adequate provision has been made for:
 - (a) the security of, and freedom of access to, the Holy Places, and the protection of the interests and property of the various religious bodies.
 - (b) the protection of the different communities in Palestine in accordance with the obligations of His Majesty's Government to both Arabs and Jews and for the special position in Palestine of the Jewish National Home.
 - (c) such requirements to meet the strategic situations as may be regarded as necessary by His Majesty's Government in the light of the circumstances then existing.

His Majesty's Government will also require to be satisfied that the interests of certain foreign countries in Palestine, for the preservation of which they are at present responsible, are adequately safeguarded.

- (8) His Majesty's Government will do everything in their power to create conditions which will enable the independent Palestine State to come into being within ten years. If, at the end of ten years, it appears to His Majesty's Government that, contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with representatives of the people of Palestine, the Council of the League of Nations and the neighboring Arab States before deciding on such a postponement. If His Majesty's Government come to the conclusion that postponement is unavoidable, they will invite the co-operation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date. [...]

11. During the transitional period steps will be taken to increase the powers and responsibilities of municipal corporations and local councils.

II. IMMIGRATION

12. Under Article 6 of the Mandate, the Administration of Palestine, "while ensuring that the rights and position of other sections of the population are not prejudiced," is required to "facilitate Jewish immigration under suitable conditions." Beyond this, the extent to which Jewish immigration into Palestine is to be permitted is nowhere defined in the Mandate. But in the Command Paper of 1922 it was laid down that for the fulfilment of the policy of establishing a Jewish National Home:

"It is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment."

In practice, from that date onwards until recent times, the economic absorptive capacity of the country has been treated as the sole limiting factor, and in the letter which Mr. Ramsay MacDonald, as Prime Minister, sent to Dr. Weizmann in February 1931 it was laid down as a matter of policy that economic absorptive capacity was the sole criterion. This interpretation has been supported by resolutions of the Permanent Mandates Commission. But His Majesty's Government do not read either the Statement of Policy of 1922 or the letter of 1931 as implying that the Mandate requires them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine subject only to consideration of the country's economic absorptive capacity. Nor do they find anything in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country, it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension. The methods employed by Arab terrorists against fellow-Arabs and Jews alike must receive unqualified condemnation. But it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the situation in Palestine may become a permanent source of friction amongst all peoples in the Near and Middle East. His Majesty's Government cannot take the view that either their obligations under the Mandate, or considerations of common sense and justice, require that they should ignore these circumstances in framing immigration policy.

13. In the view of the Royal Commission the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British Governments ever since the Balfour declaration was issued that in time the Arab population, recognizing the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been fulfilled. The alternatives before His Majesty's Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country; or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty's Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore His Majesty's Government, after earnest consideration, and taking into account the extent to which the growth of the Jewish National Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.
14. It has been urged that all further Jewish immigration into Palestine should be stopped forthwith. His Majesty's Government cannot accept such a proposal. It would damage the whole of the financial and economic system of Palestine and thus affect adversely the interests of Arabs and Jews alike. Moreover, in the view of His Majesty's Government, abruptly to stop further immigration would be unjust to the Jewish National Home. But, above all, His Majesty's Government

are conscious of the present unhappy plight of large numbers of Jews who seek a refuge from certain European countries, and they believe that Palestine can and should make a further contribution to the solution of this pressing world problem. In all these circumstances, they believe that they will be acting consistently with their Mandatory obligations to both Arabs and Jews, and in the manner best calculated to serve the interests of the whole people of Palestine, by adopting the following proposals regarding immigration:

- (1) Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one-third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next five years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows:
 - (a) For each of the next five years a quota of 10,000 Jewish immigrants will be allowed on the understanding that a shortage in any one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits.
 - (b) In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependants.
 - (2) The existing machinery for ascertaining economic absorptive capacity will be retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted.
 - (3) After the period of five years no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it.
 - (4) His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas.
15. His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population.

III. LAND

16. The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced," to encourage "close settlement by Jews on the land," and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews. The Reports of several expert Commissioners have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for further transfers of Arab land, whilst in some other areas such transfer of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this statement of policy and the High Commissioner will retain them throughout the transitional period.
17. The policy of the Government will be directed towards the development of the land and the improvement, where possible, of methods of cultivation. In the light of such development it will be open to the High Commissioner, should be satisfied that the "rights and position" of the Arab

population will be duly preserved, to review and modify any orders passed relating to the prohibition or restriction of the transfer of land.

18. In framing these proposals His Majesty's Government have sincerely endeavoured to act in strict accordance with their obligations under the Mandate to both the Arabs and the Jews. The vagueness of the phrases employed in some instances to described these obligations has led to controversy and has made the task of interpretation difficult. His Majesty's Government cannot hope to satisfy the partisans of one party or the other in such controversy as the Mandate has aroused. Their purpose is to be just as between the two peoples in Palestine whose destinies in that country have been affected by the great events of recent years, and who, since they live side by side, must learn to practice mutual tolerance, goodwill and co-operation. In looking to the future, His Majesty's Government are not blind to the fact that some events of the past make the task of creating these relations difficult; but they are encouraged by the knowledge that at many times and in many places in Palestine during recent years the Arab and Jewish inhabitants have lived in friendship together. Each community has much to contribute to the welfare of their common land, and each must earnestly desire peace in which to assist in increasing the well-being of the whole people of the country. The responsibility which falls on them, no less than upon His Majesty's Government, to co-operate together to ensure peace is all the more solemn because their country is revered by many millions of Moslems, Jews and Christians throughout the world who pray for peace in Palestine and for the happiness of her people.



**THE ZIONIST REACTION TO THE WHITE PAPER:
STATEMENT BY THE JEWISH AGENCY FOR PALESTINE, 1939**

1. The new policy for Palestine laid down by the Mandatory in the White Paper now issued denies to the Jewish people the right to rebuild their national home in their ancestral country. It transfers the authority over Palestine to the present Arab majority and puts the Jewish population at the mercy of that majority. It decrees the stoppage of Jewish immigration as soon as the Jews form a third of the total population. It puts up a territorial ghetto for Jews in their own homeland.
2. The Jewish people regard this policy as a breach of faith and a surrender to Arab terrorism. It believes Britain's friends into the hands of those who are biting her and must lead to a complete breach between Jews and Arabs which will banish every prospect of peace in Palestine. It is a policy in which the Jewish people will not acquiesce. The new regime now announced will be devoid of any moral basis and contrary to international law. Such a regime can only be established and maintained by force.
3. The Royal Commission invoked by the White Paper indicated the perils of such a policy, saying it was convinced that an Arab Government would mean the frustration of all their [Jews'] efforts and ideals and would convert the national home into one more cramped and dangerous ghetto. It seems only too probable that the Jews would fight rather than submit to Arab rule. And repressing a Jewish rebellion against British policy would be as unpleasant to task as the repression of the Arab rebellion has been. The Government has disregarded this warning.
4. The Jewish people have no quarrel with the Arab people. Jewish work in Palestine has not had an adverse effect upon the life and progress of the Arab people. The Arabs are not landless or homeless as are the Jews. They are not in need of emigration. Jewish colonization has benefited Palestine and all its inhabitants. Insofar as the Balfour Declaration contributed to British victory in the Great War, it contributed also, as was pointed out by the Royal Commission, to the liberation of the Arab peoples. The Jewish people has shown its will to peace even during the years of disturbances. It has not given way to temptation and has not retaliated to Arab violence. But neither have

the Jews submitted to terror nor will they submit to it even after the Mandatory has decided to reward the terrorists by surrendering the Jewish National Home.

5. It is in the darkest hour of Jewish history that the British Government proposes to deprive the Jews of their last hope and to close the road back to their Homeland. It is a cruel blow, doubly cruel because it comes from the government of a great nation which has extended a helping hand to the Jews, and whose position must rest on foundations of moral authority and international good faith. This blow will not subdue the Jewish people. The historic bond between the people and the land of Israel cannot be broken. The Jews will never accept the closing to them of the gates of Palestine nor let their national home be converted into a ghetto. The Jewish pioneers who, during the past three generations, have shown their strength in the upbuilding of a derelict country, will from now on display the same strength in defending Jewish immigration, the Jewish home and Jewish freedom.



**DECLARATION ADOPTED BY THE EXTRAORDINARY ZIONIST CONFERENCE,
BILTMORE HOTEL, NEW YORK, 11 MAY 1942**

*[The conference convened after the real dimensions of the Holocaust became known.
It urged that "Palestine be established as a Jewish Commonwealth integrated in the structure
of the new democratic world (after World War II)."]*

1. American Zionist assembled in this Extraordinary Conference reaffirm their unequivocal devotion to the cause of democratic freedom and international justice to which the people of the United States, allied with the other United Nations, have dedicated themselves, and give expression to their faith in the ultimate victory of humanity and justice over lawlessness and brute force.
2. This Conference offers a message of hope and encouragement to their fellow Jews in the Ghettos and concentration camps of Hitler-dominated Europe and prays that their hour of liberation may not be far distant.
3. The Conference sends its warmest greetings to the Jewish Agency Executive in Jerusalem, to the Va'ad Leumi, and to the whole Yishuv in Palestine, and expresses its profound admiration for their steadfastness and achievements in the face of peril and great difficulties. The Jewish men and women in field and factory, and the thousands of Jewish soldiers of Palestine in the Near East who have acquitted themselves with honour and distinction in Greece, Ethiopia, Syria, Libya and on other battlefields, have shown themselves worthy of their people and ready to assume the rights and responsibilities of nationhood.
4. In our generation, and in particular in the course of the past twenty years, the Jewish people have awakened and transformed their ancient homeland; from 50,000 at the end of the last war their numbers have increased to more than 500,000. They have made the waste places to bear fruit and the desert to blossom. Their pioneering achievements in agriculture and in industry, embodying new patterns of cooperative endeavour, have written a notable page in the history of colonization.
5. In the new values thus created, their Arab neighbors in Palestine have shared. The Jewish people in its own work of national redemption welcomes the economic, agricultural and national development of the Arab peoples and states. The Conference reaffirms the stand previously adopted at Congresses of the World Zionist Organization, expressing the readiness and the desire of the Jewish people for full cooperation with their Arab neighbors.
6. The Conference calls for the fulfilment of the original purpose of the Balfour Declaration and the Mandate which 'recognizing the historical connexion of the Jewish people with Palestine' was to afford them the opportunity, as stated by President Wilson, to found there a Jewish Commonwealth. The Conference affirms its unalterable rejection of the White Paper of May 1939 and de-

nies its moral or legal validity. The White Paper seeks to limit, and in fact to nullify Jewish rights to immigration and settlement in Palestine, and, as stated by Mr. Winston Churchill in the House of Commons in May 1939, constitutes ‘a breach and repudiation of the Balfour Declaration’. The policy of the White Paper is cruel and indefensible in its denial of sanctuary to Jews fleeing from Nazi persecution; and at a time when Palestine has become a focal point in the war front of the United Nations, and Palestine Jewry must provide all available manpower for farm and factory and camp, it is in direct conflict with the interests of the allied war effort.

7. In the struggle against the forces of aggression and tyranny, of which Jews were the earliest victims, and which now menace the Jewish National Home, recognition must be given to the right of the Jews of Palestine to play their full part in the war effort and in the defense of their country, through a Jewish military force fighting under its own flag and under the high command of the United Nations.
8. The Conference declares that the new world order that will follow victory cannot be established on foundations of peace, justice and equality, unless the problem of Jewish homelessness is finally solved.

The Conference urges that the gates of Palestine be opened; that the Jewish Agency be vested with control of immigration into Palestine and with the necessary authority for upbuilding the country, including the development of its unoccupied and uncultivated lands; and that Palestine be established as a Jewish Commonwealth integrated in the structure of the new democratic world.

Then and only then will the age-old wrong to the Jewish people be righted.



**BRITISH WAR CABINET, MEMORANDUM BY THE SECRETARY OF STATE
FOR THE COLONIES ON THE SITUATION IN PALESTINE, 23 NOVEMBER 1944**

I feel I must bring before my colleagues a number of difficult questions on which decisions must now be taken arising out of the murder of Lord Moyne in Cairo on the 6th November.

2. There is a widespread feeling in the Middle East that this shocking crime should not be allowed to pass without some striking reaction on the part of His Majesty’s Government which may serve not only to prevent further outrages in the future, but also to maintain British prestige throughout that part of the world. The views of the Middle East Defense Committee, which met recently in Cairo, are set out in a telegram of 18th November from the Resident Minister’s Office appended as Annex I to this paper. The Ambassadors in Cairo and Baghdad are in general agreement with their views. Although I discount to some extent their view of local feeling, as it is only natural that Arabs would be glad to see the Jews hard hit, yet I do agree that, if possible, this occasion should be marked by some decisive action.
3. At the same time we must face the realities of the situation from the Palestine end. The authorities there want to bring the campaign of terrorism to an end as soon as possible. To this end they wish to enlist the support of the great mass of Palestinian Jewry. There are signs that although there may not be one hundred per cent support for the Government, there is now an increasing desire on the part of the responsible leaders to take effective action. I noticed, for example, a recent press report that a program of measures against terrorism was unanimously adopted by the Zionist Council in Jerusalem on the 19th November. It is essential, therefore, that any action taken by us should convince the Jews of the dilemma they are in and bring pressure on them to work with us, rather than have the effect of ranging the whole of Jewry against us.

4. In the light of these two considerations I have carefully considered the various proposals for action that have been suggested here and in the Middle East.

5. -

(1) *Immigration*. - It has been suggested that a warning should be given to the leaders of the Jewish community that, unless these terrorist activities cease, His Majesty's Government will be obliged to suspend immigration into Palestine. The Prime Minister decided to omit an intimation to this effect from his statement in the House on the 17th November because he wished met to clear up some points with the High Commissioner by telegraph. I append a copy of the telegram which I sent to Lord Gort at the Prime Minister's request, together with a copy of Lord Gort's telegram in reply (Annexes II and III). It will be seen that the High Commissioner still feels it would be helpful if it could be impressed on Palestine Jewry that, if further outrages occur, His Majesty's Government will be forced to take drastic action and even to divert elsewhere immigrants destined for Palestine until more settled conditions can be re-established there. I agree with Lord Gort's view, and I would now ask the authority of the War Cabinet to make such a statement publicly, if possible in the course of the debate on the Address next week.

(2) *Arms Searches*. - It has been proposed that the irregular Jewish forces in Palestine should be disarmed and that to this end wholesale searches for arms throughout the country should be instituted. This suggestion was considered by the War Cabinet on the 13th November, and in accordance with their instructions the military implications of the proposal have been examined. The views of the Chiefs of Staff are contained in the memorandum appended as Annex IV. Their conclusion briefly is that a wholesale search for arms in Palestine would entail a military commitment which could be undertaken only at the direct expense of operations against Germany. Even then the success of such a search could not be guaranteed.

On the other hand, the Middle East Defense Committee, whose views (as set out in Annex 1) were not available when the Chiefs of Staff reported, feel that the issues now at stake in the Middle Eastern area are such as to justify, whatever the military consequences, the institution of wholesale arms searches in Palestine.

The High Commissioner's view, as is shown by his telegram of the 21st November - Annex III - is that adequate forces should be moved into Palestine as soon as practicable, but that they should not be used for wholesale arms searches there unless further outrages occur.

I am not in a position to speak for the military side of this proposal; but from the point of view of administration in Palestine, I do urge that sufficient troops should be made available, if at all possible, so that they may be at hand for immediate use should the situation further deteriorate. Even if the troops are not used, this visible sign of the power to take forcible measures could hardly fail to make a striking impression in Palestine.

(3) *National Registration*. - Lord Gort is now considering whether a system of compulsory national registration can be introduced in Palestine. Such a system was in force in the Turkish regime, and a voluntary system was started during the 1938-39 disturbances. Administrative and political difficulties would have to be faced, but Lord Gort thinks that a system of national registration would be valuable, and I should like to have the authority of the Cabinet to inform him that he is a liberty to go ahead with his arrangements if he thinks that they can be satisfactorily operated.

(a) *A heavy collective fine on the whole Jewish community in Palestine.*

Deportation of Jewish political leaders on the analogy of the action taken in the case of the Arab High Committee in 1937. There are obvious objections to both these proposals and the High Commissioner has rejected them (paragraph 5 of his telegram of the 21st November - Annex III).

6. *Recruitment for the Palestine Police.*

The Police have done an immense amount of good work in recent weeks in tracking down and arresting suspected terrorists; I shall be able to give the War Cabinet some details verbally. The Inspector-General, who has just arrived home to discuss the situation with me, is confident that, if

the co-operation of the Jewish authorities and community generally can be obtained, the Police should be able to deal with the situation properly in time. But the greatest handicap is the existing shortage of man-power. I am making a number of suggestions on this to the Ministers concerned, and all of them have been most helpful. Until these proposals have been further discussed they will not be in a form for submission to the Cabinet. I am sure, however, that my colleagues will agree that these Police requirements should be regarded as of the first priority as they may well mean the saving of men and money in other directions.

7. To sum up, I hope that the Cabinet will authorise -
- (1) a warning to be made publicly that, if further outrages occur, His Majesty's Government will be obliged to suspend Jewish immigration into Palestine;
 - (2) the movement as soon as practicable of additional military forces into Palestine so that they may be at hand for immediate use in connection with arms searches should further outrages occur; and
 - (3) the introduction in Palestine of a system of compulsory national registration if the High Commissioner definitely recommends this step.

COLONIAL OFFICE, DOWNING STREET, S.W.1, 23RD NOVEMBER, 1944



**PACT OF THE ARAB LEAGUE OF STATES, ANNEX RELATING TO PALESTINE,
22 MARCH 1945 [EXCERPTS]**

[The Arab League was formed in 1945, in general to protect Arab interests and in particular to obtain greater freedom from foreign rule and to prevent further development of Palestine as the Jewish national home under the British Mandate.]

(1) *ANNEX REGARDING PALESTINE.*

Since the termination of the last great war the rule of the Ottoman Empire over the Arab countries, among them Palestine, which had become detached from that Empire, has come to an end. She has come to be independent in herself, not subordinate to any other state.

The Treaty of Lausanne proclaimed that her future was to be settled by the parties concerned.

However, even though she was as yet unable to control her own affairs, the Covenant of the League (of Nations) in 1919 made provision for a regime based upon recognition of her independence.

Her international existence and independence in the legal sense cannot, therefore, be questioned, any more than could the independence of the other Arab countries.

Although the outward manifestations of this independence have remained obscured for reasons beyond her control, this should not be allowed to interfere with her participation in the work of the Council of the League.

The States signatory to the Pact of the Arab League are therefore of the opinion that, considering the special circumstances of Palestine, and until that country can effectively exercise its independence, the Council of the League should take charge of the selection of an Arab representative from Palestine to take part in its work



US PRESIDENT ROOSEVELT, LETTER TO KING ABDUL AZIZ IBN SAUD OF SAUDI ARABIA REGARDING THE PALESTINE PROBLEM, 5 APRIL 1945

Great and Good Friend:

I have received the communication which Your Majesty sent me under date of March 10, 1945, in which you refer to the question of Palestine and to the continuing interest of the Arabs in current developments affecting that country.

I am gratified that Your Majesty took this occasion to bring your views on this question to my attention and I have given the most careful attention to the statements which you make in your letter. I am also mindful of the memorable conversation which we had not so long ago and in the course of which I had an opportunity to obtain so vivid an impression of Your Majesty's sentiments on this question.

Your Majesty will recall that on previous occasions I communicated to you the attitude of the American Government toward Palestine and made clear our desire that no decision be taken with respect to the basic situation in that country without full consultation with both Arabs and Jews. Your Majesty will also doubtless recall that during our recent conversation I assured you that I would take no action in my capacity as Chief of the Executive Branch of this Government which might prove hostile to the Arab people.

It gives me pleasure to renew to Your Majesty the assurances which you have previously received regarding the attitude of my Government and my own, as Chief Executive, with regard to the question of Palestine and to inform you that the policy of this Government in this subject is unchanged.

I desire also at this time to send you my best wishes for Your Majesty's continued good health and for the welfare of your people.



THE ARAB CASE FOR PALESTINE: EVIDENCE SUBMITTED BY THE ARAB OFFICE, JERUSALEM, TO THE ANGLO-AMERICAN COMMITTEE OF INQUIRY, MARCH 1946

The Problem of Palestine

1. The whole Arab people is unalterably opposed to the attempt to impose Jewish immigration and settlement upon it, and ultimately to establish a Jewish state in Palestine. Its opposition is based primarily upon right. The Arabs of Palestine are descendants of the indigenous inhabitants of the country, who have been in occupation of it since the beginning of history; they cannot agree that it is right to subject an indigenous population against its will to alien immigrants, whose claim is based upon a historical connexion which ceased effectively many centuries ago. Moreover they form the majority of the population; as such they cannot submit to a policy of immigration which if pursued for long will turn them from a majority into a minority in an alien state; and they claim the democratic right of a majority to make its own decisions in matters of urgent national concern ...
2. In addition to the question of right, the Arabs opposed the claims of political Zionism because of the effects which Zionist settlement has already had upon their situation and is likely to have to an even greater extent in the future. Negatively, it has diverted the whole course of their national development. Geographically Palestine is part of Syria; its indigenous inhabitants belong to the Syrian branch of the Arab family of nations; all their culture and tradition link them to the other Arab peoples; and until 1917 Palestine formed part of the Ottoman Empire which included also several of the other Arab countries. The presence and claims of the Zionists, and the support given them by certain Western powers have resulted in Palestine being cut off from the other Arab countries and subjected to a regime, administrative, legal, fiscal and educational, different from that of the sister-

countries. Quite apart from the inconvenience to individuals and the dislocation of trade which this separation has caused, it has prevented Palestine participating fully in the general development of the Arab world.

First, while the other Arab countries have attained or are near to the attainment of self-government and full membership of the UNO, Palestine is still under Mandate and has taken no step towards self-government; not only are there no representative institutions, but no Palestinian can rise to the higher ranks of the administration. This is unacceptable on grounds of principle, and also because of its evil consequence. It is a hardship to individual Palestinians whose opportunities of responsibility are thus curtailed; and it is demoralizing to the population to live under a government which has no basis in their consent and to which they can feel no attachment or loyalty.

Secondly, while the other Arab countries are working through the Arab League to strengthen their ties and coordinate their policies, Palestine (although her Arab inhabitants are formally represented in the League's Council) cannot participate fully in this movement so long as she has no indigenous government; thus the chasm between the administrative system and the institutions of Palestine and those of the neighboring countries is growing, and here traditional Arab character is being weakened.

Thirdly, while the other Arab countries have succeeded in or are on the way to achieving a satisfactory definition of their relations with the Western powers and with the world-community, expressed in their treaties with Great Britain and other Powers and their membership of the United Nations Organization, Palestine has not yet been able to establish any definite status for herself in the world, and here international destiny is still obscure.

3. All these evils are due entirely to the presence of the Zionists and the support given to them by certain of the powers; there is no doubt that, had it not been for that, Arab Palestine would now be a self-governing member of the UNO and the Arab League. Moreover, in addition to the obstacles which Zionism has thus placed in the way of Palestine's development, the presence of the Zionists gives rise to various positive evils which will increase if Zionist immigration continues.

The entry of incessant waves of immigrants prevents normal economic and social development and causes constant dislocation of the country's life; in so far as it reacts upon prices and values and makes the whole economy dependent upon the constant inflow of capital from abroad it may even in certain circumstances lead to economic disaster. It is bound moreover to arouse continuous political unrest and prevent the establishment of that political stability on which the prosperity and health of the country depend. This unrest is likely to increase in frequency and violence as the Jews come nearer to being the majority and the Arabs a minority.

Even if economic and social equilibrium is re-established, it will be to the detriment of the Arabs. The superior capital resources at the disposal of the Jews, their greater experience of modern economic technique and the existence of a deliberate policy of expansion and domination have already gone far toward giving them the economic mastery of Palestine. The biggest concessionary companies are in their hands; they possess a large proportion of the total cultivable land, and an even larger one of the land in the highest category of fertility; and the land they possess is mostly inalienable to non-Jews. The continuance of land-purchase and immigration, taken together with the refusal of Jews to employ Arabs on their lands or in their enterprises and the great increase in the Arab population, will create a situation in which the Arab population is pushed to the margin of cultivation and a landless proletariat, rural and urban, comes into existence. This evil can be palliated but not cured by attempts at increasing the absorptive capacity or the industrial production of Palestine; the possibility of such improvements is limited, they would take a long time to carry out, and would scarcely do more than keep pace with the rapid growth of the Arab population; moreover in present circumstances they would be used primarily for the benefit of the Jews and thus might increase the disparity between the two communities.

Nor is the evil economic only. Zionism is essentially a political movement, aiming at the creation of a state: immigration, land-purchase and economic expansion are only aspects of a general political strategy. If Zionism succeeds in its aim, the Arabs will become a minority in their own country; a minority which can hope for no more than a minor share in the government, for the state is to be a Jewish state, and which will find itself not only deprived of that international status which the other Arab countries possess but cut off from living contact with the Arab world of which it is an integral part.

It should not be forgotten too that Palestine contains places holy to Muslims and Christians, and neither Arab Muslims nor Arab Christians would willingly see such places subjected to the ultimate control of a Jewish Government.

4. These dangers would be serious enough at any time, but are particularly so in this age, when the first task of the awakening Arab nation is to come to terms with the West; to define its relationship with the Western Powers and with the westernized world community on a basis of equality and mutual respect, and to adapt what is best in Western civilization to the needs of its own genius. Zionist policy is one of the greatest obstacles to the achievement of this task: both because Zionism represents to the Arab one side of the Western spirit and because of the support given to it by some of the Western powers. In fact Zionism has become in Arab eyes a test of Western intentions towards them. So long as the attempt of the Zionists to impose a Jewish state upon the inhabitants of Palestine is supported by some or all of the Western Governments, so long will it be difficult if not impossible for the Arabs to establish a satisfactory relationship with the Western world and its civilization, and they will tend to turn away from the West in political hostility and spiritual isolation; this will be disastrous both for the Arabs themselves and for those Western nations which have dealings with them.
5. There are no benefits obtained or to be expected from Zionism commensurate with its evils and its dangers. The alleged social and economic benefits are much less than is claimed. The increase in the Arab population is not primarily due to Zionist immigration, and in any case would not necessarily be a sign of prosperity. The rise in money wages and earnings is largely illusory, being offset by the rise in the cost of living. In so far as real wages and the standard of living have risen, this is primarily an expression of a general trend common to all Middle Eastern countries. The inflow of capital has gone largely to raising money prices and real estate values. The whole economy is dangerously dependent upon the citrus industry. The benefits derived from the establishment of industries and the exploitation of the country's few natural resources have been largely neutralized by the failure of Jewish enterprises to employ Arabs.

The Zionist contention that their social organizations provide health and social services for the Arab population is exaggerated; only a minute proportion of the Arabs, for example, are looked after by Jewish health organization. Even if true it would prove nothing except that the Government was neglecting its responsibilities in regard to the welfare of the population. Arab voluntary social organizations have grown up independently of Jewish bodies and without help from them. Even in so far as social and economic benefits have come to the Arabs from Zionist settlement, it remains true on the one hand that they are more than counterbalanced by the dangers of that settlement, and on the other that they are only incidental and are in no way necessary for the progress of the Arab people. The main stimulus to Arab economic and social progress does not come from the example or assistance of the Zionists but from the natural tendency of the whole Middle Eastern areas, from the work of the Government and above all from the newly awakened will to progress of the Arab themselves. The Arabs may have started later than the Jews on the road of modern social and economic organizations, but they are now fully awake and are progressing fast. This is shown in the economic sphere for example by the continued development of the Arab citrus industry and financial organizations, in the social sphere by the growth of the labor movement and the new Land Development Scheme.

If any proof were needed of this, it would be found in the progress made during the last three decades by the neighboring countries. None of the Arab countries is stagnant today: even without the

example and capital of the Zionists, they are building up industries, improving methods and extending the scope of agriculture, establishing systems of public education and increasing the amenities of life. In some countries and spheres the progress has been greater than among the Arabs of Palestine, and in all of them it is healthier and more normal.

The Zionists claim further that they are acting as mediators of Western civilization to the Middle East. Even if their claim were true, the services they were rendering would be incidental only: the Arab world has been in direct touch with the West for a hundred years, and has its own reawakened cultural movement, and thus it has no need of a mediator. Moreover the claim is untrue: so long as Jewish cultural life in Palestine expresses itself through the medium of the Hebrew language, its influence on the surrounding world is bound to be negligible; in fact, Arab culture today is almost wholly uninfluenced by the Jews, and practically no Arabs take part in the work of Jewish cultural or educational institutions. In a deeper sense the presence of the Zionists is even an obstacle to the understanding of Western civilization, in so far as it more than any other factor is tending to induce in the Arabs an unsympathetic attitude towards the West and all its works.

6. Opposition to the policy of the Zionists is shared by all sections of the Palestinian Arab people. It is not confined to the townspeople but is universal among the rural population, who stand to suffer most from the gradual alienation of the most fertile land to the Jewish National Fund. It is felt not only by the landowners and middle class but by the working population, both for national reasons and for reasons of their own. It is not an invention of the educated class; if that class have seen the danger more clearly and sooner than others, and if they have assumed the leadership of the opposition, that is no more than their duty and function.

Moreover not only the Arab Muslim majority are opposed to Zionism but also and equally the Arab Christian minority who reject Zionism both because they share to the full in the national sentiments of other Arabs and because as Christians they cannot accept that their Holy Places should be subject to Jewish control, and cannot understand how any Christian nation could accept it.

7. The sentiments of the Palestinian Arabs are fully shared by the other Arab countries, both by their Government and their peoples. Their support has shown itself in many ways: in pan-Arab Conferences, in the moral and material support given by the whole Arab world to the revolt in 1936-9, in the diplomatic activities of Arab Governments, and most recently in the formation of the Arab League, which has taken the defense of Palestine as one of its main objective. The members of the Arab League are now taking active measures to prevent the alienation of Arab lands to the Zionists and Jewish domination of the economic life of the Middle East

8. In the Arab view, any solution of the problem created by Zionist aspirations must satisfy certain conditions:

It must recognize the right of the indigenous inhabitants of Palestine to continue in occupation of the country and to preserve its traditional character.

It must recognize that questions like immigration, which affect the whole nature and destiny of the country, should be decided in accordance with democratic principles by the will of the population.

It must accept the principle that the only way by which the will of the population can be expressed is through the establishment of responsible representative government. (The Arabs find something inconsistent in the attitude of Zionists who demand the establishment of a free democratic commonwealth in Palestine and then hasten to add that this should not take place until the Jews are in a majority).

This representative Government should be based upon the principle of absolute equality of all citizens irrespective of race and religion.

The form of Government should be such as to make possible the development of a spirit of loyalty and cohesion among all elements of the community, which will override all sectional attach-

ments. In other words it should be a Government which the whole community could regard as their own, which should be rooted in their consent and have a moral claim upon their obedience.

The settlement should recognize the fact that by geography and history Palestine is inescapably part of the Arab world; that the only alternative to its being part of the Arab world and accepting the implications of its position is complete isolation, which would be disastrous from every point of view; and that whether they like it or not the Jews in Palestine are dependent upon the goodwill of the Arabs.

The settlement should be such as to make possible a satisfactory definition within the framework of UNO of the relations between Palestine and the Western Powers who possess interests in the country.

The settlement should take into account that Zionism is essentially a political movement aiming at the creation of Jewish state and should therefore avoid making any concession which might encourage Zionists in the hope that this aim can be achieved in any circumstances.

9. In accordance with these principles, the Arabs urge the establishment in Palestine of a democratic government representative of all sections of the population on a level of absolute equality; the termination of the Mandate once the Government has been established; and the entry of Palestine into the United Nations Organization as a full member of the working community.

Pending the establishment of a representative Government, all further Jewish immigration should be stopped, in pursuance of the principle that a decision on so important a matter should only be taken with the consent of the inhabitants of the country and that until representative institutions are established there is no way of determining consent. Strict measures should also continue to be taken to check illegal immigration. Once a Palestinian state has come into existence, if any section of the population favors a policy of further immigration it will be able to press its case in accordance with normal democratic procedure; but in this as in other matters the minority must abide by the decision of the majority.

Similarly, all further transfer of land from Arabs to Jews should be prohibited prior to the creation of self-governing institutions. The Land Transfer Regulations should be made more stringent and extended to the whole area of the country, and severe measures be taken to prevent infringement of them. Here again once self-government exists matters concerning land will be decided in the normal democratic manner.

10. The Arabs are irrevocably opposed to political Zionism, but in no way hostile to the Jews as such nor to their Jewish fellow-citizens of Palestine. Those Jews who have already entered Palestine, and who have obtained or shall obtain Palestinian citizenship by due legal process will be full citizens of the Palestinian state, enjoying full civil and political rights and a fair share in government and administration. There is no question of their being thrust into the position of a 'minority' in the bad sense of a closed community, which dwells apart from the main stream of the state's life and which exists by sufferance of the majority. They will be given the opportunity of belonging to and helping to mould the full community of the Palestinian state, joined to the Arabs by links of interest and goodwill, not the goodwill of the strong to the powerless, but of one citizen to another.

It is to be hoped that in course of time the exclusiveness of the Jews will be neutralized by the development of loyalty to the state and the emergence of new groupings which cut across communal divisions. This however will take time; and during the transitional period the Arabs recognize the need for giving special consideration to the peculiar position and the needs of the Jews. No attempt would be made to interfere with their communal organization, their personal status or their religious observances. Their schools and cultural institutions would be left to operate unchecked except for that general control which all governments exercise over education. In the districts in which they are most closely settled they would possess municipal autonomy and Hebrew would be an official language of administration, justice and education.

11. The Palestinian state would be an Arab state not (as should be clear from the preceding paragraph) in any narrow racial sense, nor in the sense that non-Arabs should be placed in a position of inferiority, but because the form and policy of its government would be based on a recognition of two facts: first that the majority of the citizens are Arabs, and secondly that Palestine is part of the Arab world and has no future except through close cooperation with the other Arab states. Thus among the main objects of the Government would be to preserve and enrich the country's Arab heritage, and to draw closer the relations between Palestine and the other Arab countries. The Cairo Pact of March 1945 provided for the representation of Palestine on the Council of the Arab League even before its independence should be a reality; once it was really self-governing, it would participate fully in all the work of the League, in the cultural and economic no less than the political sphere. This would be of benefit to the Jewish no less than the Arab citizens of Palestine, since it would ensure those good relations with the Arabs world without which their economic development would be impossible.

12. The state would apply as soon as possible for admission into UNO, and would of course be prepared to bear its full share of the burdens of establishing a world security-system. It would willingly place at the disposal of the Security Council whatever bases or other facilities were required, provided those bases were really used for the purpose for which they were intended and not in order to interfere in the internal affairs of the country, and provided also Palestine and the other Arab states were adequately represented on the controlling body.

The state would recognize also the world's interest in the maintenance of a satisfactory regime for the Muslim, Christian and Jewish Holy Places. In the Arab view however the need for such a regime does not involve foreign interference in or control of Palestine; no opportunity should be given to great powers to use the Holy Places as instruments of policy. The Holy Places can be most satisfactorily and appropriately guarded by a Government representative of the inhabitants, who include adherents of all three faiths and have every interest in preserving the holy character of their country.

Nor in the Arab view would any sort of foreign interference or control be justified by the need to protect the Christian minorities. The Christians are Arabs, who belong full to the national community and share fully in its struggle. They would have all the rights and duties of citizens of a Palestinian state, and would continue to have their own communal organizations and institutions. They themselves would ask for no more, having learnt from the example of other Middle Eastern countries the dangers of an illusory foreign 'protection' of minorities.

13. In economic and social matters the Government of Palestine would follow a progressive policy with the aim of raising the standard of living and increasing the welfare of all sections of the population, and using the country's natural resources in the way most beneficial to all. Its first task naturally would be to improve the condition of the Arab peasants and thus to bridge the economic and social gulf which at present divides the two communities. Industry would be encouraged, but only in so far as its economic basis was sound and as part of a general policy of economic development for the whole Arab world; commercial and financial ties with the other Arab countries would so far as possible be strengthened, and tariffs decreased or abolished.

14. The Arabs believe that no other proposals would satisfy the conditions of a just and lasting settlement. In their view there are insuperable objections of principle or of practice to all other suggested solutions of the problem.

The idea of partition and the establishment of a Jewish state in a part of Palestine is inadmissible for the same reasons of principle as the idea of establishing a Jewish state in the whole country. If it is unjust to the Arabs to impose a Jewish state on the whole of Palestine, it is equally unjust to impose it in any part of the country. Moreover, as the Woodhead Commission showed, there are grave practical difficulties in the way of partition; commerce would be strangled, communications dislocated and the public finances upset. It would also be impossible to devise frontiers which did not leave a large Arab minority in the Jewish state. This minority would not willingly accept its subjec-

tion to the Zionists, and it would not allow itself to be transferred to the Arab state. Moreover, partition would not satisfy the Zionists. It cannot be too often repeated that Zionism is a political movement aiming at the domination at least of the whole of Palestine; to give it a foothold in part of Palestine would be to encourage it to press for more and to provide it with a base for its activities. Because of this, because of the pressure of population and in order to escape from its isolation it would inevitably be thrown into enmity with the surrounding Arab states and this enmity would disturb the stability of the whole Middle East.

Another proposal is for the establishment of a bi-national state, based upon political parity, in Palestine and its incorporation into a Syrian or Arab Federation. The Arabs would reject this as denying the majority its normal position and rights. There are also serious practical objections to the idea of a bi-national state, which cannot exist unless there is a strong sense of unity and common interest overriding the differences between the two parties. Moreover, the point made in regard to the previous suggestion may be repeated here: this scheme would in no way satisfy the Zionists, it would simply encourage them to hope for more and improve their chances of obtaining it [...].



**THE ZIONIST CASE: GOLDA MEIR, TESTIMONY BEFORE THE
ANGLO-AMERICAN COMMITTEE OF INQUIRY, JERUSALEM, 25 MARCH 1946**

This generation decided that the senseless living and senseless dying of Jews must end. It was they who understood the essence of Zionism - its protest against such a debased existence. The pioneers chose to come to Palestine. Other countries in the world were open to Jews, but they came to Palestine because they believed then, as they believe now, as millions of Jews believe, that the only solution for the senselessness of Jewish life and Jewish death lay in the creation of an independent Jewish life in the Jewish homeland.

The pioneer generation had still another purpose in coming here. They had two goals which inevitably shaped themselves into one. Their second aim was the creation of a new society built on the bases of equality, justice, and cooperation. When they arrived here, they were faced with tough realities. Their mission was to conquer not their fellowmen, but a harsh natural environment, marshes, deserts, the malaria-bearing mosquito. They had also to conquer themselves for these young people were not accustomed to physical labor. They had no experience of a society based on principles of cooperation. They had to overcome much within themselves in order to devote themselves to physical labor, to agriculture, and to the making of a cooperative society.

From the outset they sought to achieve these goals in complete friendship and cooperation with the Arab population and with Arab laborers. It is significant that the first organization of Arab labor in his country was founded by the Jewish workers who came at that time.

As I have said, we came to Palestine to do away with the helplessness of the Jewish people through our own endeavors. Therefore, you will realize what it means for us to watch from here millions of Jews being slaughtered during these years of war. You have seen Hitler's slaughterhouses, and I will say nothing about them. But you can imagine what it meant to us to sit here with the curse of helplessness again upon us; we could not save them. We were prepared to do so. There was nothing that we were not ready to share with Hitler's victims.

I don't know, gentlemen, whether you have the good fortune to belong to the two great democratic nations, the British and the American, can, with the best of will to understand our problems, realize what it means to be the member of a people whose very right to exist is constantly being questioned: our right to be Jews such as we are, not better, but no worse than others in this world, with our own language, our culture, with the right of self-determination and with a readiness to dwell in friendship and cooperation with those near us and those far away. Together with the young and the old survivors

in the DP camps, the Jewish workers in this country have decided to do away with this helplessness and dependence upon others within our generation. We Jews only want that which is given naturally to all people of the world, to be masters of our own fate - only of our fate, not of the destiny of others; to live as of right and not on sufferance, to have the chance to bring the surviving Jewish children, of whom not so many are now left in the world, to this country so that they may grow up like our youngsters who were born here, free of fear, with heads high. Our children here don't understand why the very existence of the Jewish people as such is questioned. For them, at last, it is natural to be a Jews.

We are certain that given an opportunity of bringing in large masses of Jews into this country, of opening the doors of Palestine to all Jews who wish to come here, we can go on building upon the foundation laid by the labor movement and create a free Jewish society built on the basis of cooperation, equality, and mutual aid. We wish to build such a society not only with the Jewish community, but especially together with those living with us in this country and with all our neighbors. We claim to be no better but surely no worse than other peoples. We hope that with the efforts we have already made in Palestine and will continue to make we, too, will contribute to the welfare of the world and to the creation of that better social order which we all undoubtedly seek.



**REPORT OF THE ANGLO-AMERICAN COMMITTEE OF INQUIRY,
LAUSANNE, 20 APRIL 1946**

[The Anglo-American Inquiry Committee was appointed in Nov. 1945 to examine the status of the Jews in former Axis-occupied countries. Due to growing pressure from Jews and Arabs alike, the British govt. invited the US to participate. The Committee's Report - published on 1 May 1946 - was rejected by the Arab League which announced that Arabs would not stand by with their arms folded.]

We were appointed by the Governments of the United States and of the United Kingdom, as a joint body of American and British membership, with the following Terms of Reference:

1. To examine political, economic and social conditions in Palestine as they bear upon the problem of Jewish immigration and settlement therein and the well-being of the peoples now living therein.
 2. To examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe.
 3. To hear the views of competent witnesses and to consult representative Arabs and Jews on the problems of Palestine as such problems are affected by conditions subject to examination under paragraphs 1 and 2 above and by other relevant facts and circumstances, and to make recommendations to His Majesty's Government and the Government of the United States for ad interim handling of these problems as well as for their permanent solution.
 4. To make such other recommendations to His Majesty's Government and the Government of the United States as may be necessary to meet the immediate needs arising from conditions subject to examination under paragraph 2 above, by remedial action in the European countries in question or by the provision of facilities for emigration to and settlement in countries outside Europe.
- The Governments urged upon us the need for the utmost expedition in dealing with the subjects committed to us for investigation, and requested to be furnished with our Report within one hundred and twenty days of the inception of our Inquiry.

We assembled in Washington on Friday, 4th January, 1946, and began our public sessions on the following Monday. We sailed from the United States on 18th January and resumed our public sessions in London on 25th January. We left for Europe on 4th and 5th February, and, working in sub-

committees, proceeded to our investigations in Germany, Poland, Czechoslovakia, Austria, Italy and Greece. On 28th February we flew to Cairo and, after sessions there, reached Jerusalem on 6th March. In Palestine, our sessions were interspersed with personal visits to different parts of the country, during which we sought to acquaint ourselves at first hand with its various characteristics and the ways of life of its inhabitants. Subcommittees visited the capitals of Syria, Lebanon, Iraq, Saudi-Arabia and Trans-Jordan to hear the views of the Arab Governments and representatives of bodies concerned with the subjects before us. We left Palestine on 28th March and have concluded our deliberations in Switzerland. The detailed itinerary is shown in Appendix I.

We now submit the following Report.

CHAPTER I: RECOMMENDATIONS AND COMMENTS

The European Problem

Recommendation No. 1.

We have to report that such information as we received about countries other than Palestine gave no hope of substantial assistance in finding homes for Jews wishing or impelled to leave Europe. But Palestine alone cannot meet the emigration needs of the Jewish victims of Nazi and Fascist persecution; the whole world shares responsibility for them and indeed for the resettlement of all "displaced persons". We therefore recommend that our Governments together, and in association with other countries, should endeavor immediately to find new homes for all such "displaced persons", irrespective of creed or nationality, whose ties with their former communities have been irreparably broken.

Though emigration will solve the problems of some victims of persecution, the overwhelming majority, including a considerable number of Jews, will continue to live in Europe. We recommend therefore that our Governments endeavor to secure that immediate effect is given to the provision of the United Nations Charter calling for "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion".

Comment

In recommending that our Governments, in association with other countries, should endeavor to find new homes for "displaced persons", we do not suggest that any country should be asked to make a permanent change in its immigration policy. The conditions, which we have seen in Europe, are unprecedented, and so unlikely to arise again that we are convinced that special provision could and should be made in existing immigration laws to meet this unique and peculiarly distressing situation. Furthermore, we believe that much could be accomplished-particularly in regard to those "displaced persons", including Jews, who have relatives in countries outside Europe-by a relaxation of administrative regulations.

Our investigations have led us to believe that a considerable number of Jews will continue to live in most European countries. In our view the mass emigration of all European Jews would be of service neither to the Jews themselves nor to Europe. Every effort should be made to enable the Jews to rebuild their shattered communities, while permitting those Jews, who wish to do so, to emigrate. In order to achieve this, restitution of Jewish property should be effected as soon as possible. Our investigations showed us that the Governments chiefly concerned had for the most part already passed legislation to this end. A real obstacle, however, to individual restitution is that the attempt to give effect to this legislation is frequently a cause of active anti-Semitism. We suggest that, for the reconstruction of the Jewish communities, restitution of their corporate property, either through reparations payments or through other means, is of the first importance.

Nazi occupation has left behind it a legacy of anti-Semitism. This cannot be combated by legislation alone. The only really effective antidotes are the enforcement by each Government of guaranteed civil liberties and equal rights, a program of education in the positive principles of democracy, the sanction of a strong world public opinion- combined with economic recovery and stability.

Refugee Immigration Into Palestine

Recommendation No. 2.

We recommend (a) that 100,000 certificates be authorized immediately for the admission into Palestine of Jews who have been the victims of Nazi and Fascist persecution; (b) that these certificates be awarded as far as possible in 1946 and that actual immigration be pushed forward as rapidly as conditions will permit.

Comment

The number of Jewish survivors of Nazi and Fascist persecution with whom we have to deal far exceeds 100,000; indeed there are more than that number in Germany, Austria and Italy alone. Although nearly a year has passed since their liberation, the majority of those in Germany and Austria are still living in assembly centers, the so called "camps," island communities in the midst of those at whose hands they suffered so much.

In their interests and in the interests of Europe, the centers should be closed and their camp life ended. Most of them have cogent reasons for wishing to leave Europe. Many are the sole survivors of their families and few have any ties binding them to the countries in which they used to live.

Since the end of hostilities, little has been done to provide for their resettlement elsewhere. Immigration laws and restrictions bar their entry to most countries and much time must pass before such laws and restrictions can be altered and effect given to the alterations. Some can go to countries where they have relatives; others may secure inclusion in certain quotas. Their number is comparatively small.

We know of no country to which the great majority can go in the immediate future other than Palestine. Furthermore that is where almost all of them want to go. There they are sure that they will receive a welcome denied them elsewhere. There they hope to enjoy peace and rebuild their lives.

We believe it is essential that they should be given an opportunity to do so at the earliest possible time. Furthermore we have the assurances of the leaders of; the Jewish Agency that they will be supported and cared for.

We recommend the authorization and issue of 100,000 certificates for these reasons and because we feel that their immediate issue will have a most salutary effect upon the whole situation.

In the awarding of these certificates priority should as far as possible be given to those in the centers, and to those liberated in Germany and Austria who are no longer in the centers but remain in those countries. We do not desire that other Jewish victims who wish or will be impelled by their circumstances to leave the countries where they now are, or that those who fled from persecution before the outbreak of war, should be excluded. We appreciate that there will be difficulty in deciding questions of priority, but none the less we urge that so far as possible such a system should be adhered to, and that, in applying it, primary consideration should be given to the aged and infirm, to the very young and also to skilled workmen whose services will be needed for many months on work rendered necessary by the large influx.

It should be made clear that no advantage in the obtaining of a certificate is to be gained by migrating from one country to another, or by entering Palestine illegally.

Receiving so large a number will be a heavy burden on Palestine. We feel sure that the authorities will shoulder it and that they will have the full cooperation of the Jewish Agency.

Difficult problems will confront those responsible for organizing and carrying out the movement. The many organizations-public and private-working in Europe will certainly render all the aid they can; we mention UNRRA especially cooperation by all throughout is necessary.

We are sure that the Government of the United States, which has shown such keen interest in this matter, will participate vigorously and generously with the Government of Great Britain in its fulfillment. There are many ways in which help can be given.

Those who have opposed the admission of these unfortunate people into Palestine should know that we have fully considered all that they have put before us. We hope that they will look upon the situation again, that they will appreciate the considerations which have led us to our conclusion, and that above all, if they cannot see their way to help, at least they will not make the position of these sufferers more difficult.

Principles of Government: No Arab, No Jewish State

Recommendation No. 3.

In order to dispose, once and for all, of the exclusive claims of Jews and Arabs to Palestine, we regard it as essential that a clear statement of the following principles should be made:

- I. That Jew shall not dominate Arab and Arab shall not dominate Jew in Palestine. II. That Palestine shall be neither a Jewish state nor an Arab state. III. That the form of government ultimately to be established, shall, under international guarantees, fully protect and preserve the interests in the Holy Land of Christendom and of the Moslem and Jewish faiths.

Thus Palestine must ultimately become a state which guards the rights and interests of Moslems, Jews and Christians alike; and accords to the inhabitants, as a whole, the fullest measure of self-government, consistent with the three paramount principles set forth above.

Comment

Throughout the long and bloody struggle of Jew and Arab for dominance in Palestine, each crying fiercely: "This land is mine"- except for the brief reference in the Report of the Royal Commission (hereinafter referred to as the Peel Report) and the little evidence, written and oral, that we received on this point-the great interest of the Christian World in Palestine has been completely overlooked, glossed over or brushed aside.

We, therefore, emphatically declare that Palestine is a Holy Land, sacred-to Christian, to Jew and to Moslem alike; and because it is a Holy Land, Palestine is not, and can never become, a land which any race or religion can justly claim as its very own.

We further, in the same emphatic way, affirm that the fact that it is the Holy Land, sets Palestine completely apart from other lands, and dedicates it to the precepts and practices of the Brotherhood of Man, not those of narrow nationalism.

For another reason, in the light of its long history, and particularly its history of the last thirty years, Palestine cannot be regarded as either a purely Arab or a purely Jewish land.

The Jews have a historic connection with the country. The Jewish National Home, though embodying a minority of the population, is today a reality established under international guarantee. It has a right to continued existence, protection and development. Yet Palestine is not, and never can be, a purely Jewish land. It lies at the crossroads of the Arab world. Its Arab population, descended from long-time inhabitants of the area, rightly look upon Palestine as their homeland.

It is therefore neither just nor practicable that Palestine should become either an Arab State, in which an Arab majority would control the destiny of a Jewish minority, or a Jewish State, in which a Jewish majority would control that of an Arab minority. In neither case would minority guarantees afford adequate protection for the subordinated group.

A Palestinian put the matter thus: "In the hearts of us Jews there has always been a fear that some day this country would be turned into an Arab State and the Arabs would rule over us. This fear has at

times reached the proportions of terror ... Now this same feeling of fear has started up in the hearts of Arabs ... fear lest the Jews acquire the ascendancy and rule over them."

Palestine, then, must be established as a country in which the legitimate national aspirations of both Jews and Arabs can be reconciled, without either side fearing the ascendancy of the other. In our view this cannot be done under any form of constitution in which a mere numerical majority is decisive, since it is precisely the struggle for a numerical majority which bedevils Arab-Jewish relations. To ensure genuine self-government for both the Arab and the Jewish communities, this struggle must be made purposeless by the constitution itself.

Mandate and United Nations Trusteeship

Recommendation No. 4.

We have reached the conclusion that the hostility between Jews and Arabs and, in particular, the determination of each to achieve domination, if necessary by violence, make it almost certain that, now and for some time to come, any attempt to establish either an independent Palestinian State or independent Palestinian States would result in civil strife such as might threaten the peace of the world.

We therefore recommend that, until this hostility disappears, the Government of Palestine be continued as at present under mandate pending the execution of a trusteeship agreement under the United Nations.

Comment

We recognize that in view of the powerful forces both Arab and Jewish, operating from outside Palestine, the task of Great Britain, as Mandatory, has not been easy. The Peel Commission declared in 1937 that the Mandate was unworkable, and the Permanent Mandates Commission of the League of Nations thereupon pointed out that it became almost unworkable once it was publicly declared to be so by such a body. Two years later the British Government, having come to the conclusion that the alternative of partition proposed by the Peel Commission was also unworkable, announced their intention of taking steps to terminate the Mandate by the establishment of an independent Palestine State. Our recommendations are based on what we believe at this stage to be as fair a measure of justice to all as we can find in view of what has gone before and of all that has been done. We recognize that they are not in accord with the claims of either party, and furthermore that they involve a departure from the recent policy of the Mandatory. We recognize that, if they are adopted, they will involve a long period of trusteeship, which will mean a very heavy burden for any single Government to undertake, a burden which would be lightened if the difficulties were appreciated and the Trustee had the support of other members of the United Nations.

Equality of Standards

Recommendation No. 5.

Looking towards a form of ultimate self-government, consistent with the three principles laid down in Recommendation No. 3, we recommend that the mandatory or trustee should proclaim the principle that Arab economic, educational and political advancement in Palestine is of equal importance with that of the Jews; and should at once prepare measures designed to bridge the gap which now exists and raise the Arab standard of living to that of the Jews; and so bring the two peoples to a full appreciation of their common interest and common destiny in the land where both belong.

Comment

Our examination of conditions in Palestine led us to the conclusion that one of the chief causes of friction is the great disparity between the Jewish and Arab standards of living. Even under conditions of war, which brought considerable financial benefits to the Arabs, this disparity has not been appreciably reduced. Only by a deliberate and carefully planned policy on the part of the Mandatory can the Arab standard of living be raised to that of the Jews. In stressing the need for such a policy we would particularly call attention to the discrepancies between the social services, including hospitals, available in Palestine for Jews and Arabs.

We fully recognize that the Jewish social services are financed to a very great extent by the Jewish community in Palestine, with the assistance of outside Jewish organizations; and we would stress that nothing should be done which would bring these social services down to the level of those provided for the Arabs, or halt the constant improvements now being made in them.

We suggest that consideration be given to the advisability of encouraging the formation by the Arabs of an Arab community on the lines of the Jewish community which now largely controls and finances Jewish social services. The Arabs will have to rely, to far greater extent than the Jews, on financial aid from the Government. But the Jews of Palestine should accept the necessity that taxation, raised from both Jews and Arabs, will have to be spent very largely on the Arabs on order to bridge the gap which now exists between the standard of living of the two peoples.

Future Immigration Policy

Recommendation No. 6.

We recommend that, pending the early reference to the United Nations and the execution of a trusteeship agreement, the mandatory should administer Palestine according to the mandate which declares with regard to immigration that "The administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions".

Comment

We have recommended the admission of 100,000 immigrants, victims of Nazi persecution, as soon as possible. We now deal with the position after the admission of that number. We cannot look far into the future. We cannot construct a yardstick for annual immigration. Until a Trusteeship Agreement is executed it is our clear opinion that Palestine should be administered in accordance with the terms of the Mandate quoted above.

Further than that we cannot go in the form of a recommendation. In this disordered world speculation as to the economic position of any country a few years ahead would be a hazardous proceeding. It is particularly difficult to predict what, after a few years have passed, will be the economic and political condition of Palestine. We hope that the present friction and turbulence will soon die away and be replaced by an era of peace, absent so long from the Holy Land; that the Jew and Arab will soon realize that collaboration is to their mutual advantage-but no one can say how long this will take.

The possibility of the country sustaining a largely increased population at a decent standard of living depends on its economic future, which in turn depends largely on whether or not plans referred to in Recommendation No. 8 can be brought to fruition.

The Peel Commission stated that political as well as economic considerations have to be taken into account in regard to immigration, and recommended a "political high level" of 12,000 a year. We cannot recommend the fixing of a minimum or of a maximum for annual immigration in the future. There are too many uncertain factors.

We desire, however, to state certain considerations which we agree should be taken into account in determining what number of immigrants there should be in any period. It is the right of every independent nation to determine in the interests of its people the number of immigrants to be admitted to its lands. Similarly it must, we think, be conceded that it should be the right of the Government of Palestine to decide, having regard to the well-being of all the people of Palestine, the number of immigrants to be admitted within any given period.

In Palestine there is the Jewish National Home, created in consequence of the Balfour Declaration. Some may think that Declaration was wrong and should not have been made; some that it was a conception on a grand scale and that effect can be given to one of the most daring and significant colonization plans in history. Controversy as to which view is right is fruitless. The National Home is there.

Its roots are deep in the soil of Palestine. It cannot be argued out of existence; neither can the achievements of the Jewish pioneers.

The Government of Palestine in having regard to the well-being of all the people of Palestine cannot ignore the interests of so large a section of the population. It cannot ignore the achievements of the last quarter of a century. No Government of Palestine doing its duty to the people of that land can fail to do its best not only to maintain a National Home, but also to foster its proper development, and such development must in our view involve immigration.

The well-being of all the people of Palestine, be they Jews, Arabs, or neither, must be the governing consideration. We reject the view that there shall be no further Jewish immigration into Palestine without Arab acquiescence, a view which would result in the Arab dominating the Jew. We also reject the insistent Jewish demand that forced Jewish immigration must proceed apace in order to produce as quickly as possible a Jewish majority and a Jewish State. The well-being of the Jews must not be subordinated to that of the Arabs; nor that of the Arabs to the Jews. The well-being of both, the economic situation of Palestine as a whole, the degree of execution of plans for further development, all have to be carefully considered in deciding the number of immigrants for any particular period.

Palestine is a land sacred to three faiths and must not become the land of any one of them to the exclusion of the others, and Jewish immigration for the development of the National Home must not become a policy of discrimination against other immigrants. Any person, therefore, who desires and is qualified under applicable laws to enter Palestine must not be refused admission or subjected to discrimination on the ground that he is not a Jew. All provisions respecting immigration must be drawn, executed and applied with that principle always firmly in mind.

Further, while we recognize that any Jew who enters Palestine in accordance with its laws is there of right, we expressly disapprove of the position taken in some Jewish quarters that Palestine has in some way been ceded or granted as their State to the Jews of the world, that every Jew everywhere is, merely because he is a Jew, a citizen of Palestine and therefore can enter Palestine as of right without regard to conditions imposed by the Government upon entry, and that therefore there can be no illegal immigration of Jews into Palestine. We declare and affirm that any immigrant Jew who enters Palestine contrary to its laws is an illegal immigrant.

Land Policy

Recommendation No. 7.

We recommend that the Land Transfers Regulations of 1940 be rescinded and replaced by regulations based on a policy of freedom in the sale, lease or use of land, irrespective of race, community or creed, and providing adequate protection for the interests of small owners and tenant cultivators;

We further recommend that steps be taken to render nugatory and to prohibit provisions in conveyances, leases and agreements relating to land which stipulate that only members of one race, community or creed may be employed on or about or in connection therewith;

We recommend that the Government should exercise such close supervision over the Holy Places and localities such as the Sea of Galilee and its vicinity as will protect them from desecration and from uses which offend the conscience of religious people, and that such laws as are required for this purpose be enacted forthwith.

Comment

The Land Transfers Regulations of 1940 sought to protect the Arab tenant and small owner by prohibiting the sale of land save to a Palestinian Arab in one zone, by restricting such sales in another, and allowing unrestricted sale of land only in the third zone. Their effect has been such as to amount to discrimination against the Jews; their tendency is to segregate and keep separate Arabs and Jews. In the zones where sales are prohibited or restricted, they have protected the Arab from the temptation to dispose of his land, on which his livelihood and that of his family so often depend, for a sum out of all proportion to

its real value. Though made with the object of maintaining the existing standard of living of Arab cultivators, and of preventing the creation of a considerable landless Arab population, they afford no protection to the Arab living in the free zone. He may sell his land for a fantastic price and add to the congestion in the other zones by moving there. An Arab living a short distance away, just across the zone boundary, cannot obtain anything approximating the same sum for land of equal quality.

We are opposed to any legislation or restrictions discriminating against Jew or Arab. We recognize the need for protecting the Arab small owner and tenant, for providing against a large landless Arab population, for maintaining, indeed for raising, the Arab standard of living. This necessity was also recognized in the Peel Report (Chapter IX, paragraph 10) which endorsed the following principles of earlier reports: that (i) unless there is a marked change in the methods of cultivation the land in Palestine is unable to support a large increase in population, and (ii) there is already congestion on the land in the hill districts. Those principles are as true, if not truer, today.

We do not believe that the necessary protection for the Arab can be provided only by confining the Jew to particular portions of Palestine. Such a policy, suggested by the Peel Commission, is consistent with their proposed solution, partition, but scarcely with that put forward by us.

The leases granted by the Jewish National Fund contain a provision that no labor other than Jewish shall be employed by the lessee on or about or in connection with the land subject to the lease, and a further provision that a sub-lease shall contain similar terms.

As we have said we are opposed to such discrimination. We appreciate that one of the reasons for such provisions was to secure employment for Jewish immigrants on the land. We do not think that object justifies the retention of such stipulations which are harmful to cooperation and understanding between Arab and Jew.

Land acquired by the Jewish National Fund or for a Waqf by the Supreme Moslem Council becomes inalienable. The Peel Commission expressed the view in its Report (Chapter IX, paragraph 80) that caution on the part of the Government in disposing of - State domain to these bodies was desirable. The situation requires watching.

It would not be to the interests of the inhabitants of Palestine if too large a proportion of the land should become inalienable whether held by one organization or another.

In the small, thickly populated country of Palestine, with its rapidly increasing population, it is in the interest of Jews and Arabs alike that all- land should be developed and put to the fullest possible use. The settlement of title to land should proceed as quickly as possible and the development of State lands, not required for public purposes and capable of use, should be facilitated.

The Holy Land of Palestine contains within its borders and throughout its territories places sacred to the followers of three great religions. The "Lido" with its dancing and swing music on the shore of the Sea of Galilee offends the sensibilities of many Christian people. Reports came to our notice of other projects the completion of which would be equally objectionable. We therefore feel it right by our recommendation to emphasize the necessity for close supervision and to recommend the strengthening of the law should that be required.

Economic Development

Recommendation No. 8.

Various plans for large-scale agricultural and industrial development in Palestine have been presented for our consideration; these projects, if successfully carried into effect, could not only greatly enlarge the capacity of the country to support an increasing population but also raise the living standards of Jew and Arab alike.

We are not in a position to assess the soundness of these specific plans; but we cannot state too strongly that, however technically feasible they may be, they will fail unless there is peace in Palestine. Moreover their full success requires the willing cooperation of adjacent Arab states, since they are not merely Palestinian projects. We recommend therefore that the examination, discussion and execution of these plans be conducted, from the start and throughout, in full consultation and cooperation not only with the Jewish Agency but also with the governments of the neighboring Arab States directly affected.

Comment

The building of the Jewish economy has enjoyed the advantage of abundant capital, provided on such terms as to make economic return a secondary consideration. The Arabs have had no such advantage. In principle, we do not think it wise or appropriate that plans, such as the project for a Jordan Valley Authority, should, if judged technically sound, be undertaken by any private organization, even though that organization, as suggested by the Jewish Agency, should give an assurance of Arab benefits and Arab participation in the management.

Such proposals, by reason of their magnitude and far-reaching effects, should be conceived as public projects, suitable for Government enterprise and accepted only provided that they are calculated to benefit all parts of the population. But the undertaking of a worthwhile project should not be held up merely from financial considerations which could be overcome with the aid of semi-philanthropic sources. Some-compromise should not be impossible which would combine Jewish finance with Government responsibility and control.

We welcome the knowledge that the Government of Palestine has itself prepared programs of post-war development; we could wish that means might be found for projects of larger range and on a more ambitious scale; but we recognize that until political peace is restored there is great difficulty in raising the necessary funds whether from revenue or borrowing.

Meanwhile it is suggested that the Government should acquire powers, at present lacking, to investigate fully the extent of the country's water resources, to control the use of underground water and to determine rights to surface water.

We doubt whether Palestine can expand its economy to the full, having regard to its limited natural resources, without a full and free interchange of goods and services with neighboring countries. In some respects, indeed, as in certain projects involving water supply, their active collaboration is indispensable to full development on an economic basis.

The removal of Article 18 of the Mandate would clear the way to those comprehensive tariff and trade agreements, not conflicting with any international obligations that might be accepted by the Mandatory or Trustee, which could ultimately lead to something like a customs union-an objective already in mind as between the surrounding countries of the Arab League.

Education

Recommendation No. 9. We recommend that, in the interests of the conciliation of the two peoples and of general improvement of the Arab standard of living, the educational system of both Jews and Arabs be reformed, including the introduction of compulsory education within a reasonable time.

Comment

In Chapter XVI of the Peel Report, the bad features of the educational system of Palestine and the great disparity between the money spent on Arab and Jewish education were pointed out. The Report also emphasized that both Jewish and Arab education in Palestine were nationalistic in character. Particular attention was called to nationalist propaganda in Arab schools.

Our investigations disclosed that today the Jewish schools also- controlled and largely financed by the Jewish community-are imbued with a fiery spirit of nationalism. They have become most effective agen-

cies for inculcating a spirit of aggressive Hebrew nationalism. We would urge most strongly that adequate control must be exercised by the Government over the education of both Jews and Arabs, in order to do away with the present excited emphasis on racialism and the perversion of education for propaganda purposes. The Government should ensure, by a careful supervision of text books and curricula, and by inspection of schools that education contributes to the conciliation of the two peoples.

We believe further that a large share of responsibility for Arab education might well be assumed by an Arab community, similar to the Jewish community already established in Palestine. But if the Arab and Jewish communities are to set themselves the goal of compulsory education, a much higher proportion of the annual Palestinian budget must be devoted to education than heretofore, most of which will be spent on Arab education. This will only be possible if the proportion of the budget now devoted to security can be substantially reduced.

We would also stress the urgent necessity of increasing the facilities for secondary, technical and university education available to Arabs. The disparity between the standard of living of the two peoples, to which we have already drawn attention, is very largely due to the fact that the Jewish professional and middle class so largely outnumbers that of the Arabs. This difference can only be removed by a very substantial increase in the facilities for higher education available to Arabs.

The Need for Peace in Palestine

Recommendation No. 10.

We recommend that, if this Report is adopted, it should be made clear beyond all doubt to both Jews and Arabs that any attempt from either side, by threats of violence, by terrorism, or by the organization or use of illegal armies to prevent its execution, will be resolutely suppressed.

Furthermore, we express the view that the Jewish Agency should at once resume active cooperation with the Mandatory in the suppression of terrorism and of illegal immigration, and in the maintenance of that law and order throughout Palestine which is essential for the good of all, including the new immigrants.

CHAPTER II: THE POSITION OF THE JEWS IN EUROPE

1. We are required in paragraph 2 of our terms of reference "to examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression, and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe".
2. In order to fulfill our task within the allotted period of 120 days and on account of the urgency of the problem, we divided into subcommittees, which between the 8th and 28th February, 1946, visited the American, British and French zones of Germany and Austria. Subcommittees also visited France, Poland, Czechoslovakia, Italy, Greece and Switzerland. Circumstances did not permit us to go to Hungary, Rumania, Yugoslavia, Bulgaria or the Russian zone of Austria, and we did not visit the Russian zone of Germany after we were informed by the Deputy Commander of the Soviet occupation forces that in that area there was no special Jewish problem.
3. There are about 98,000 Jews from other countries-displaced persons-now living in Germany, Austria and Italy, and a small additional number scattered throughout the countries of Europe. We found that the majority of these Jews in the American and British zones of Germany and Austria were living in assembly centers, once known as "camps", where accommodation and maintenance were provided by the military authorities. The Jewish occupants of these centers are not all "displaced persons," that is to say, persons outside their national boundaries by reason of the war. Since the end of the war there has been a very considerable movement of Jews into the American and British zones of Germany and Austria. It is estimated that, so far, some 30,000 have come from Poland. There has also been some migration, though on a smaller scale, from Rumania and Hungary; this shows signs of increasing. Since we left Europe there has been a slight restriction

in the movement of migrants generally, but the possibility that there may be a considerable increase in the months to come must be borne in mind.

The officer commanding the American forces suggested the following as the reasons for the movement into the American zone of Germany: the expectation of generous treatment, the probability of finding relations there, the special activity in America on behalf of Jewish relief, and the feeling that the American zone was on the shortest route to Palestine. Detailed information covering the position of Jews in European countries is given in Appendixes II and III.

4. The nature of the accommodation of displaced Jews differed widely in character. In some centers barracks were used; in others, huts, hotels, apartment houses and cottages. For example, in Hohne, commonly referred to as Belsen, in the British zone of Germany where 9,000 Jews were accommodated, the buildings were barracks formerly occupied by a unit of the German Army. At Bindermickel, in the American zone of Austria, flats built to house workers in the neighboring Gloerung factory had been taken over, and in the south of Italy entire seaside villages had been made available for that purpose.
5. In the American and British zones, where the bulk of these persons were found, they were accommodated in separate centers from other displaced persons, or segregated voluntarily within a center. The maximum of self-administration is encouraged and there is usually a center committee which is responsible for directing group activities and for dealing with complaints. In many centers the occupants have their own courts for dealing with offenses and their own police.
6. UNRRA has taken an increasing part in the relief and rehabilitation of these Jews. In the autumn of 1944, it began to operate in Italy, and in February, 1945, took over administrative responsibility for the larger centers in the south of Italy. In the summer and latter part of 1945, it was assisting the Army in the American zones of Germany and Austria. At the end of February last, UNRRA assumed responsibility for the internal administration of Hohne and it now administers other centers in the British and French zones of Germany and of Austria. Most centers in the United States zones are now operated by UNRRA teams as agents for the Army, which provides the accommodation, food, clothing and medical supplies. Voluntary agencies specially concerned with Jewish persons have been invited by military authorities and UNRRA to give assistance and the American Jewish Joint Distribution (committee, the Jewish Agency, and the Jewish Committee for Relief Abroad now have representatives in the centers. The American Jewish Joint Distribution Committee provides specialists to assist with health, welfare and other services such as the supply of Kosher food, clothes, and material for spiritual and educational life. The Jewish Agency furnishes rehabilitation and resettlement services, particularly in regard to problems concerning projected emigration to Palestine.
7. We saw many conditions in the centers that might be criticized, owing to circumstances which were not always within the power of the military authorities to improve. There were lack of furniture, unsatisfactory cooking arrangements, overcrowding and a shortage of beds and bedding. We have no doubt that many of these conditions have been remedied and we saw evidence of the wholehearted effort of our authorities to do everything possible toward the well-being of these unfortunate people. Nevertheless, at the best, most of the centers could not be more than the place in which the occupants were given shelter, food and clothing. While everything possible was being done for their physical needs, there was little that could be done to improve their morale and relieve their mental anguish. Coming from the horrors of Nazi persecution, it was evident that they still felt themselves outcasts and unwanted. It is perhaps unfortunate in some respects that nearly all of these settlements were in enemy territory. The displaced Jews see around them Germans living a family life in their own homes and outwardly little affected by the war, while they, usually the last surviving members of their families, are living still, as it seemed to them, under restrictions.
8. On the whole, having regard to the many problems with which they have had to contend, we feel that military authorities, UNRRA, and the various relief organizations concerned have every reason to be proud of what they have done to succor these remnants of Nazi persecution. In particular, we would like to pay our tribute to the men and women who are working so often in such depressing circumstances to alleviate the sufferings of these unfortunate people.

9. In the cold print of a report it is not possible accurately to portray our feelings with regard to the suffering deliberately inflicted by the Germans on those Jews who fell into their hands. The visit of our subcommittee to the ghetto in Warsaw has left on their minds an impression which will forever remain. Areas of that city on which formerly stood large buildings are now a mass of brick rubble, covering the bodies of numberless unknown Jews. Adjoining the ghetto there still stands an old barracks used as a place for killing Jews. Viewing this in the cold grey light of a February day one could imagine the depths of human suffering there endured. In the courtyards of the barracks were pits containing human ash and human bones. The effect of that place on Jews who came searching, so often in vain, for any trace of their dear ones, can be left to the imagination. When we remember that at Maidanek and Oswiecim and many other centers a deliberate policy of extermination, coupled with indescribable suffering, was inflicted upon the Jews, of whom it is estimated that certainly not less than five millions perished, we can well understand and sympathize with the intense desire of the surviving Jews to depart from localities so full of such poignant memories. It must also be understood that this happened in what were regarded as civilized communities.
10. There can scarcely be a Jew in Europe who has not suffered in greater or less degree either himself or herself or by the loss of relatives. Many non-Jews of all nationalities also suffered in the concentration camps and many of them died. This must not be forgotten. We are concerned in this report with the living survivors of European Jewry. We could harrow the feelings of those who read this Report by repetition of accounts we received of German frightfulness. We do not propose to do so. We wish to present a picture of the general situation as we saw it. Few of the older people survived; not many children, for special efforts seem to have been made to destroy them. The majority of the children who survived are orphans. The majority of the remaining survivors are young and middle-aged people. The latter escaped death only by their strong physique enabling them to sustain either the ordeals of forced labor in concentration camps, or the privations accompanying hiding. The young people have had little or no education save that of cruelty. It is not too much to say that they all owe their lives to liberation by the United Nations.
11. These Jewish survivors have not emerged from their ordeals unscathed either physically or mentally. It is rare indeed to find a complete Jewish family. Those who return to their old homes find them destroyed or occupied by others, their businesses gone or else in other hands. They search for relatives, frequently undertaking long journeys on hearing a rumor that one has been seen in another part of the country or in another center. Such was the system of the Germans that it is difficult for them ever to establish the death of their dear ones. They are faced also with very great difficulties in securing the restitution of their property. In Germany and in Poland, which were often described to us as "the cemetery of European Jewry," a Jew may see in the face of any man he looks upon the murderer of his family. It is understandable that few find themselves able to face such conditions.
12. In Poland, Hungary and Rumania, the chief desire is to get out, to get away somewhere where there is a chance of building up a new life, of finding some happiness, of living in peace and in security. In Germany also, where the number of Jews has been reduced from about 500,000 in 1933 to about 20,000 now, and most traces of Jewish life have been destroyed, there is a similar desire on the part of a large proportion of the survivors to make a home elsewhere, preferably in Palestine. In Czechoslovakia, particularly in Bohemia and Moravia, and in Austria, the position in regard to the reestablishment of the Jewish populations is more hopeful. The vast majority of the Jewish displaced persons and migrants, however, believe that the only place which offers a prospect is Palestine.
13. Whatever the previous position in life of those in the centers, from a judge in Memel to a young man who by reason of years of persecution has never been able to earn his livelihood, there is the widespread feeling that they have been brought to the same level of mere existence and homelessness. The first sense of happiness, following release from concentration camps and slave labor, has passed. Now they are conscious only of the constraint of their camp life, even though it is under new and more favorable conditions.
14. Work to them is associated with concentration camps and slave labor. Their aim then had been to do as little as they could to assist their persecutors, and now they are unwilling to engage in any activity which is not designed to fit them for a new life in Palestine. Even though they have spent a considerable time in a center, they still regard themselves as merely in transit to that country

and, generally speaking, show little willingness even to assist in improving the conditions in which they are living. Often their days are spent in aimless wandering around. On the other hand, wherever facilities are provided for practical training for life in Palestine they eagerly take advantage of them.

15. We were deeply impressed by the tragedy of the situation of these Jewish survivors in the centers and by the tragedy of their purposeless existence. Many months have passed since they were freed from Nazi oppression and brutality, but they themselves feel that they are as far as ever from restoration to normal life. We consider that these men, women and children have a moral claim on the civilized world. Their pitiable condition has evoked a world-wide sympathy, but sympathy has so far taken the form only of providing them with the bare essentials of food, clothing and shelter. It seems to them that the only real chance of rebuilding their shattered lives and of becoming normal men and women again is that offered by the Jewish people in Palestine. Even though many might be glad to join relatives and friends in other countries, the doors of those countries at present appear to be closed to them. They are resentful because they are prevented from going to Palestine. In the meantime, as time passes, the new ties between those who are sharing this common frustration become stronger and, obsessed by their apparent rejection by other peoples of the world, their firm desire is to remain together in the future. It is this sense of cohesion, born of common suffering, which doubtless accounts for, if it does not wholly excuse, the firm resistance offered to proposals by competent bodies to remove young children to happier surroundings in other countries for careful rehabilitation. Men and women are marrying in the centers in increasing number, and, together with other members of the center communities, they wait with growing impatience for the time when they can go to the only friendly place they know.
16. If, as we hope, our recommendation for the authorization of immigration certificates is accepted, the great majority of the Jewish displaced persons whose situation requires urgent action will be provided for and it will be possible to achieve the desirable end of closing the Jewish displaced persons centers and thereby discourage the further migration of Jews in Europe. Jews have wandered through Europe almost as they wish, from center to center, zone to zone, and country to country. Such movements have added to the difficulty of tracing relatives, as has the practice, acquired by some during the war, of using various names. They have also imposed a heavy burden on the authorities who have constantly had to improvise reception arrangements. Stabilization will give sympathetic governments a better opportunity of implementing national schemes of resettlement and will encourage the Jews themselves to give more careful consideration to such opportunities. Moreover, the resources of the Allied military authorities are limited and it is necessary that their commitments in connection with refugees be reduced.
17. We have also been asked to examine "the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression". The governments of the countries we visited expressed their opposition to anti-Semitism, but this is a poison which after years of infection takes time to eradicate. We hope that their efforts will be successful. We would urge also that the United Nations should exert all possible pressure in Germany and Austria to eliminate all trace of discrimination against Jews or resistance to their rehabilitation.
18. Further, a most important practical step that can be taken to assist the Jews in Europe who wish to remain is to secure the speedy restitution of their property. We realize that there are difficulties, but nonetheless we do not think that all that is possible is being done. Some governments have passed the necessary legislation; others are about to do so or have just done so. Many months have passed since the war has ended and from our inquiries it appears that only a few Jews have yet recovered what is properly theirs.
Further, we think that the governments of the countries where the Jews were persecuted should themselves provide assistance in the reestablishment of those Jews who seek to remain. This assistance might take the form of providing property in lieu of restitution.
19. Taking into account the possibility that an improvement in the economic and political conditions in Europe may affect the attitudes of those who now see no hope of reestablishing themselves in their countries, we estimate that as many as 500,000 may wish or be impelled to emigrate from Europe.

As described by many witnesses, a factor which has greatly increased the urgent, indeed frantic, desire of the Jews of Europe to emigrate is the feeling that all doors have been shut to them and that there is no exit.

We feel that our recommendations both in regard to the authorization of certificates for admission to Palestine, and in regard to the relaxation of immigration laws generally as an emergency and humanitarian measure, will not only bring succor to those to whom certificates are granted but also in great measure relieve the feelings of urgency with which the Jews look beyond Europe. They will be encouraged either to resettle themselves in Europe, if that is possible, or wait patiently in their respective countries until their time has come to leave.

CHAPTER III: THE POLITICAL SITUATION IN PALESTINE⁷

The Peel Commission declared in one of the final chapters of its Report: "Neither Arab nor Jew has any sense of service to a single State ... The conflict is primarily political, though the fear of economic subjection to the Jews is also in Arab minds... The conflict, indeed, is as much about the future as about the present. Every intelligent Arab and Jew is forced to ask the question, 'Who in the end will govern Palestine?' ... for internal and external reasons it seems probable that the situation, bad as it now is, will grow worse. The conflict will go on, the gulf between Arabs and Jews will widen." The Report concluded with a reference to "strife and bloodshed in a thrice hallowed land."

It is nine years since the Peel Commission made its report. The recommendations were unfulfilled, but the analysis of political conditions remains valid and impressive. The gulf between the Arabs of Palestine and the Arab world on the one side, and the Jews of Palestine and elsewhere on the other has widened still further. Neither side seems at all disposed at the present to make any sincere effort to reconcile either their superficial or their fundamental differences. The Arabs view the Mandatory Government with misgivings and anger. It is not only condemned verbally, but attacked with bombs and firearms by organized bands of Jewish terrorists. The Palestine Administration appears to be powerless to keep the situation under control except by the display use of very large forces. Even if the total manpower in police and defense services were only half what it is reputed to be, the political implications would still be deeply disturbing. It reflects the honest fear of experienced officials that tomorrow may produce circumstances in which military operations will be necessary.

Official data imply the gravity of the menacing problem. They show that, apart from those convicted of terrorist activity, the number of Jews held on suspicion averaged 450 during most of the year 1945 and was 554 at the end of the year. The aggregate of persons in the whole-time police and prisons service of Palestine in 1945 was about 15,000.

The financial tables provide additional evidence of the extent to which the energies and money of the Government are devoted to the protection of life and property. About L.P. 4,600,000 (\$18,400,000) was spent on "law and order" during the financial year 1944-45 as against L.P. 550,000 (\$2,200,000) in health and L.P. 700,000 (\$2,800,000) on education. Thus even from a budgetary point of view Palestine has developed into a semi-military or police state. But, pending a substantial change in the relations between the Government and the Jews and the Arabs, the prospect of the kind of budget which characterizes a settled, civilized, nongarrisoned and prosperous community is dark.

Arab political leadership is still in the hands of the small number of families which were prominent in Ottoman times, of which the most notable are the Husseinis. This family controls the most important of the Arab political parties, the Palestine Arab Party, which was formally organized in 1935. The objectives of this and of all Arab parties in Palestine are the immediate stoppage of Jewish immigration, the immediate prohibition of the sale of land to Jews, and the concession of independence to a State in which the Arab majority would be dominant.

There has been no evidence that the Arab notables who appeared before the Committee, and whom the Committee visited in several countries, did not reflect accurately the views of their followers. The

⁷ During our visit to Palestine and in the preparation of this Report, we were greatly assisted by the two volumes of the Survey of Palestine which the Government compiled at short notice for our use, and which contain a great deal of new statistical and other information.

⁸ A Palestine pound is equivalent to a pound sterling.

Arabic press, for example, protests as vehemently as Arab spokesmen against a Jewish influx of any kind, even if the certificates for admission were confined to old men and women and to children rescued from German death camps. In short, absolute, unqualified refusal of the Arabs to acquiesce in the admission of a single Jew to Palestine is the outstanding feature of Arab politics today; and the newly formed parties of the Left, based on the embryonic trade-union movement, display as intransigent a nationalism as the old leaders.

An additional reason for the insistence of the Palestinian Arabs on immediate independence is their desire for full membership in the newly formed Arab League. The Arabs of Palestine believe themselves to be as fitted for self-government as are their neighbors in Syria and Lebanon who obtained their independence during the Second World War, and in Trans-Jordan which has since become an independent State. The formation of the Arab League has given Arab leaders in Palestine a greater confidence. They feel that the support of the whole Arab world for their cause has now been mobilized. Furthermore, the presence in the United Nations of five Arab States, one of which is a member of the Security Council, insures that the Arab case will not go by default when the issue of Palestine is brought before the United Nations.

Just as the Arab political parties are unalterably opposed to Jewish immigration, the various Jewish parties, even though some criticize the idea of a Jewish State, are all united in their advocacy of unlimited immigration, of the abolition of restrictions on the sale of land and of the abrogation of the 1939 White Paper.

These parties accept the authority of the Jewish Agency which is recognized by Great Britain, according to the terms of the Mandate; as the instrument of Jews throughout the world. Article 4 authorizes the Agency as follows:

"An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

"The Zionist Organisation, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home."⁹

10. At first the Agency gave the Palestine Government effective cooperation. With its large revenue, its able administrators, advisers and staff, and its manifold activities, the Agency became finally and still remains the most potent nongovernmental authority in Palestine and indeed in the Middle East. The Peel Commission described it as "a Government existing side by side with the Mandatory Government". The description is even more accurate today. The Agency is now generally believed to have unofficial, but nonetheless powerful, influence over Haganah—the so-called Jewish Army—the strength of which is estimated as over 60,000. The Jews credit the Agency with most of the improvements in Palestine since the First World War. Unquestionably it has been a tremendous power for good and has been indispensable to their protection and progress.
11. But the Agency has become so powerful and its prestige has been so far enhanced by its accomplishments, that its firm refusal to cooperate in carrying out the White Paper has caused the Government now to regard it as a distinctly dangerous influence. Viewed from the standpoint of the Palestine Government, it appears as a force for disunity, partly for reasons outside the Agency's control, partly by reason of its own activities. It has been a party to activities calculated to lead to estrangement between the Yishuv on the one hand and the Palestine Government and the Mandatory on the other, and to the consolidation of active resistance by the Yishuv to the Government's authority. These activities have undermined the authority of the Administration.
12. Many criticisms of the Jewish Agency have been made before the Committee in open and closed sessions, by Arabs and officials of the Palestine Government as well as by Agudath Israel and some individual Jews. The Agency's customary functions, which are centered on the establishment, main-

⁹ The Jewish Agency for Palestine was recognized in 1930 in lieu of the Zionist Organization as the appropriate Jewish agency under the terms of the Mandate.

tenance and growth of a National Home for the Jews, were not condemned. That is easily explainable, for it has been one of the most successful colonizing instruments in history. But the present relations between the Government and the Jewish Agency must be corrected if the general welfare is to be promoted and the cause of peace in that crucial area of the world is to be protected. Unless this is achieved, Palestine might well be plunged into a civil war, involving the whole Middle East.

13. Neither Jews nor Arabs have been included in the highest ranks of the Administration. British officials hold all the important positions. They exercise as much authority as in a country where the mass of the inhabitants are in a primitive stage of civilization. District and local officials, Arab and Jew alike, bear only limited discretion and responsibility, even in their own communities. The Palestine Administration is blamed by Arabs and Jews alike for this situation.
14. In consequence of these conditions, the Holy Land is scarred by shocking incongruities. Army tents, tanks, a grim fort and barracks overlook the waters of the Sea of Galilee. Blockhouses, road barriers manned by soldiers, barbed wire entanglements, tanks in the streets, peremptory searches, seizures and arrests on suspicion, bombings by gangsters and shots in the night are now characteristic. A curfew is enforced, and the press of Palestine is subject to censorship. Palestine has become a garrisoned but restive land, and there is little probability that the tranquility dear to people of good will, Jews, Moslems, and (Christians alike, will be restored until vastly better relations are established among the principal elements of the community, including the Administration. With that assured, the various groups could be united on the basis of those fundamentals which are common to civilized people who wish to live their own lives, undeterred and unterrified by the possibility that first one faction and then another will rise in open or covert rebellion against one another, or against the Government itself.

CHAPTER IV: GEOGRAPHY AND ECONOMICS

Geography

1. Palestine, about the size of Wales or the State of Vermont, is geographically an integral part of Syria, having no natural frontier on the north. A marked natural division within the country separates the rich soil of the coastal strip and the plain of Esdraelon from the rocky mountain areas, parched for a large part of the year, and from the southern deserts. In the wide coastal plain there are thriving towns-Acre, Haifa, Tel-Aviv, Jaffa and Gaza-with ports and a variety of industries. Here, moreover, is to be found intensive cultivation, by Arab and Jew alike, with attention concentrated on the old and profitable pursuit of citrus growing. The mountains contain not only desolate areas of barren rock and deforested hillside, but also fertile valleys and basins where cereals are grown; in addition remarkable results have been achieved in the cultivation of olives, vines and fruit trees on tiny terraced strips constructed and maintained with great patience and skill. In summer the hills are dry. In winter heavy rains tear away soil from every hillside that is not adequately protected by terracing or forest cover, and constant warfare has to be carried on against erosion.
2. Nearly all the Jews of Palestine and almost half the Arabs live in the plains, though these contain less than one-seventh of the total area of Palestine, while the mountains and the southern deserts are populated, apart from scattered Jewish colonies, exclusively by Arabs. Both Arab and Jew put forward historical and cultural claims to the whole of Palestine, and even the great deserts to the south, almost rainless and with more rock than soil, are not uncontested. With a small, semi-nomadic or nomadic Arab population, their emptiness appears to the Jews as a challenge to their powers of colonization; and, despite the unpromising outlook on any economic test, the Arabs regard proposals for Jewish settlement as yet further evidence of the well-planned "creeping conquest". Geography, indeed, partly explains the intransigent claims of both sides to the whole country. The plains are too small and the mountains too poor to subsist as independent economies.
3. The significance of Palestine in international affairs, apart from its possible strategic importance, derives largely from the fact that it lies across natural lines of communication. Major railway and road communications pass through the country. It is on the route between two great centers of Arab culture, Cairo and Damascus; between Egypt, the administrative centre of the Arab League, and other member States; and between Iraq and the newly independent State of Trans-Jordan and their outlets to the Mediterranean; and it has great potential importance in the air traffic of the future. Palestine is also

deeply involved in the business and politics of the international trade in oil; for, although there are no wells in the country, a pipe-line delivers a stream of crude oil to the great refineries at Haifa; and from there tankers deliver it to countries around and beyond the Mediterranean. The American concession in Saudi Arabia may produce another stream converging on much the same point of distribution.

Population

4. According to official estimates, the population of Palestine grew from 750,000 at the census of 1922 to 1,765,000 at the end of 1944. In this period the Jewish part of the population rose from 84,000 to 554,000, and from 13 to 31 percent of the whole. Three-fourths of this expansion of the Jewish community was accounted for by immigration. Meanwhile the Arabs, though their proportion of the total population was falling, had increased by an even greater number—the Moslems alone from 589,000 to 1,061,000.¹⁰ Of this Moslem growth by 472,000, only 19,000 was accounted for by immigration. The expansion of the Arab community by natural increase has been in fact one of the most striking features of Palestine's social history under the Mandate.
5. The present density of population in Palestine is officially estimated at 179 per square mile. If the largely desert sub-district of Beersheba is excluded from the calculation, the figure is 336.
6. The Committee obtained estimates of the probable future growth of Palestine's population from Professor Notestein, Director of the Office of Population Research at Princeton University, from Dr. D. V. Glass, Research Secretary of the Population Investigation Committee in London, and in Palestine from the Commissioner for Migration and Statistics and the Government Statistician. The estimates for the non-Jewish population made by the last-named, on various hypotheses but with the constant assumption that there would be no non-Jewish immigration or emigration, ranged from 1,652,000 to 1,767,000 at the end of 1959. Professor Notestein, also assuming the absence of non-Jewish migration, extended his calculations to 1970 and arrived at a figure of 1,876,000. The Commissioner for Migration predicted an Arab population of 1,565,000 in 1960 and 1,820,000 in 1970. The highest estimates were those of Dr. Glass, who anticipated a settled Moslem population (i.e. excluding the Christian Arabs) of 1,636,000 in 1961 and 2,204,000 in 1971. For the probable Jewish population at the end of 1959, on the supposition that no immigration occurred in the interval, the Government Statistician put forward the figure of 664,000.
7. The Jewish community, in the absence of immigration, would form a steadily diminishing proportion of the total population. This is clear from the comparative rates of natural increase, shown in the table below:

Average Annual Rate of Natural Increase Per 1,000

Years	Moslems	Jews	Christians
1922/25	28.27	20.44	20.18
1928/30	26.19	22.70	20.00
1931/35	24.97	20.91	20.85
1936/40	27.68	17.75	20.77
1941/44	30.71	17.83	18.89

The high Arab rate of natural increase is accounted for by a fertility which is among the highest recorded in the world, and by the disappearance under the Mandate of such counter-balancing factors as conscription for the Ottoman army and a high incidence of malaria. The fact that the rate is still rising seems to be due principally to declining mortality, particularly infant mortality.

Economic Contrasts

8. On the economic side Palestine is a country of marked contrasts. While the Arabs have remained preponderantly rural, in the Jewish sector, along with the "close settlement on the land" which had been laid down as a guiding principle of Jewish colonization, there has been, particularly in later years, a remarkable industrial development. Moreover, the new Jewish colonization has assumed

¹⁰ It is difficult to estimate the Arab population precisely, as the official statistics are compiled on a religious basis and a small proportion of the Christian population is not Arab. At the end of 1944 the Christians numbered 136,000.

more and more the character of a socialist experiment. For though at many points it retains, particularly in urban industry and trade, the form of private enterprise, it is everywhere guided and supported-in finance, technical advice and other matters-by the great complex of Jewish undertakings which co-operate in the building of the National Home.

9. The passage of years has only sharpened the contrast in structure between the two economies. On the Arab side, notwithstanding some development in co-operation and trade unionism, individualism is still characteristic. In agriculture small-scale peasant farming, still largely on the subsistence principle, remains predominant; and the many signs now visible of enterprise and expansion in Arab industry conform to the same pattern of strong individualism. In the Jewish economy, on the other hand, is to be found a nexus of centralized control. Thus the Jewish Agency, besides being a landowner on a large scale, is a promoter and financier of agricultural settlement, and has large and varied participations in industrial and other enterprises. Histadruth, which is closely associated with the Agency, is by no means simply a federation of workers' unions. It is, in addition, a vast consumers' co-operative organization; it operates large contributory social services, including unemployment insurance, and it has latterly become a capitalist employer, being the sole or controlling owner of a wide and ever increasing range of industrial, nonstructural, financial and service undertakings. There have occurred lately several instances of members of Histadruth, as a trade union, striking in a wage dispute against Histadruth as owner of the employing business.
10. Not to over-emphasize the cleavage, it should be noted that there are points of contact between the Arab and Jewish economies, as in the Palestine Potash Works. There is indeed some limited interdependence, where for example the Jewish housewife buys vegetables from an Arab grower. But there can be few instances of so small a country being so sharply divided in its economic, let alone social and political, basis. Only in citriculture which before the war provided the staple export of Palestine, do we find association between the two sectors. It is shared about equally between the two communities, and many Jewish citrus groves employ some irregular Arab labor. Individualism is the characteristic form of enterprise in both sectors of the industry, though wartime difficulties have called for special measures of Government assistance, which in turn have tended to bring the two together in co-operative protective measures.
11. Everywhere is to be seen a marked disparity between the standards of living, however measured, of the Arab and Jewish communities. Jewish wage rates are consistently higher than Arab, those for unskilled labor being more than twice as high. There is only a limited range of competition between them; and therefore a minimum of natural pressure towards equalization. Habits of consumption, the degree of reliance on the market, whether for supplies or income, housing standards and so forth, differ widely, and in general the social services available to the Arab are extremely limited. The war has done little, if anything, to weaken the division.

Wartime Economic Developments

12. In recent years, the war and changes due to the war have been the main influences governing the standard of living and economic prosperity of both sectors. Though the margin between Jewish and Arab wage rates underwent in general little change, the incidence of taxation and rationing, together with subsidies in aid of the cost of living, tended to depress the higher Jewish standard of living more than the Arab. Another result of the war was that the Jewish sector of the economy became increasingly urban and industrial, while the Arab sector, notwithstanding the fuller utilization of its limited industrial capacity, remained overwhelmingly agricultural. In both sectors, the Government took an increasingly active part in determining the shape and direction of economic effort.
13. The closing of the Mediterranean to Allied shipping cut Palestine off from the chief market for her citrus fruits and the chief source of her imported supplies. The spread of the war zone to the Middle East converted Palestine into a base as well as an arsenal. Large numbers of troops had to be quartered there. Supplies of food and other necessities of life and of war materials had to be provided locally or imported where possible from neighboring Middle East countries, themselves subjected by the same combination of causes to severe economic pressure. Existing industries were, as far and as fast as possible, redirected into war production. Established undertakings were enlarged and new ones were set up, with Government support, in order to contribute to the needs of the military cam-

- paign and build up a higher degree of self-sufficiency. In this development the variety of manufactures was broadened to include a number of more complicated mechanical and chemical processes.
14. Thus Palestine became an important source of supply of manufactured goods not only for military purposes throughout the area but for civilian needs in surrounding countries. The skill and inventiveness of the Jewish immigrants of prewar years proved an invaluable asset, and the directed effort was supported by the Jewish Agency and the other established organs of Jewish settlement. Notwithstanding the necessity of maximum food supply, the Jewish economy became still more concentrated upon industrial activity, and "close settlement upon the land" was forced further into the background as the ruling principle of expansion.
 15. The war had yet another distorting effect, which sprang from financial transactions. Vast military expenditure in Palestine for both goods and civilian services, along with shortage of shipping and potential inward cargoes, brought about a stringency in supplies and in labor. This resulted in rising prices, rising wage rates and still more rapidly rising earnings, large profits and a rapid growth of money-wealth (including bank deposits and hoarded currency), shared by both the Jews and Arabs. Taxation was increased; but taxation and voluntary saving went only a small part of the way in draining of the flow of unspendable incomes. Rationing, so far as it was applied, failed to check with sufficient promptitude the effects of competitive buying. Subsidies in aid of the cost of living were only successful in keeping a few bare essentials within the range of the poorest peoples' resources. By allocating raw materials and by close costing of industrial processes, the Government kept a brake on the rise in prices of a wide range of military stores and essential civilian goods. But in general the inflationary trend was restrained only to an extent that made Palestine's experience less alarming than that of surrounding countries.
 16. As to external finances, whereas Palestine had been hitherto nominally a debtor country-"nominally" in the sense that her debtorship on capital account did not entail the normal current remittances on account of interest and amortization-the war changed her status to that of a creditor. The bulk of her overseas assets, however, being confined within the sterling area, cannot be converted into goods until Great Britain is once more able to resume a full flow of exports or to release sterling for transmutation at will into "hard currencies".

Postwar Prospects

17. At the time of the Committee's investigations in Palestine, it could by no means be said that even the more transitory resets of war pressures upon the economy had passed away. The pattern of the post-war economy is still undetermined, and this without allowing for the omnipresent uncertainty concerning the political future of the country. Even before the war ended, war orders had fallen off somewhat; but the continued shortage of imported supplies has afforded a natural protection to industry in shifting the flow of its products into the civilian market. The Arab boycott of Palestine Jewish products had had, when the Committee was in the country, little effect thus far on the general economic situation. No obvious unemployment had appeared, but some concealed unemployment was said to exist, and earnings of factory labor had probably diminished. The cost of living and wage rates remain obstinately high.
18. House-building is slowly getting under way after the long interval-resulting in shocking congestion-which began with the disturbances of 1936-9 and continued throughout the war, when all constructional activity was concentrated upon military works. There is, however, some natural hesitation in undertaking a large building programme while costs remain so high. Quite apart from the value of land, which has risen inordinately in recent years, building materials are extremely expensive, while timber, nearly all of which has to be imported, is scarce. As a result of the shortage of skilled artisans, some building operatives are earning up to L. P. 8 a day, and, within recent times, have secured additional benefits such as three weeks' paid holiday and a pension scheme. Building costs, therefore, are found to be roughly L. P. 20 a cubic metre-far higher than in Great Britain.
19. The situation is, indeed, replete with elements of uncertainty. There is for one thing the question, debatable on pre-war experience, how far the consolidation and further growth of Jewish industry and trade are dependent upon maintenance of the momentum provided by continuing immigration. It is a matter of conjecture whether the market as a whole is likely to shrink if more peaceful conditions

in the Middle East, or a change in political status, result in a large withdrawal of British forces, including police and civilian residents, and a consequent reduction of incomes provided from abroad, though more peaceful conditions would on the other hand induce a fuller flow of tourists. Arising again from wartime growth of industry is the question whether the high costs of production, and inferior quality of some products' in Jewish industry will permit the establishment of a firm position in the home market without inordinate protection. There is the related question - how far external markets can be retained-even allowing for special advantages in the new diamond cutting industry and the fashion and women's specialty trades which together are thought to have outstanding prospects for yielding revenue from abroad-in the face of competition- from advanced industrial countries and possible continuation of the boycott of Jewish products in neighboring Arab States. Again, even though internal conditions might become fully adjusted to the inflated structure of prices and costs, the gross overvaluation of the Palestinian pound in relation to the pound sterling presents a further impediment to successful competition in export markets and an added inducement to competitive imports.

20. It is sometimes claimed that the wage structure in Palestine is far more elastic than elsewhere, so that reductions in wage-costs and prices might proceed smoothly and concurrently once the process had begun; but the wartime wage increases have been by no means wholly in the form of cost-of-living bonuses-basic rises have been widespread and substantial. The Committee could not but observe that at the time of its visit the cost-of-living index number still stood above 250 as compared with a pre-war figure of 100; that limited supplies of sometimes inferior butter were selling at the equivalent of 1 1/2 a pound, and that, in one of the factories visited, workers already receiving L.P. 12 a week were putting in 60 instead of the standard 48 hours in order to make ends meet. It remains to be seen whether the claim of elasticity will be falsified by widespread resistance to downward adjustment of wage rates. Some take the view that increased immigration and a free flow of imported supplies will "automatically" precipitate such a fall in wages and prices as will substantially reduce costs of production and bring the cost of living down to something like the British level. Others complain that the Government does nothing to reduce the cost of living, without being quite sure what the Government ought to do about it. Meanwhile political and other causes hinder the transformation of liquid savings into long-term investment, and the pressure of large unused or unusable money resources, poured out in the process of financing the war, is substantially unrelieved.

Economic Expansion and Immigration

21. Leaving aside these uncertainties of the moment, there can be little doubt that, given some central direction, more co-operative effort, and a peaceful political atmosphere, Palestine could be made to provide further opportunities for prosperous settlement, concurrently with an improvement in the living standards of its present population. Some progress towards central direction was made under stress of war, and arrangements are in hand to provide for its continuance. The War Supply Board, under which the capacity of local industry was enlarged and directed to war production, is shortly to be transformed into a full-fledged Department of Commerce and Industry. The War Economic Advisory Council, notwithstanding the withdrawal of the Arab members, is to carry on its consultative work in the shaping and application of official policy. The Government of Palestine itself has brought to an advanced stage a programme of post-war development covering land reclamation, forestation and other soil conservation measures and irrigation.
22. In addition, the expansion of Palestine's economy has engaged a great deal of attention on the part of non-Palestinian bodies. Some witnesses have been severely critical of the Administration for lack of vision and unreadiness to give positive support to proposals for expansion. Others have expressed the view that monetary independence would clear the way to more vigorous public and private enterprise. Opinion has been almost unanimous as to the cramping effects of Article 18 of the Mandate, which restricts the exercise of tariff-making and bargaining powers in the interests of the mandated territory. Conflicting views are held on the question whether the citrus industry will be able to regain, or even possibly to expand, its pre-war markets. Some see Palestine's future in the establishment of the coastal fringe as the industrial workshop of the Middle East; some stress the need of an expansion nicely balanced between agriculture and industry.

23. Any forecast of Palestine's long-term prospects must necessarily be viewed against the background of the country's natural resources. These are extremely limited, making Palestine peculiarly dependent on foreign trade for raw materials and supplies of many finished goods. Even the exploitation of the natural asset comprised in a good soil irradiated by long hours of bright sunshine is limited by the availability of water. Despite an abundant winter rainfall in many parts, Palestine is an arid country. In the words of the Palestine Government, "there are few countries nowadays which can say that 'their water resources are of such little concern to their people that legislation to control their use is unnecessary'"; yet the Government of this arid country has no statutory authority to control the exploitation of its water resources, and no authority even to ascertain the extent of such water resources as exist.
24. The Commission on Palestine Surveys, an American financed organization, submitted proposals, conceived on bold and imaginative lines, and worked out in considerable detail by American engineers of the highest standing, for a "Jordan Valley Authority". The general design is to bring water from the sources of the Jordan to the fertile Esdraelon and coastal plain to irrigate the lower Jordan Valley, and to utilize the waters both of the Jordan River and of the Mediterranean Sea for the generation of electric power. It is claimed for the scheme that, whether carried to full completion or adopted in part-it is subdivided into stages each standing on its own merits- it would bring a bountiful supply of water at an economic cost to large areas of fertile land now yielding only one crop a year. Very large sums of money would be required, but these, the Committee were informed, would be available from external sources.
25. Such bold long-term planning presupposes willing co-operation, or at least interested neutrality, between all sections of the population and the Government. Moreover, it can have little or no bearing on the capacity of Palestine to provide an immediate haven of refuge for homeless Jews from Europe.
26. We have in this immediate context another example of the manner in which Jewish zeal and energy are ready to outrun economic caution of the ordinary Western pattern. Full recognition of the weak points in the Jewish economy and its immediate prospects does not in the least deter the insistence upon providing a home for the homeless. If this should entail an all-round cut in standards of living the present Jewish population, so be it. There is much to admire in this demonstration of brotherhood carried, if need be, to the point of sacrifice. But it is conceivable that the passionate expansion of an economic structure, upon a dubious basis of natural resources, might lead to overdevelopment on such a scale as to render it top-heavy to the point of collapse. The argument thus returns to the need for Systematic improvement of the country's basic resources, for which, as already indicated, orderly progress in an atmosphere of peaceful collaboration is a *sine qua non*.

CHAPTER V: THE JEWISH ATTITUDE

1. The Committee heard the Jewish case, presented at full length and with voluminous written evidence, in three series of public hearings-in Washington by the American Zionists, in London by the British Zionists, and finally and most massively by the Jewish Agency in Jerusalem. The basic policy advocated was always the same, the so-called Biltmore Program of 1942, with the additional demand that 100,000 certificates for immigration into Palestine should be issued immediately to relieve the distress in Europe. This policy can be summed up in three points: (1) that the Mandatory should hand over control of immigration to the Jewish Agency; (2) that it should abolish restrictions on the sale of land; and (3) that it should proclaim as its ultimate aim the establishment of a Jewish State as soon as a Jewish majority has been achieved. It should be noted that the demand for a Jewish State goes beyond the obligations of either the Balfour Declaration or the Mandate, and was expressly disowned by the Chairman of the Jewish Agency as late 1932.
2. In all the hearings, although evidence was given by those sections of the Zionist movement which are critical of the Biltmore Program, most of the witnesses took the official Zionist line. The Committee also heard the Jewish opponents of Zionism: first, the small groups in America and Britain who advocate assimilation as an alternative to Jewish nationalism; second, Agudath Israel, an organization of orthodox Jews which supports unrestricted Jewish immigration into Palestine while objecting to the secular tendencies of Zionism; and third, representatives of impor-

tant sections of Middle Eastern Jewry, many of whom fear that their friendly relations with the Arabs are being endangered by political Zionism.

3. As the result of the public hearings and of many private conversations, we came to the conclusion that the Biltmore Program has the support of the overwhelming majority of Zionists. Though many Jews have doubts about the wisdom of formulating these ultimate demands, the program has undoubtedly won the support of the Zionist movement as a whole, chiefly because it expresses the policy of Palestinian Jewry which now plays a leading role in the Jewish-Agency. Whether this almost universal support for the demand for a Jewish State is based on full knowledge of the implications of the policy and of the risks involved in carrying it out is, of course, quite another matter.
4. The position in Palestine itself is somewhat different. Here, where the issue is not the achievement of a remote idea, but is regarded as a matter of life and death for the Jewish nation, the position is naturally more complex. Palestinian Jewry is riddled with party differences. The number of political newspapers and periodicals bears witness to the variety and vitality of this political life, and, apart from pressure exerted on Jews considered to be disloyal to the National Home, we found little evidence to support the rumors that it was dangerous to advocate minority views. Of the major political parties, Mapai (the Labor Party) is far the biggest and largely determines the official line. Opposed to the Agency's policy are two main groups. On the one side stand two small but important parties: the Conservative Aliyah Hadashah (New Settlers), drawn chiefly from colonists of German and western European extraction, and Hashomer Hatzair, a socialist party which, while demanding the right of unrestricted immigration and land settlement, challenges the concept of the Jewish State and particularly emphasizes the need for cooperation with the Arabs. Hashomer Hatzair, though it did not appear before us, published shortly before we left Jerusalem a striking pamphlet in support of binationalism. Very close to Hashomer Hatzair, but without its socialist ideology, stands Dr. Magnes and his small Thud group, whose importance is far greater than its numbers. - Taken altogether, these Palestinian critics of the Biltmore Program certainly do not exceed at the moment one quarter of the Jewish population in Palestine. But they represent a constructive minority.
5. On the other side stands the Revisionist Party, numbering some one percent of the Jewish community, and beyond it the various more extreme groups, which call for active resistance to the White Paper and participate in and openly support the present terrorist campaign. This wing of Palestinian Jewry derives its inspiration and its methods from the revolutionary traditions of Poland and eastern Europe. Many of these extremists are boys and girls under twenty, of good education, filled with a political fanaticism as self-sacrificing as it is pernicious.
6. The Biltmore Program can only be fully understood if it is studied against this background of Palestinian life. Like all political platforms, it is a result of conflicting political pressures, an attempt by the leadership to maintain unity without sacrificing principle. The Jew who lives and works in the National Home is deeply aware both of his achievements and of how much more could have been achieved with whole-hearted support by the Mandatory Power. His political outlook is thus a mixture of self-confident pride and bitter frustration: pride that he has turned the desert and the swamp into a land flowing with milk and honey frustration because he is denied opportunity of settlement in nine-tenths of that Eretz Israel which he considers his own by right; pride that he has disproved the theory that the Jews cannot build a healthy community based on the tilling of the soil; frustration that the Jew is barred entry to the National Home, where that community is now in being; pride that he is taking part in a bold collective experiment; frustration because he feels himself hampered by British officials whom he often regards as less able than himself; pride because in Palestine he feels himself at last a free member of a free community; frustration because he lives, not under a freely elected government, but under an autocratic if humane regime.
7. The main complaint of the Jews of Palestine is that, since the White Paper of 1930, the Mandatory Power has slowed up the development of the National Home in order to placate Arab opposition. The sudden rise of immigration after the Nazi seizure of power had as its direct result the three and a half years of Arab revolt, during which the Jew had to train himself for self-defence, and to accustom himself to the life of a pioneer in an armed stockade. The high barbed wire and the watchtowers, manned by the settlement police day and night, strike the eye of the visitor as he approaches every collective colony. They are an outward symbol of the new attitude to life and

politics which developed among the Palestinian Jews between 1936 and 1938. As a Jewish settler said to a member of the Committee: "We are the vanguard of a great army, defending the advanced positions until the reinforcements arrive from Europe."

8. The Jews in Palestine are convinced that Arab violence paid. Throughout the Arab rising, the Jews in the National Home, despite every provocation, obeyed the orders of their leaders and exercised a remarkable self-discipline. They shot, but only in self-defence; they rarely took reprisals on the Arab population. They state bitterly that the reward for this restraint was the Conference and the White Paper of 1939. The Mandatory Power, they argue, yielded to force, cut down immigration, and thus caused the death of thousands of Jews in Hitler's gas chambers. The Arabs, who had recourse to violence, received substantial concessions, while the Jews, who had put their faith in the Mandatory, were compelled to accept what they regard as a violation of the spirit and the letter of the Mandate.
9. An immediate result of the success of Arab terrorism was the beginning of Jewish terrorism and, even more significant, a closing of the ranks, a tightening of the discipline, and a general militarization of Jewish life in Palestine. The Agency became the political headquarters of a citizen army which felt that at any moment it might have to fight for its very existence. Deprived, as he believed, both of his natural and of his legal rights, the Palestinian Jew began to lose faith in the Mandatory Power. The dangerous belief was spread that not patience but violence was needed to achieve justice. The position of the moderates who urged self-restraint and a reliance on Britain's pledged word was progressively undermined; the position of the extremists, eager to borrow a leaf from the Arab copy book, was progressively strengthened.
10. Then came the war. Apart from a small group of terrorists the Jewish community gave more solid support than the Palestinian Arabs to the British war effort. But when the immediate Middle Eastern danger was removed, the old struggle between the moderates and the extremists began again, heightened to an almost unendurable tension by the news from Europe and by such tragedies as the Struma incident. During the war, tens of thousands of Jews learned to fight, either in the British Army or in the Palestine Home Guard. They were with Britain in the fight against Fascism: they were against Britain in the struggle against the White Paper, which they now felt was not only unjust but totally inhuman as preventing the escape to Palestine of men, women and children in imminent danger of death in Nazi Germany and Nazi-controlled Europe. When the war ended and the Labor Government came to power, the White Paper still remained in force. The Jews, who had expected an immediate fulfillment by a Labor Government of the Labor Party program with regard to Zionism, felt a sense of outrage when no change of policy occurred. The bitterness reached a new peak of intensity, and the position of the moderates became almost impossible. The Jewish Agency frankly stated in public hearing that, after V-E day, it was quite futile for it to attempt to cooperate with the Mandatory in suppressing illegal activity.
11. Any decision on the future of Palestine will be futile and unrealistic unless it is made in full cognizance of the political tension among the Jews in Palestine and the reasons for it. Both in evidence given in public hearings, and in numerous private conversations with leading politicians and with ordinary citizens, we were repeatedly advised that the maintenance by the Mandatory of its present policy could only lead to a state of war, in which the extremists would have the passive support of almost the whole Jewish population and the moderates would be swept from the key positions which they still hold. To use the words of one Jewish leader: "Our present crisis in Europe and Palestine is felt by all of us to be our Dunkirk".

CHAPTER VI: THE ARAB ATTITUDE

1. The Committee heard a brief presentation of the Arab case in Washington, statements made in London by delegates from the Arab States to the United Nations, a fuller statement from the Secretary General and other representatives of the Arab League in Cairo, and evidence given on behalf of the Arab Higher (committee and the Arab Office in Jerusalem. In addition, subcommittees visited Baghdad Riyadh, Damascus, Beirut and Amman, where they were informed of the views of Government and of unofficial spokesmen.

2. Stopped to the bare essentials, the Arab case is based upon the fact that Palestine is a country which the Arabs have occupied for more than a thousand years, and a denial of the Jewish historical claims to Palestine. In issuing the Balfour Declaration, the Arabs maintain, the British Government were giving away something that did not belong to Britain, and they have consistently argued that the Mandate conflicted with the Covenant of the League of Nations from which it derived its authority. The Arabs deny that the part played by the British in freeing them from the Turks gave Great Britain a right to dispose of their country.¹¹ Indeed, they assert that Turkish was preferable to British rule, if the latter involves their eventual subjection to the Jews. They consider the Mandate a violation of their right of self-determination since it is forcing upon them an immigration which they do not desire and will not tolerate—an invasion of Palestine by the Jews.
3. The Arabs of Palestine point out that all the surrounding Arab States have now been granted independence. They argue that they are just as advanced as are the citizens of the nearby States, and they demand independence for Palestine now. The promises which have been made to them in the name of Great Britain, and the assurances concerning Palestine given to Arab leaders by Presidents Roosevelt and Truman, have been understood by the Arabs of Palestine as a recognition of the principle that they should enjoy the same rights as those enjoyed by the neighboring countries. Christian Arabs unite with Moslems in all of these contentions. They demand that their independence should be recognized at once, and they would like Palestine, as a self-governing country, to join the Arab League.
4. The Arabs attach the highest importance to the fulfillment of the promises made by the British Government in the White Paper of 1939. King Abdul Aziz ibn Saud, when he spoke with three members of the Committee at Riyadh, made frequent reference both to these promises and to the assurances given him by the late President Roosevelt at their meeting in February, 1945. His Majesty made clear the strain which would be placed upon Arab friendship with Great Britain and the United States by any policy which Arabs regarded as a betrayal of these pledges. The same warning was repeated by an Arab witness in Jerusalem, who said that "Zionism for the Arabs has become a test of Western intentions":
5. The suggestion that self-government should be withheld from Palestine until the Jews have acquired a majority seems outrageous to the Arabs. They wish to be masters in their own house. The Arabs were opposed to the idea of a Jewish National Home even before the Biltmore Program and the demand for a Jewish State. Needless to say, however, their opposition has become more intense and more bitter since that program was adopted.
6. The Arabs maintain that they have never been anti-Semitic; indeed, they are Semites themselves. Arab spokesmen profess the greatest sympathy for the persecuted Jews of Europe, but they point out that they have not been responsible for this persecution and that it is not just that they should be compelled to atone for the sins of Western peoples by accepting into their country hundreds of thousands of victims of European anti-Semitism. Some Arabs even declare that they might be willing to do their share in providing for refugees on a quota basis if the United States, the British Commonwealth and other Western countries would do the same.
7. The Peel Commission took the view that the enterprise of the Jews in agriculture and industry had brought large, if indirect, benefits to the Arabs in raising their standard of living. Though a very large part of the Jewish purchases of land has been made from absentee landlords, many of them living outside Palestine, it is probable that many Arab farmers who have sold part of their land to the Jews have been able to make use of the money to improve the cultivation of their remaining holdings. The improvement of health conditions in many parts of the country, while due in part to the activities of Government and in part to the efforts of the Arabs themselves, has undoubtedly been assisted by the work of the Jewish settlers. It is also argued that the Jewish population has conferred substantial indirect benefits on the Arabs through its contribution to the public revenue.

¹¹ We have not felt it necessary to enter into the historical arguments based upon undertakings given by the British Government to the Sharif Hussein of Mecca and others during the last war and interpreted by the Arabs as promising among other things that Palestine would become an independent Arab country. These undertakings, the most important of which preceded the Balfour Declaration, form an essential part of the Arab case and were examined by an Anglo-Arab Committee in London in February, 1939. The report of this Committee, containing statements of both the Arab and the British point of view, is to be found in British Command Paper No. 5974. The documents under examination were printed at the same time in Command Papers Nos. 6967 and 69" (all of 1939).

On the other hand, the Arabs contend that such improvement as there may have been in their standard of living is attributable solely to their own efforts, perhaps with a measure of aid at some points from the Administration. They assert that at least equal improvements have occurred in other Arab countries, and that the action taken by the Government to assist Jewish industry and agriculture has reacted unfavorably on the Arabs. Import duties for the protection of Jewish industries, for example, are said to have confronted Arab consumers with the necessity of buying high priced local products in place of cheaper imported goods. In any event the Arabs declare that, if they must choose between freedom and material improvement, they prefer freedom.

8. In exasperation at the disregard of their objection to Jewish immigration, the Arabs of Palestine have repeatedly risen in revolt. A substantial number of them still declare their allegiance to the exiled Mufti of Jerusalem and are satisfied with his policies. In the second World War, Palestinian Arabs were on the whole spiritually neutral. As Jamal Effendi el-Husseini stated in his evidence before the Committee: "The Grand Mufti in Germany was working for the interests not of the English who were warring with the Germans, but for the interests of his people who had no direct interest, at least, in the controversy." They felt that it was not their war and that the Mufti was right in taking such steps as he could to do the best for Palestine whoever might be victorious.
9. The White Paper of 1939, and the drastic limitation of Jewish immigration and of land sales to Jews which followed, met the Arab view only in part. The Arabs would have gone much further. The demands voiced by their leaders are for immediate independence, for the final cessation of Jewish immigration and for the prohibition of all land sales by Arabs to Jews.
10. So bare an outline gives only an inadequate picture of the passion with which Arabs in Palestine and in neighboring countries resent the invasion of Palestine by a people which, though originally Semitic, now represents an alien civilization. Iiven the Moslems of India have made representations to the (committee in opposition to Zionism.

One witnesses in Palestine not merely the impact of European culture upon the East, but also the impact of Western science and Western technology upon a semi-feudal civilization. It is not surprising that the Arabs have bitterly resented this invasion and have resisted it by force of arms. The Arab civilization of Palestine is based on the clan; leadership resides in a small group of influential families, and it is almost impossible for the son of an Arab fellah to rise to a position of wealth and political influence. Arab agriculture in Palestine is traditional, and improvement is hampered by an antiquated system of land tenure. The Arab adheres to a strict social code far removed from the customs of the modern world, and he is shocked by innovations of dress and manners which seem completely natural to the Jewish immigrant. Thus, the sight of a Jewish woman in shorts offends the Arab concept of propriety. The freedom of relations between the sexes and the neglect of good form as he conceives it violate the entire code of life in which the Arab is brought up.

11. The Arabs of Palestine are overwhelmed by a vague sense of the power of Western capital represented by the Jewish population. The influx of Western capital and the purchase of modern equipment for agriculture and industry excite in the minds of the Arabs a sense of inferiority and the feeling that they are contending against an imponderable force which is difficult to resist. This feeling is accentuated by the fact that they realize that the Jewish case is well understood and well portrayed in Washington and London, and that they have no means comparable in effectiveness of stating their side of the controversy to the Western World. They have particularly resented the resolutions in favor of Zionist aspirations, adopted respectively by the United States Congress and by the British Labor Party. Although the Arab States have diplomatic representation and five of them are members of the United Nations, the Arabs of Palestine feel nevertheless that they have not succeeded in making their case heard. The Western countries have many Jewish lent few Arab citizens, and Arabs are less familiar with modern methods of propaganda. They feel that their case is being judged and their fate is being decided by mysterious forces in the Western World, which they do not understand and which do not understand them.
12. The period since the first World War has been marked by a rising wave of nationalism in all Arab countries. Palestinian Arabs share this sentiment, and they are strongly supported in their demand for independence and self-government by all the States of the Arab League. No other subject has

occupied so much of the attention of the Arab League or has done so much to unite its membership as has the question of Palestine.

13. Those members of the Committee who traveled in the neighboring Arab countries found that hostility to Zionism was as strong and widespread there as in Palestine itself. They received from H. R. H. the Regent of Iraq a copy of a letter in which he had told President Roosevelt that "all the Arab countries ... will unite against any danger that the Arabs of Palestine may have to meet." Moreover the Governments of all the neighboring States believe that a Zionist State in Palestine would be a direct threat to them and would impede their efforts towards a closer Arab union. The chief delegate of Syria at the General Assembly of the United Nations told the Committee in London that "Palestine in alien hands would be a wedge splitting the Arab world at a most vital and sensitive point." The same witness expressed the further fear of the Arabs that a Zionist State would inevitably become expansionist and aggressive, and would tend to enter into alliance with any Power which might, in the future, pursue an anti-Arab policy. "The Middle East," he wrote, "is a vital region in which all the Great Powers are interested. A Zionist State in Palestine could only exist with the support of foreign Powers. This would not only mean a state of tension between those foreign Powers and the Arab States, but also the grave possibility of dangerous alignments and maneuvers which might end in international friction at the highest level and possibly disaster."

CHAPTER VII: CHRISTIAN INTERESTS IN PALESTINE

1. In addition to the witnesses concerned exclusively with political issues, the Committee also heard representatives of Christian churches. The Arab Christians, divided among many denominations, and numbering some 125,000, form the overwhelming majority of Christians actually living in Palestine. Their delegation, led by the Greek Catholic Archbishop of Galilee, declared their complete solidarity with the Moslem Arabs in the demand for an independent Arab State. The non-Palestinian Christian groups were unable to speak with a common voice. Indeed, Christians have so completely failed to ??? or even harmony, in the practical tasks of administering the Christian Holy Places and caring for the pilgrims who visit them that the keys of the Holy Sepulcher are still entrusted to Moslems. The lamentable fact that there is no single spokesman in Palestine for Christendom tends to obscure the legitimate Christian interest in the Holy Land, which must be safeguarded in any solution of the national problem. This interest demands not only freedom of access to the Holy Places, but also that tranquillity should be achieved in a country all of which, from the Christian point of view, is a Holy Land.
2. The significance of Palestine since prehistoric times in the development of civilization cannot be overestimated. Nor should the interests of archaeology and history be forgotten. The maintenance of conditions under which such studies can be pursued is a genuine concern of civilization. Moreover, an increased pilgrim and tourist traffic would constitute an invisible export of substantial value to a country with so large an adverse balance of trade; and the contact in Palestine between these travelers from the Western world and the representatives of the Jewish and Moslem faiths would be of great importance to international understanding.
3. The extent to which the Holy Places, sacred to Christians, Moslems and Jews, are interspersed is often not fully appreciated. It is impossible to segregate the Holy Places sacred to the three great religions into separate geographical units. They are scattered over the whole of Palestine, and not, as is often imagined, confined to the Jerusalem and Nazareth areas.
4. The responsibility of the Christian world toward Palestine was well expressed by General Allenby in the Proclamation which he made on the occasion of the occupation of Jerusalem on the 11th December, 1917:
 "Furthermore, since your City is regarded with affection by the adherents of three of the great religions of mankind, and its soil has been consecrated by the prayers and pilgrimages of multitudes of devout people of these three religions for many centuries, therefore do I make known to you that every sacred building, monument, holy spot, shrine, traditional site, endowment, pious bequest, or customary place of prayer, of whatsoever form of the three religions, will be maintained and protected according to the existing customs and beliefs of those to whose faiths they are sacred."

5. The religious importance of Palestine to Moslems, Jews and Christians alike makes it improper to treat it either as an Arab State or as exclusively designated to the fulfillment of Jewish national aspirations. A solution of the Palestine problem must not only heal political rivalries of Jew and Arab, but must also safeguard its unique religious values.

CHAPTER VIII: JEWS, ARABS AND GOVERNMENT

"The State Within the State"

1. The Jews have developed, under the aegis of the Jewish Agency and the Vaad Leumi, a strong and tightly-woven community. There thus exists a virtual Jewish nonterritorial State with its own executive and legislative organs, parallel in many respects to the Mandatory Administration, and- serving as the concrete symbol of the Jewish National Home. This Jewish shadow Government has ceased to cooperate with the Administration in the maintenance of law and order, and in the suppression of terrorism.
2. Quite apart from the increasing strength of the terrorist gangs, which enjoy widespread popular support, there are many signs that fanaticism and nationalist propaganda are beginning to affect detrimentally the Jewish educational system. It appears to us wholly harmful that the obligatory period of one year's "national service," instituted by the Jewish Agency and the Vaad Leumi, is now partly used for military training. The "closing of the ranks," moreover, which we noted above, has increased that totalitarian tendencies to which a nationalist society is always liable. To speak of a Jewish terror would be a gross exaggeration. But there are disquieting indications that illegal organization and the atmosphere of conspiracy, which inevitably accompanies it, are having their corroding effects on that free democracy which has always been the pride of the Palestinian Jews. Every thoughtful Jew with whom we talked was profoundly disturbed by these symptoms. But none was bold enough to prophesy that they would disappear so long as the Palestine Administration carried out a policy which seems to every Jew to be in direct contravention of his natural rights.

Jewish Relations With Arabs

3. Not only is the Jewish community largely independent of and at odds with the Palestine Government, but it is also quite distinct from and in conflict with the Arab community with which, in many areas, it is territorially intertwined. In part this is a natural result of Zionist concentration upon the development of the Jewish community. If the Arabs have benefited, they have done so only in comparison with the non-Palestinian Arabs; whereas they have remained far beneath the Palestinian Jews in terms of national income, social services, education and general standard of living. This has made it easier for the Arab political leaders to keep alive anti-Jewish feeling in the minds of the Arab masses. The economic gulf separating Jew and Arab in Palestine has been widened, in part at least, by Jewish policies concerning the nonemployment of Arab labor on land purchased by the Jewish National Fund and the refusal to devote Jewish funds and energies directly to the improvement of Arab standards of living. Efforts by the Jews in this direction might be quite as important for the growth and security of the National Home as the draining of swamp lands or the creation of Jewish industry.
4. But unfortunately there are signs of a hardening of the Jewish attitude towards the Arabs. Too often the Jew is content to refer to the indirect benefits accruing to the Arabs from his comings and to leave the matter there. Passionately loving every foot of Eretz Israel, he finds it almost impossible to look at the issue from the Arab point of view, and to realize the depth of feeling aroused by his "invasion" of Palestine. He compares his own achievements with the slow improvements made by the Arab village, always to the disadvantage of the latter; and forgets the enormous financial, educational and technical advantages bestowed upon him by world Zionism. When challenged on his relations with the Arabs, he is too often content to point out the superficial friendliness of everyday life in town and village- a friendliness which indubitably exists. In so doing, he sometimes ignores the deep political antagonism which inspires the whole Arab community; or thinks that he has explained it away by stating that it is the "result of self-seeking propaganda by the rich effendi class."
5. It is not unfair to say that the Jewish community in Palestine has never, as a community, faced the problem of cooperation with the Arabs. It is, for instance, significant that, in the Jewish Agency's

proposal for a Jewish State, the problem of handling a million and a quarter Arabs is dealt with in the vaguest of generalities.

6. We noted, however, a few hopeful signs. Reference was made above to the proposals for cooperation with the Arabs made by Hashomer Hatzair and by the Ihud group. The Committee observed with pleasure the Arab-Jewish cooperation achieved on the Municipal Commission which governs Haffa, and in the Citrus Control and Marketing Boards, as well as the joint trade union activity between Jew and Arab in the Palestine Potash Company and on the railways. But such examples of cooperation are rare in Palestine; and they are far outweighed in Arab eyes by the exclusiveness of the General Federation of Jewish Labor in its trade union policy and of the Jewish Agency in its labor policy on land purchased for Jewish settlement.

The Jews and the Administration

7. We were profoundly impressed by the very varied experiments in land settlement which we inspected, ranging from individualist cooperatives to pure collectivist communities. Here, indeed, is a miracle both of physical achievement and of spiritual endeavor, which justifies the dreams of those Jews and Gentiles who first conceived the idea of the National Home. Of Jewish industry in Palestine it is too early yet to speak with confidence. There is boundless optimism and energy, great administrative capacity, but a shortage of skilled labor and, as a result, more quantity than quality of output.
8. As pioneers in Palestine the Jews have a record of which they can be proud. In Palestine there has been no expulsion of the indigenous population, and exploitation of cheap Arab labor has been vigorously opposed as inconsistent with Zionism. The failing of Palestinian Jewry is a different one. The Jews have always been in the biblical phrase a "peculiar people" which turned in on itself and suffered the consequences of its peculiarity. In Palestine, under the special conditions of the Mandate, they have regained their national self-confidence, but they have not been able to throw off their exclusiveness and tendency to self-isolation.
9. We believe that this failure is, in part at least, attributable to the relations between the Palestine Administration and the Jewish community since 1939, which have undoubtedly exaggerated the natural Jewish tendency to exclusiveness. Moreover, the Jews feel that they have enough to do defending their own position, without taking on the Arab problem as well.
10. A second factor of great importance is the failure to develop self-governing institutions. The Jews, like the Arabs, are completely deprived of all responsible participation in central government. Their democracy can only work within the Jewish community, and to a limited degree in local affairs. Thus, they have not had the opportunity which self-government brings, to learn the lesson of responsibility for the good of the whole State. They have been driven back on themselves. This may in part explain the fact that at least one-third of the Jews who have settled in Palestine during the last ten years have failed to apply for Palestinian citizenship. But nothing which we saw in Palestine gave us any reason to believe that, charged with the democratic responsibilities for which they are undoubtedly fit, the Jews of Palestine would not master the lessons of self-government.

Arab Leadership

11. The Arabs are divided politically by the personal bickerings of the leaders, which still center round the differences of the Husseins and their rivals; and socially by the gap which separates the small upper class from the mass of the peasants—a gap which the new intelligentsia is not yet strong enough to bridge. Consequently they have developed no such internal democracy as have the Jews. That their divisions have not been overcome and a formally organized community developed is in part the result of a less acutely self-conscious nationalism than is found today among the Jews. It is, however, also the outcome of a failure of political responsibility. The Arab leaders, rejecting what they regard as a subordinate status in the Palestinian State, and viewing themselves as the proper heirs of the Mandatory Administration, have refused to develop a self-governing Arab community parallel to that of the Jews. Nor, so far, have they been prepared to see their position called in question by such democratic forms as elections for the Arab Higher Committee, or the formation of popularly based political parties. This failure is recognized by the new intelligentsia which, however, is unlikely to exercise much power until it has the backing of a larger middle class.

Need for Arab Education

12. Many Arabs are graduates of the American University at Beirut; a few have studied in universities in Cairo, England, Europe and the United States; others have received higher education at the Arab College for men and the Women's Training College in Jerusalem, both of which are efficient but inadequately financed Government institutions. The Arabs are aware of Western civilization and increasingly eager to share its benefits. But the numbers receiving such education are still miserably small, since the only university in Palestine, the Hebrew University on Mount Scopus, teaches only in Hebrew. So, too, with secondary education. There are only some fifteen Arab secondary schools in the whole of Palestine, and one fully developed agricultural school - the Kadoorie School at Tulkarm which specializes in the training of teachers of agriculture for Arab schools. With only 65 places, however, it too is totally inadequate. The problem of teaching modern methods of agriculture to a population 80 per cent of which gains its living by farming has not yet been solved by the Government, or faced by the Arab politicians. Facilities for technical education are no better-a single school with some 60 places.
13. On the primary level the position is slightly better. The schools are under the control of the Administration and financed by public funds. As far as it goes, the primary education is well planned and administered. It is not merely a bookish education, but includes also manual training and instruction in agriculture, where the equipment is available. Some of the school warden's which surround the schools in the Arab villages are models of neatness and skill. But the fact remains that something less than half the Arab children who would like to attend school can do so today. Even in a wealthy town like Haifa, we were told by the Municipal Commission that half the Arab boys and the majority of the Arab girls receive no education at all. In most of the country districts the situation is still worse, particularly with regard to the girls. Only one Arab girl in eight receives any education.
14. This is all the more tragic since the desire for education is now strong throughout the poorer classes, not merely in the cities, but in almost every Arab village. Indeed, some villages visited by the Committee had either built their own schools completely from voluntary subscriptions by the villagers or had contributed largely to their cost on their own initiative.
15. The lamentable condition of Arab education is a real cause for discontent. This discontent is increased by the contrast with the opportunities offered to the Jewish child. Jewish education in Palestine is financed by the Jewish community and by the fees which Jewish parents can afford to pay. Practically every Jewish child has the opportunity for primary education, and those who can afford the fees have ample opportunity for technical, secondary and university education in Palestine. The Government contributes only a small per capita grant in aid and exercises little control of the curriculum.
16. It is difficult to avoid the conclusion that the time has come for the Arab community to assume the same responsibility with regard to education as the Jewish. With advice and financial aid from the Government, and with a new sense of responsibility on the part of the Arab leadership, compulsory education could, we were informed, be introduced within the next ten years. This is not only essential from an educational point of view; there can be no real unity between a literate and an illiterate population.

The Administration

17. Palestine is administered by officials of the British Colonial Service. Subject to the provisions of the Mandate, all major decisions of policy are taken in London as they would be for a Colonial territory. As Mr. Churchill has said: "the suggestion that the High Commissioner either has a policy of his own in contradistinction to that of His Majesty's Government, or that, if this were so, His Majesty's Government would permit him to carry it out, would be foreign to all the traditions of British Administration." Indeed, the Administration of Palestine has probably less freedom of action than the Administration of some less developed territories, simply because the affairs of Palestine arouse more public interest, are the subject of more questions in the House of Commons, and must therefore be supervised more closely by the responsible Minister.
18. While admitting this difficulty, we must express the view that this system militates most gravely against the chances of reconciliation between Jew and Arab. A delicate situation-and the situation in Palestine is always delicate-cannot be met successfully by remote control. Within a general di-

rective, the man on the spot, like the general conducting the battle, must be given the responsibility. If this is not done, the chance of reconciling the interests of the National Home with those of the Arabs of Palestine is small indeed.

19. In Palestine itself, we also found a tendency to centralization which was criticized by the Peel Commission but which is in part at least another inevitable consequence of the dominant role of politics in the life of the country. Since every administrative question, however insignificant in itself, is liable to be transformed into a political issue by one community or the other, there is a natural tendency for every action to be carefully scrutinized at the center. The slowness of the Administration in dealing with matters not at first sight political, against which complaint is often made, is partly a result of this and partly of the fact that the Chief Secretary, through whose hands all important business must pass, is himself obliged to give much of his time to conducting relations of a quasi-diplomatic character with the leaders of the Arab and Jewish communities.
20. Palestine is a unique country, bearing no resemblance to most of the countries administered by the British Colonial Service. It may be questioned therefore whether an Administration of the Colonial type is the ideal instrument for governing two peoples each of which, in the absence of the other, would probably by now be enjoying complete independence. On the other hand, it seems difficult to foresee radical changes in the system so long as the division between Arabs and Jews compels British officials to assume so extensively a responsibility, and in view of the fact that their actions must be accounted for both to Parliament and to an international organization, each responsive to a keenly interested public opinion.
21. What is not open to question is the patience and loyalty to their task of the officials on whose shoulders rests the main burden of this heavy responsibility. We were impressed also by the generally high standard of the district administration. It is difficult for those who have not visited Palestine to imagine the tension under which these officials-Arab and Jewish, as well as British-are compelled to live and work. We were especially impressed by the anxiety, loneliness and nervous strain to which many police officials are unavoidably exposed. It also seemed to us that the Civil Servants in Palestine were subjected to an additional anxiety which we could not regard as unavoidable or in the best interests of the country, as a result of the generally and sometimes pitifully inadequate salaries which they at present receive.

CHAPTER IX: PUBLIC SECURITY

1. Palestine is an armed camp. We saw signs of this almost as soon as we crossed the frontier, and we became more and more aware of the tense atmosphere each day. Many buildings have barbed wire and other defences. We ourselves were closely guarded by armed police, and often escorted by armored cars. It is obvious that very considerable military forces and large numbers of police are kept in Palestine. The police are armed; they are conspicuous everywhere; and throughout the country there are substantially built police barracks.
2. We do not think that the conditions in Palestine since the Mandate have been fully appreciated throughout the world, and accordingly we have thought it right to set out in Appendix V a list of the main incidents of disorder. It will be seen that up to the year 1939 the Jews exercised very great restraint. It is in recent years that the threat to law and order has come from them.
3. A revival of the illegal immigration traffic has occurred since the end of the war in Europe. During the summer of 1945 there was an influx on a substantial scale by land over the Northern Frontier. More recently there have been successive cases of entry by sea. The Jewish organizations are actively engaged in these operations, carried out latterly by the purchase or charter of ships for voyages from Southern Europe in the absence of effective control of embarkation. Armed clashes are liable to arise from the efforts to prevent interference; a number have arisen from the search for illegal immigrants and arms. Moreover, as recent incidents directly concerned with illegal immigration, may be cited the sabotage of patrol launches and attacks on coastguard stations. The present scale and method of illegal immigration by sea can be seen from three recent cases. Two ships arrived towards the end of our stay in Palestine, and one a few weeks previously. All three were intercepted and, in accordance with the usual procedure, the illegal immigrants taken

to a clearance camp where, subject to check, they were released, their numbers being deducted from the immigration quota. The first of these ships sailed from Northern Italy. It was her maiden voyage. She carried 911 immigrants, 444 men and 357 women. Practically all were young people. The second carried 247 immigrants, of whom 89 were women. With one exception, all were young people. The third, which arrived on the day of our departure from Palestine, was reported in the press as coming from a French Mediterranean port and carrying 733 immigrants.

The second ship, according to press reports, was expected to land the immigrants at Tel-Aviv, and the plans for screening the immigrants were evident in the sporadic incidents which occurred in that area. Apart from firing on the police, there were incidents of mining and blocking of access by road and rail which could only be designed to isolate the approach to the beach.

4. A sinister aspect of recent years is the development of large illegal armed forces. The following is the structure as stated to us by the military authorities.

The general organization is the "Haganah." It is an illegal development of the former organization, in the days of Turkish rule, of armed watchmen who protected Jewish settlements. Today it is completely organized, under a central control and with subsidiary territorial commands, in three branches, each of which includes women, viz:

A static force composed of settlers and townsmen, with an estimated strength of 40,000;

A field army, based on the Jewish Settlement Police and trained in more mobile operations, with an estimated strength of 16,000;

A full time force (Palmach), permanently mobilized and provided with transport, with an estimated peace establishment of 2,000 and war establishment of 6,000.

It is known that the Haganah has been procuring arms over a period of years. Vast quantities have been obtained from the residue of the campaigns in the Middle East. Arms and ammunition are kept and concealed in specially constructed caches in settlements and towns. The following are particulars, furnished to us by the military authorities, of a search which was conducted at Biriya Settlement about the time of our arrival in Palestine.

During the night of 27th-28th February, 1946, shots were fired at a sentry of the Arab Legion at his post distant some mile or mile and a half from Biriya. Although wounded in the thigh, he returned the fire. Next morning blood stains and bandages were found and police dogs carried a line direct from there to Biriya.

Biriya is situated in a commanding position on the hills of Northern Galilee. It can only be described as a fort. The population of Biriya were detained. They consisted of 25 men. Their identity cards showed that they came from other parts of Palestine. It was apparent that they were a platoon undergoing training. A search in the neighborhood revealed two arms caches. They contained, among other equipment, one Sten gun, one Bren, four modern rifles, one wireless set, and grenades. Numerous documents were also discovered in the caches. Their substance connected the caches with Biriya, and a police dog taking scent from the documents identified one of the men in the building at Biriya. The documents included standing orders for the camp, notes on the structure and duties of the Haganah, training manuals, notes on neighboring military and police camps.

5. Something in the nature of conscription is in force, as is shown by two press notices of the 6th November, 1945:

Palestine Post:

"A year's national service in communal settlements will now be required from all Jewish senior school children aged 17-18; till now it was obligatory only to those who had already left school."

Haboker (in this case a translation from Hebrew):

"The national institutions have decided to widen the scope of the year's service duty, which up to now has been imposed on graduates of the secondary schools, and to impose it on all girls and boys aged 17-18.

"The Council of Youth Organizations decided, at its session on 31.10.45 immediately to begin fulfillment of the order given to the Youth. The Council assumed the responsibility of enlisting immediately all members of the Movements who were born in 1928. The enlistment of the

pupils of the secondary and trade schools will be carried out at a time which is to be specially fixed. Before 11.11.45 every Movement must submit to the Jewish Agency's Recruiting Department in Tel-Aviv a roster of its members, male and female, who must enlist."

A useful adjunct for training purposes is provided from the Jewish Settlement Police, a supplementary police force originally formed in 1936 for the close protection of Jewish settlements. The minimum term of service is six months during which period they are paid by the (government. We were informed that it often happens that they leave the police force after a short period of service and thereafter serve in the Haganah.

6. Apart from the Haganah, two further illegal armed organizations exist, both having cut away from the parent body. One is the "Irgun Zvai Leumi", which was formed in 1935 by dissident members of the Haganah. The other is the "Stern Group" which broke away from the Irgun early in the war when the latter announced an "armistice". The Irgun operates under its own secret command mainly in sabotage and terrorism against the Mandatory; its strength is estimated at from 3,000 to 5,000. The Stern Group engages in terrorism; its strength is said to be between 200 and 300.
7. It seems clear that the activities of all these bodies could be greatly reduced if there was any co-operation with the authorities by the Jewish Agency and its officers, and by the rest of the population. Unfortunately the Jewish Agency ceased to cooperate with the Government, or at least reduced the measure of their cooperation as from the end of the war.

We set out in the form of an extract from the *Palestine Post*; of the 30th December, 1945, the attitude of the Chairman of the Executive of the Jewish Agency after the murders of the 27th December, 1945. In the course of his evidence before us Mr. Ben Gurion said that he took responsibility for giving this statement to the press:

"Following upon the outrages which occurred on Thursday night, His Excellency the High (commissioner summoned Mr. D. Ben Gurion and Mr. M. Shertok to see him at Government House on Friday morning, it was officially stated yesterday.

"It is learned that during the interview, Mr. Ben Gurion and Mr. Shertok declared that the Jewish Agency completely dissociated themselves from the murderous attacks on Government and army establishments perpetrated on Thursday night. They expressed their profound sorrow at the loss of life caused by the attacks.

"But, they stated, any efforts by the Jewish Agency to assist in preventing such acts would be rendered futile by the policy pursued in Palestine by His Majesty's Government on which the primary responsibility rests for the tragic situation created in the country, and which had led in recent weeks to bloodshed and innocent victims among Jews, Britons and others.

"The Jewish Agency representatives added that it was difficult to appeal to the Yishuv to observe the law at a time when the Mandatory Government itself was consistently violating the fundamental law of the country embodied in the Palestine Mandate."

So long as this kind of view is put forward by the leaders of the Jewish Agency it is impossible to look for settled conditions. All three organizations to which reference has been made are illegal.

We recognize that until comparatively recently, efforts were made by the Jewish Agency to curb attacks; we regret that these efforts appear to have ceased. We believe that those responsible for the working of the Jewish Agency—a body of great power and influence over the Jews in Palestine—could do a great deal towards putting an end to outrages such as we have described, which place the people of Palestine as well as British soldiers and police in constant danger.

Private armies ought not to exist if they constitute a danger to the peace of the world.

8. The position of Great Britain as Mandatory is not a happy one. The Chairman of the Executive of the Jewish Agency said that, in the event of the withdrawal of the British troops, the Jews would take care of themselves. Jamal Effendi Hussein, replying to a question, said that it was the wish of the Arabs of Palestine that British forces and police should be withdrawn forthwith. Auni Bey Abdul Hadi, also representing the Arab Higher Committee, expressed his agreement. Jamal Effendi Hussein stated that he did not expect bloodshed but that, on the withdrawal of British forces, there would be a return to the condition which preceded the First World War (i.e. pre-Balfour Declaration). We are clear in our minds that if British forces were withdrawn there would be immediate and prolonged bloodshed the end of which it is impossible to predict.

CHAPTER X: GENERAL

1. In view of the dissolution of the League of Nations and of the statement of the Secretary of State for Foreign Affairs in the House of Commons on the 13th November, 1945, we assume that the British Government will in the near future prepare a draft Trusteeship Agreement for eventual submission to the United Nations, and that this Agreement will include the terms under which Palestine will be administered. We do not propose to refer to the existing Mandate in detail; it is set out in Appendix VI.
2. Our views on future immigration policy are contained in Recommendation No. 6 and in the Comments thereunder, and we have nothing to add to them.
3. With regard to the future government of Palestine, we have reviewed the question of a solution by partition.

The Peel Commission stated (Chapter XX, paragraph 19): "Manifestly the problem cannot be solved by giving either the Arabs or the Jews all they want. The answer to the question 'which of them in the end will govern Palestine?' must surely be 'Neither.'" That is the view which we also have formed. They recommended the termination of the Mandate, the partition of the country between the Arabs and the Jews (excepting the Holy Places) and the setting up of two independent States in treaty relations with Great Britain. These recommendations were rejected by the Arabs and they did not meet with the complete approval of the Jews. They were adopted in the first instance by the Government of Great Britain, but subsequently a technical Commission was sent to Palestine to ascertain facts and to consider in detail the practical possibilities of a scheme of partition. As a result of the Partition Commission's Report, His Majesty's Government announced their conclusion that the examination by the Commission had shown that the political, administrative and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine were so great that the solution of the problem was impracticable. The proposal accordingly fell to the ground, and His Majesty's Government continued their responsibility for the government of the whole of Palestine. We have considered the matter anew and we have heard the views of various witnesses of great experience. Partition has an appeal at first sight as giving a prospect of early independence and self-government to Jews and Arabs, but in our view no partition would have any chance unless it was basically acceptable to Jews and Arabs, and there is no sign of that today. We are accordingly unable to recommend partition as the solution.

4. Palestine is a country unlike any other. It is not merely a place in which Arabs and Jews live. Millions of people throughout the world take a fervent interest in Palestine and in its Holy Places and are deeply grieved by the thought that it has been the seat of trouble for so long and by the fear that it may well become the cockpit of another war. Lord Milner in 1923, having declared himself a strong supporter of pro-Arab policy, said:

"Palestine can never be regarded as a country on the same footing as the other Arab countries. You cannot ignore all history and tradition in the matter. You cannot ignore the fact that this is the cradle of two of the great religions of the world. It is a sacred land to the Arabs, but it is also a sacred land to the Jews and the Christian; and the future of Palestine cannot possibly be left to be determined by the temporary impressions and feelings of the Arab majority in the country of the present day."

The Peel Commission having cited those words wrote (Chapter II, paragraph 51): "The case stated by Lord Milner against an Arab control of Palestine applies equally to a Jewish control." That expresses our view absolutely. Efforts have been made from time to time to encourage both Arabs and Jews to take part in the Government of the country but these efforts have failed through mutual antagonism; perhaps they might have been pursued further. It is not the case of a backward people going through a period of tutelage; the issue lies between Jews and Arabs.

We believe this can only be met by acceptance of the principle that there shall be no domination of the one by the other, that Palestine shall be neither an Arab nor a Jewish State. The setting up of self-governing institutions is dependent on the will to work together on the part of Jews and Arabs. There has been little sign of that in recent years and yet we hope a change may take place if; and when the fear of dominance is removed. We do not think that any Rood purpose would be served by our going into further detail, once the will to work together appears, representatives of both-sides will be of help in framing a constitution; until that happens no step can be taken.

Meantime Palestine must remain under some form of Mandate or Trusteeship. We have suggested elsewhere in our Report that much can be done to encourage general advancement by the improvement of educational facilities and measures directed to narrowing the social and economic disparities. We feel, too, that it should be possible to draw the communities closer together, and foster a popular interest in self-government at the local level. Especially in the country districts, a spirit of good neighborliness exists among the common people, Arabs and Jews, despite the general state of political tension in the country. Practical cooperation is evident in day-to-day affairs. We suggest that local administrative areas might be formed, some purely Arab or Jewish in composition, but some of mixed population where a corporate sense of civic responsibility can be encouraged and a new beginning made in the development of self-government.

5. Land questions have been the cause of much friction and dispute between Jews and Arabs. We are opposed to legislation and practices which discriminate against either, and for the reasons already given we recommend the rescission and replacement of the Land Transfers Regulations of 1940 and the prohibition of restrictions limiting employment on certain lands to members of one race, community or creed.

We are aware of the criticisms of the existing Land Ordinances and we do not wish it to be thought that we consider that they afford adequate protection to the Arab small-owners and tenants. In our opinion it should be possible to devise Ordinances furnishing proper protection to such Arabs no matter in what part of Palestine they may reside.

6. We have already stated that the 100,000 certificates for Palestine, the immediate authorization of which we recommend, will provide for only a comparatively small proportion of the total number of Jewish refugees in Europe. The general problem of refugees must, we feel, be dealt with by the United Nations. In our considered opinion it is a matter for regret that this distressing problem has not been dealt with before this time. True the great Powers have had many problems facing them and they have dealt with many displaced persons, but the fact remains that Jews and others have remained in camps or centers for very many months.

We observe that at a recent meeting of the General Assembly of the United Nations the problem of displaced persons and refugees of all categories was recognized to be one of immediate urgency, and it was referred to the Economic and Social Council which has since established a special Committee for its consideration. Without presuming to advise that Committee, and with no desire to go beyond our Terms of Reference, we cannot but observe that international bodies already established for dealing with refugee problems have been unable, through insufficiency of financial resources or other reasons, to fulfill the hopes placed in them at the time of their formation. The world looks forward, we believe, to the birth of a truly effective agency of international collaboration in the humanitarian task of migration and resettlement.

We make grateful acknowledgement of our deep indebtedness to the civil and military officers of our two Governments. They have given us willing and able assistance throughout our long journeys and made it possible for us to complete the report within the period allotted.

Our staff listed in the Appendix has worked admirably and efficiently under pressure and often in difficult circumstances.

Finally, we desire to tender our sincere thanks to our efficient Secretaries, H. G. Vincent, L. L. Rood, H. Beeley, and E. M. Wilson.

Signed at Lausanne, Switzerland, on April 20, 1946.

JOSEPH C. HUTCHESON, American Chairman
FRANK AYDELOTTE (US)
W. F. CRICK (UK)
BARTLEY C. CRUM (US)
R. E. MANNINGHAM-BULLER (UK)
MORRISON (UK)
LESLIE L. ROOD, American Secretary
EVAN M. WILSON, American Secretary

JOHN E. SINGLETON, British Chairman.
FRANK W. BUXTON (US)
R. H. S. CROSSMAN (UK)
FREDERICK LEGGETT (UK)
JAMES G. McDonald (US)
WILLIAM PHILIPS (US)
H. G. VINCENT, British Secretary.
H. BEELEY, British Secretary.

APPENDIX I - ITINERARY OF COMMITTEE

1946

Jan. 4-17	Washington	Full Committee
Jan. 23-Feb. 4	London	Full Committee
Feb. 5-15	American Zone of Germany Czechoslovakia	Mr. Crum Sir Frederick Leggett
Feb. 5-22	Paris French Zones of Germany and Austria	Mr. Phillips Mr. McDonald
Feb. 5-17	Berlin	Judge Hutcheson Sir Jolm Singleton Lord Morrison Mr. Buxton Mr. Manningham-Buller Mr. Crick
Feb. 7-13	Poland	Mr. Buxton Mr. Manningham-Buller Mr. Crick
Feb. 8-11	British Zone of Germany	Judge Hutcheson Sir John Singleton Lord Morrison
Feb. 17-25	Vienna	Full Committee
Feb. 19-22	American Zone of Austria	Mr. Buxton Mr. Manningham-Buller Mr. Crick
Feb. 25-26	British Zone of Austria	Mr. Crum Mr. Crossman
Feb. 25-27	Italy	Sir John Singleton Mr. Phillips Mr. McDonald Sir Frederick Leggett
Feb. 28-Mar. 5	Cairo	Full Committee
Mar. 6-28	Palestine	Full Committee
Mar. 15-20	Damascus; Beirut	Judge Hutcheson Lord Morrison Mr. McDonald
Mar. 16-21	Baghdad; Riyadh	Sir John Singleton Mr. Buxton Mr. Manningham-Buller
Mar. 23-24	Amman	Lord Morrison Mr. Phillips Sir Frederick Leggett
Mar. 29-Apr. 20	Lausanne	Full Committee

APPENDIX II - European Jewry-Position in Various CountriesGERMANY

1. In 1933, according to the Census, there were in Germany 499,682 persons of the Jewish faith of whom 400,935 were of German nationality. Between 1933 and 1941 around 300,000 persons were able to emigrate to other countries, though many must later have been overtaken as a result of the successive Nazi conquests.

2. There are now, according to our information, about 74,000 Jewish displaced persons, including migrants, in Berlin and the American, British and French zones of Germany.¹² Of these, about 52,500 are accommodated in the centers, the remainder living outside. In the British zone, out of approximately 11,700 in centers, 9,000 are at Hohne. In the American zone, they are distributed in a number of centers, of which our Sub-committee visited nine.
3. Of the non-German Jewish population, 85 per cent are Poles; the remainder are mainly from the Baltic States, Hungary and Rumania.
4. In addition to displaced Jews, there are about 20,000 native Jews surviving in Germany. Evidence was presented to us to show that German Jews, freed from concentration camps or slave labor, are faced with great difficulty in finding a place again in the life of the country. Few of their communities still survive. For example, of a community of 4,500 in Stuttgart, only 178 remain, among whom are only two children.

While it is the firm policy of the military governments to eradicate all forms of Nazism, and priority is given to Jews and to other persecuted persons in respect of housing, food, clothing, etc., the German Jews are still naturally apprehensive of the future when those Governments will no longer be there. Anti-Semitism is traditional in Germany. In some German circles there is much shame and a desire to make recompense, but in others there is a feeling that, now that the synagogues and all traces of Jewish life have been destroyed (only one rabbi survives in all of Germany), no attempt should be made to recreate Jewish life and so give rise to the possibility of a repetition of past events.

5. The Jews themselves feel that, most of their children having perished, their future in any case is dark. The more highly educated, particularly some of the professional Jews with whom we talked, appeared to have an interest in the building up of the communities, and are willing to stay and help. We suspect that this movement is developing, but we recognize that a few unfortunate incidents might well produce something of a panic and induce a change of attitude. The great need appears to be the restoration of property and financial help so that they may make a livelihood. Their lack of means adds greatly to their unwillingness to attempt to stay in Germany even when they are among friends. In Bavaria the German State Administrator for Jewish Affairs has a keen realization of the important part played by the Jews in German commerce and industry. He made it clear that there was a real intention to give all possible encouragement to Jews to reestablish themselves. Unless, however, greater opportunities for employment can soon be found, it seems probable that few of the German Jews will wish to remain in the country.

AUSTRIA

6. It is estimated that when Hitler invaded Austria in 1938, there were about 190,000 Jews residing in the country. Excluding displaced persons and migrants, there are now some 4,500 in Vienna and an additional 2,500 in the American, British and French zones.

We were informed by members of the Government that it was the Government's desire to rehabilitate all Austrians on a basis of full equality and without discrimination; and that the Government welcomed Austrian Jews, like other persons, irrespective of religion, who wished to take part in the rebuilding of the country. We were shown a letter addressed to the Government by a group numbering 1,000 Austrian Jews in Palestine and Egypt who wished to return.

7. Many of the Jews in Vienna are in receipt of assistance. The economy of the country was disrupted by the war and its recovery is not facilitated by the division of such a small land into four zones and Vienna into five sectors. It seems probable that this division of control is partly responsible for the delay in the promulgation of laws for the restitution of the property, without which it is most difficult for Jews to reestablish themselves. Some anti-Semitism still exists among the general population. The fact that Jewish displaced persons are in receipt of higher rations than the surrounding population, and that, for instance, at Bad Gastein they are housed in some of the best hotels, tends towards a local feeling of hostility to them. This is reflected upon Jews who are living outside the centers.
8. There are centers for Jewish displaced persons in both the American and the British zones of Austria. In the American zone there were in February approximately 5,600 occupants and on the first of April, 7,000. In the British zone in February there were 819, and on the first of April, 1,019.

¹² British 15,600; French 1,600; American 54,000; Berlin 3,000.

About 73 per cent of the 8,000 were Polish Jews. The number in the British zone last November was in the neighborhood of 5,000. Partly owing to the activities of the Jewish Brigade of the British Army, a considerable number succeeded in crossing the Italian frontier, though the total number who have crossed since last summer is not assessed at more than 8,000. Later the Jewish Brigade were withdrawn and the frontier controls tightened.

9. In Vienna converge two streams of migrants, one from Poland and another from Hungary and Rumania. From Vienna the migrants usually continue westwards through Enns and Salzburg to the American zone of Germany. On arrival in Vienna, the Jews are taken to transient centers. When some members of the Committee visited one of them—the Rothschild Hospital—an American officer told them that 150 Hungarian Jewish children and 90 Rumanian Jewish adults had arrived by train from Budapest the day before, and explained that the American Army authorities allowed the American Jewish Joint Distribution Committee to collect Jews in Hungary and to organize their arrival in groups.
10. The Vienna Area Command operates transient centers for Jews at the Rothschild Hospital and the Strudelhofgass, through which 3,085 Jews passed in December last, 3,229 in January, 2,443 in February and 1,150 in March. Transient centers were also opened at Enns and Salzburg in the American zone. While at first endeavoring to check the flow of migrants, the American authorities felt impelled by humanitarian considerations to accept all who had arrived, after much hardship, at the border of the zone.
11. We found that the Jews were sent by train from Vienna through the Russian zone to Enns and left a day or so later by lorries for Salzburg. They arrived in groups of 200. In the Salzburg transient camp which we visited, there was accommodation for 250, and we were told that the officer responsible had given instructions that the number was to be kept at that figure. The period of residence at this camp was limited. The camp was run under military supervision by a number of Jews and they called out the names of those who were to move on. The flow through this camp was at the rate of 2,000 a month. The officer in Vienna got reports from the transient camp as to the extent of the accommodation available from day to day and, having regard to those reports and the way in which Jews were accumulating in Vienna, he authorized the dispatch of a certain number to the American zone and provided the group with a pass which would take them through to Salzburg. This showed quite a different practice from that adopted in the British zone, where efforts were made to prevent unauthorized migration. We pointed this out, and we have now been advised that the practice in the American zone has been changed and that it now accords with that followed in the British zone. This, we believe, is all to the good. Though on occasions Jews still arrive in Vienna in substantial numbers by train, their onward movement is no longer being facilitated. These migrants now receive the same ration as the ordinary Austrian civilian, 1,200 calories a day instead of the former ration of 2,300 to 2,400 a day when they were treated as "persecuted persons" In addition, however, they continue to receive parcels of food from the American Jewish Joint Distribution Committee, which amounts at present to about 400 calories a day.
12. When there was constant movement, it was obviously easier for the military authorities to transport the migrants in groups on trains and trucks from Vienna, since failure to supply transport would not have stopped their progress to the American zone of Germany. The new policy, however, seems to be right in reducing the pressure upon certain areas and in deterring Jews, unless there is compelling reason to the contrary, from complicating the solution of the problem by irregular movement.

POLAND

13. With a pre-war Jewish population of just under 10 per cent of the total,¹³ the Jews constituted 27.3 per cent of the inhabitants of the cities and towns and only 3.2 per cent of the rural population. When Poland was partitioned in 1939, it is estimated that the territory occupied by the Germans was inhabited by 2,042,600 Jews, while that which came under Soviet rule contained 1,309,000.
14. We received conflicting information as to the extent of active anti-Semitism in Poland before the war. There is no doubt that it existed and was accompanied by economic discrimination against the Jews. A document supplied to us by a Jewish organization, however, states that before the war "Polish workers and most of the peasants generally refused to play the anti-Semitic game and the

¹³ 1931 census total population 31,915,000- Jews by religion 3,113,000 (9.8 per cent). 1939 official estimate total population 35,339,000; Jews by religion, 3,351,000 (9.7 per cent).

workers in particular often defended the Jews against their assailants." The development of nationalization, state enterprise and cooperative societies in Poland before the war not only led to the narrowing of what had been the normal field for Jewish activity, but, owing to racial feeling and competition for a living, led also to the gradual elimination of Jews from the industries taken over. This in pre-war Poland resulted in an overcrowding of the professions and other occupations still open to private enterprise in which the majority of Jews had been employed.

15. We received a number of accounts of Polish participation in the German campaign of extermination of the Jews. Intense German propaganda was directed to inflaming the Poles against them and it would indeed be remarkable if it had been entirely without effect on some individuals. In view, however, of the strong opposition of the Poles to anything emanating from the Germans, we doubt whether the propaganda did much more than keep existing anti-Semitism alive.

Except for the closing sentence, we think the position during the war is stated with fair accuracy in the following quotation from the document referred to above: "In the defense of Warsaw and other cities the Jews participated and fought side by side with the Poles and a better understanding between the two peoples seems to have been evolved during the Polish campaign. However, it was reported that when the Germans first occupied the country some Polish anti-Semitic groups collaborated with the Nazis in their anti-Jewish policies. This was limited to relatively small groups of young people ... The majority of the Polish people refused to collaborate with the Nazis on any score including that of anti-Semitism ...

When the Jews, facing a desperate situation, decided to resist the complete destruction of the ghettos with arms, the Polish Underground Movement provided them with weapons. Thousands of Jews according to reliable reports have succeeded in escaping the ghettos and have fled to the small towns and villages. The peasants are reported to have hidden them from the German executioners and a general feeling of solidarity with the Jews is prevailing throughout the country". The penalty for harboring a Jew was that all the inmates in the house in which he was found were shot.

16. It is impossible to secure accurate statistics in Poland today but it is estimated that only 80,000 of the former Jewish population of 3,351,000 are now there. In our view, based on information obtained from a number of widely different sources, the vast majority of this number now want to leave Poland, and will, if they can.
17. Their reasons for leaving are many and cogent. In our view it is not correct to say that at the present time "a general feeling of solidarity with the Jews prevails throughout the country." The contrary appears to be the case. Indeed, there seems to be a very considerable measure of hostility: among the population towards the Jews. In a country ravaged by war, perhaps more so than any other, with its economy disrupted, the Jews and Poles are competitors for a meager livelihood. The laws -give Jews the right to claim property that once belonged to them or deceased relatives, but the exercise of that right against the Polish possessor is in itself a cause of hostility. Indeed, stories were told of Jews being deterred from claiming what was lawfully theirs by threats to their personal safety.
18. Throughout the country there is a high degree of lawlessness. We are satisfied that the Government is doing what it can by the passage of legislation to destroy anti-Semitism but, until the rule of law is restored, the enforcement of its mandates must be both spasmodic and ineffective. We have referred to the-narrowing effect in pre-war Poland of nationalization and state enterprise on Jewish economy and there is a danger that the present regime, while preventing anti-Semitism so far as it can, may by its policy in other fields restrict the area of Jewish activity. There are many Signs of inflation, few of expanding private business. Jews occupy prominent positions in the Government and a number are employed in the civil service and police. This of itself appears to be a cause of hostility towards the Jews, since responsibility for unpopular actions of the Government is attributed to them.
19. In addition there was the elimination by the Germans of the whole foundation of Jewish life and culture, confiscation of their funds and property, the destruction of their synagogues and the obliteration of their cemeteries. For Polish Jews there are so many reminders of their suffering and of the death of their relatives, that to start again in Poland must indeed be a most formidable task. In the small village of Lowicz there were formerly about 3,000 Jews. Now there are only 20. This village is no doubt typical of countless other villages and cities throughout Europe. Such a Situation cannot fail to be disheartening and distressing to a returning Jew, often the sole survivor

of his family. The desire must be intensely strong to pick up the threads of life again elsewhere—where opportunities appear more favorable, where he will not be surrounded by a population inclined to resent his presence, and where he will not be perpetually reminded of past events.

20. Before the war Zionism in Poland was strong and a large number of Polish Jews migrated to Palestine.¹⁴ Political Zionism with its demand for the creation of a Jewish State is strong among the Jewish survivors. Accounts of life in Palestine given before the war are remembered and rendered doubly attractive by contrast with the ordeals they have endured. These accounts are repeated now and play their part in inducing the Jews to set out on the road to Germany which is believed to lead to Palestine. Many Jewish organizations are now operating in Poland and a Jew who is homeless will normally make contact with them. If he wishes to leave Poland he will in all likelihood be advised to express his preference for Palestine. In association with others it becomes a fervent wish fervently expressed. But without propaganda or personal influence, there are, as we have indicated, sufficient reasons for Jews to wish to leave Poland and go to a country where they can be assured of sympathy and help.
21. In addition to the Polish Jews now in Poland, those Poles and Polish Jews now in the U. S. S. R. can, under an agreement entered into between the two Governments "withdraw from Soviet citizenship" and return to Poland. Some have already arrived and responsible officials declare that a further 800,000, including about 150,000 Jews, are expected to come. It appears to be the general view that the majority of the Jews returning will not wish to remain in Poland. Some however, may settle in the lands taken over from Germany, and we gathered that this would be welcomed by the Polish Government, although it is stated that no obstacle is placed in the path of Jews who wish to leave.
22. In view of this information and the possible departure of the majority of the 80,000 referred to in paragraph 16, up to 200,000 Jews may wish to leave the country and Poland consequently must be regarded as one of the chief possible sources of mass migration. Movement across the "green border", that is to say, through the woods and forests on the frontier in the southwest, is facilitated by the terrain and by the inadequacy of frontier controls in territory only lately brought under Polish administration.
23. UNRRA is operating in Poland and we believe that if it were allowed to provide reception centers, especially to assist those returning from the U. S. S. R., mood suffering would be prevented and perhaps a stabilizing influence introduced.
24. In what was inevitably a fleeting visit, some of us saw part of the work which the International Red Cross in Warsaw is doing to trace the fate or whereabouts of Poles and to supply information to inquirers at home or abroad, meager as it may often be. There is no special section for Jews but the work is largely concerned with them. We feel that this merciful work is greatly handicapped by the inadequacy of premises, equipment and staff. The Central Jewish Committee has a similar office.
25. The existence of an organization deliberately facilitating emigration was not established, but it seems probable that a kind of "grape vine" or underground system has come into existence whereby the emigrating Jew is passed on from hand to hand on the way out. We felt great concern lest this migration increase into an uncontrollable flood, leading to much suffering and chaos in the countries of passage, but information obtained since our visit indicates that there has been at least a temporary reduction in the flow. The two main routes that were followed at the time of our visit, both ending in the American zone of Germany, were through Berlin and through Vienna, Linz and Salzburg.

FRANCE

26. Before the war France had a Jewish population of about 320,000. It is estimated that there are now about 180,000. Although about 80,000 of these are not French nationals, the overwhelming majority are permanent residents now coming within the refugee or displaced persons categories. In February, some 40,000 Jews were in need of varying forms of relief largely supplied by the

¹⁴ From 1922 to 1929, some 46 per cent of Jewish immigrants to Palestine were from Poland. After 1933, this percentage declined due to the increased immigration from Germany caused by Nazi persecution. During the four years 1936 through 1939 German and Austrian immigrants, representing only a negligible percentage for the earlier period, increased from 30 to 57 per cent of the total. The proportion of Polish to total Jewish immigrants declined from 41 to 11 per cent.

American Jewish Joint Distribution Committee. The French Government provides some assistance for the 5,000 who have returned out of the 120,000 deported. Another problem is presented by the substantial number of orphaned Jewish children who are now being cared for in most instances by private agencies. It is understood that there are some 20,000 recent refugees to whom France may be unable to extend the right of permanent residence. At present, this group is handicapped by difficulty in securing permits to work or travel.

CZECHOSLOVAKIA

27. Through Czechoslovakia must pass the other main stream of Jewish migrants on their way to Vienna. Before Munich, the Jewish population of Czechoslovakia totalled some 360,000. By September 1939, mainly as a result of emigration, the Jews within pre-Munich boundaries numbered but 315,000; about 80,000 in Bohemia, Moravia, and Silesia; approximately 135,000 in Slovakia, and around 100,000 in the Carpatho-Ukraine.

BOHEMIA, MORAVIA AND SILESIA

28. From the Czech provinces perhaps an additional 10,000 succeeded in emigrating after the outbreak of the war, thus escaping the fate of many thousands of their relatives, friends and neighbors left behind. About 68,000 entered concentration camps; only about 3,000 survived. About 10,000 Czech Jews have returned; 2,500 or so from the countries in which they found temporary refuge, many of them as soldiers in the Czechoslovak armies. There are also 6,000-8,000 Jews from the Sub-Carpathian Ukraine who regard themselves as Czechoslovak citizens, so that there are roughly 16,000 registered Jews in Bohemia, Moravia and Silesia. It is estimated that in addition there are probably 3,000-4,000 unregistered Jews. Following the liberation of the country, all anti-Jewish laws and decrees were voided. All compulsory transfers of Jewish property were declared null and void under a Presidential Decree of May 1945, but the process of restitution is still in its initial stages. Economic rehabilitation is thus not yet accomplished. Nevertheless, the Council of Jewish Communities were confident that in due course Jews would take their place in the life of the Republic, and that as intelligent and diligent people they would be a useful and valuable element in the community.

SLOVAKIA

29. Of the 135,000 Slovakian Jews, some 40,000 had already been lost to Hungary under the Vienna Arbitration in 1938. The usual rigid anti-Jewish measures were introduced during the war. Five thousand more Jews managed to leave the country and of the remaining 90,000, 72,000 were deported; a further 10,000 escaped to Hungary and 8,000 went into hiding or fought as partisans, of whom 3,000 were killed. Eight thousand returned from deportation, 10,000 from territories restored by Hungary and 7,000 from countries where they had served as soldiers or in other capacities so that with the 5,000 survivors of partisan activity and those emerging from their hiding places, there are now only 30,000 left of the original 135,000. Of this 30,000, only 24,000 now profess the Jewish faith. The balance, in the belief that it might save their lives, accepted conversion. It is thought that most of them will revert to Judaism.
30. As a result of six years of Nazi education and propaganda and partly on account of fear of having to restore to Jews property on which their livelihood may now depend, anti-Semitism and hostility to Jews is evident. The policy of the State in facilitating cooperative enterprises renders it difficult for Jews, no less than others, who were in retail business to gain a footing. The granting of business licenses is often subject to conditions as to knowledge of languages and possession of capital which the Jews cannot meet.
31. There are many, particularly in Slovakia, who wish to emigrate. Zionism was always strong there and it is estimated that at the present time 60 per cent of the Jews wish to leave. This number is likely to diminish if and when the restitution of property enables them to become established. In the Czech provinces several hundred young Jews organized in the "Hechalutz", which is a Zionist organization for training young persons for life in Palestine, are determined to go there. There are 230-300 orphans whose relatives abroad desire to take care of them. In Czechoslovakia, the majority of the survivors have during the Nazi persecution lost all their near relatives.

32. The Government and leaders of intellectual movements are repudiating fiercely the ideology of anti-Semitism as incompatible with the principles of a civilized nation. In consequence, anti-Semitism is likely to diminish, and if this is accompanied by restitution of property, we think that a considerable number, including many who now profess a desire to migrate, will decide to remain in the country in which they were so deeply rooted.

Rumania, Hungary, Bulgaria and Yugoslavia

RUMANIA

33. We have been obliged to base our report with regard to these countries solely on documents and on such evidence as we were able to obtain from outside their borders. 3
34. In 1939, Rumania had a Jewish population of around 850,000. We were told that today, within the country's present borders, there are 335,000 the largest Jewish community in any European country. During the war all the German racial laws were put into effect. Many thousand of Jews were killed and most of those who survived were forced to do slave labor. Few retained any of their possessions. Their re-establishment in the economic life of the country presents great difficulties. For example, throughout the war Jewish youth received no technical instruction, and the attitude of the non-Jewish population is unfriendly.
- In November, 1945, 50 per cent of Rumanian Jews were unable to make a living and were receiving assistance from the American Jewish Joint Distribution Committee.
- The Government, we understand, sympathizes with the Jews and has passed laws providing for the restitution of their properties and rights, but their enforcement meets with similar difficulties to those met elsewhere. The dispossession of the present occupants from what they have begun to regard as their own homes and from the businesses on which they now depend for their livelihood encounters inevitable resistance. Enforcement of the laws which has commenced is in itself a cause of hostility towards Jews and, as in Poland, the presence of Jews in the Government and in the police creates a certain amount of hostile feeling against the Jewish community.
35. It is impossible for us to form any reliable estimate from the information we have received of the number of Jews who wish or will be impelled to leave Rumania but there are indications that many wish to do so. In the Regat, less affected by deportations, a larger proportion will doubtless wish to stay. Indeed, we have heard that from the country as a whole, some 150,000 have already made formal application for Palestine certificates.

HUNGARY

36. In the territory that is Hungary today there were in 1939 about 400,000 Jews. This was a country whose people suffered severely from deportations. It is estimated that there are now about 200,000 Jews of whom 90 per cent live in Budapest.
- While some Jews occupy Government positions and some we are told are profiting on inflation and the black market, the lot of the vast majority is shown by the following figures: in 1945, 77 per cent of all the Jews in Budapest were in receipt of clothing relief from Jewish organizations; 46 per cent received food; 66 per cent money; and 14 per cent help towards payment of rent. There is no legal discrimination against them, but owing to the failure to implement Government decrees, many Jews who lost everything have received little by-way of restitution.
- Our information is that there has been a sharp rise in anti-Semitism. Propaganda in this direction has been carried on for 25 years and is still continuing. Efforts to recover property have the usual repercussions. Participation by Jews in the Government and their membership in the secret police cause the same reaction as in Poland.
37. All these factors and the deterioration of the country's economy have led to the conclusion that only the thoroughly assimilated, the older people and the Jewish Communists and Socialists will wish to remain, that is to say, 30,000-40,000 or less than 25 per cent of the Jewish population.
38. As in Poland, the chief desire seems to be to get out. The United States appears to be the first choice for immigration, but as it is appreciated that under the existing laws large-scale immigration there is impossible, between 50,000 and 60,000 Jews have expressed a wish to go to Palestine. They feel that better opportunities exist for immigration from military zones and conse-

quently many hundreds of Hungarian Jews are still outside of Hungary and many are making their way into the American occupied zones of Germany and Austria.

39. We received evidence that both in Rumania and Hungary Zionist organizations are active, and that the movement westwards is well directed by those who received first rate training in illegal activities during the war. Their organizations have been kept intact and now form part of the Hungarian and Rumanian Central Jewish Committees. On these Committees the Zionists appear to have the controlling influence and non-Zionist bodies now seem to accept the necessity of large scale emigration while doing what they can to improve conditions for those Jews who wish to remain. Funds for relief are supplied by the American Jewish Joint Distribution Committee. They are paid to the Jewish Central Committees in each country, and as the American Jewish Joint Distribution Committee cannot place any representatives east of Vienna, there is little, if any, control over their expenditure.

BULGARIA

40. In Bulgaria, compared with other countries, the number of Jews who died as a result of Nazi persecution was small. There are now some 45,000 Jews in the country as compared with 50,000 in 1939. They were subjected to the whole range of discriminatory legislation, confiscation and forced sales of property and compulsory labor service. Again, though such legislation has been repealed, the position of Jews compares badly with that of other citizens and the machinery for securing restitution of property is cumbersome and slow.

There is, it appears, no anti-Semitism in Bulgaria, but in common with those who do not like the present regime, all non-Communist Jews desire to leave the country. The majority, apart from those benefiting from support of the Government, are impoverished and embittered. They desire to emigrate to any country where there is a possibility of a fresh start. Twelve thousand of them have registered for emigration to Palestine, but on our present information it appears doubtful whether they will be afforded facilities for leaving.

YUGOSLAVIA

41. Of approximately 75,000 Jews in Yugoslavia before the war, it is estimated that about 11,000 remain. Their economic condition does not, it is believed, differ from that of the other inhabitants of the country and their attitude towards emigration appears to depend on their political outlook and not on fears of anti-Semitism of which no evidence exists. It is thought that about 2,750 Jews wish to emigrate to Palestine and 550 or so to other countries, chiefly to the United States.

ITALY

42. The present Jewish population appears to be in the region of 46,000, of whom 30,000 are native Jews with regard to whom no special problem arises. There are some 6,500 non-Italian Jews in the four principal centers in the south of Italy under the administration of UNRRA, and in other parts there are further centers containing about; 5,500. An additional 4,000 non-Italian Jews are said to be existing precariously in various cities.

The center at Santa Maria di Bagni consists of the whole village set aside for the purpose by the Italian authorities. Once a summer seaside resort, the villas occupied by 2,000 non-Italian Jews are not unattractive, though badly lacking in furniture. The reception given to our Sub-committee there was similar to that at many other centers in Germany and elsewhere visited by our members. Six hundred to seven hundred of the community marched in military fashion carrying banners. A cohort of small children marching in pairs carried a banner with the slogan "Down with the White Paper." Clearly the demonstration was not spontaneous, but carefully organized.

One group of young men, who it was said represented the more turbulent section of the community, carried a banner to the effect that the Committee WAS "an insult to the Jewish nation". Usually at other centers the banners demanded free immigration into Palestine, a Jewish State. "The end of the White Book". (sic)

The Sub-committee also visited another settlement on the coast in pleasant surroundings, Santa Maria di Leuca, containing nearly 2,000 non-Italian Jews, the majority of whom, as at the other camp to which reference has been made, were young people. The night was spent there and the next morning it was found that seven tires of the Committee's cars had been cut. Such unfortunate

incidents are mentioned merely as evidence of the intense feeling against remaining in centers even in attractive surroundings and of the almost fanatical love for Palestine.

43. The Italian Government and people are friendly to these non-Italian Jews. But Italy in her present economic condition cannot assimilate them even if they wished to remain within her borders. There is no desire on the part of Italian Jews to emigrate.
44. We have referred to these people as non-Italian Jews for it is impossible to classify them as displaced persons and migrants. The majority of them have made their way over the frontier into Italy and regard the country only as a point of departure for Palestine.

GREECE

45. In Greece there are some 10,000 Jews-survivors of a prewar population of 75,000. Of the largest community of 56,000 at Salonika, only some 2,000 survive. During the Nazi occupation, the great majority of Jews were deported, a few remained in hiding. The survivors are now scattered over the country. The largest communities are in Athens and Salonika.
Fundamentally, there is no anti-Semitism. Practically all Jewish property was confiscated, however, and though legislation directed to restitution has been enacted, the process will inevitably be difficult and may complicate relations between Jews and the surrounding population.
There are acute economic difficulties. About half of the Jewish population is in receipt of assistance. A lack of balance in the small communities, where the majority of the survivors are men, adversely affects the prospects of family life. The estimated number of potential emigrants ranges up to 50 per cent, depending upon the estimator. Much will depend on the progress of economic recovery.

BELGIUM

46. The pre-war Jewish population was 90,000. It is now 33,000, of whom 6,000 are German and Austrian refugees and 2,000 are recent immigrants. The authorities are helpful to the Jews and the status of the German and Austrian refugees has been legalized. There is no tendency to large-scale emigration.

NETHERLANDS

47. The pre-war Jewish population, including refugees, was approximately 150,000. There are now some 30,000, including 6,000 refugees of German, Austrian and other nationalities. Although granted temporary asylum, these refugees have not yet been given rights of permanent residence. The attitude of the Dutch Government is helpful to the Jews and there is no evidence of any strong desire to emigrate.

SWITZERLAND

48. In Switzerland, a country which provided asylum for some 35,000 Jews, mostly from France and Italy, there are now about 10,500 Jewish refugees, 24,500 or so having returned to their country of origin or residence. The policy of Switzerland has been to afford temporary refuge and to allow transit. In addition, it is indicated that some 4,000 of these refugees may remain if funds are provided for their support, but that it cannot absorb the others.

APPENDIX III - Estimated Jewish Population of Europe

TABLE A

Country	1939		1946		
	Total	Total	Native	Refugee & displaced	Nationality of refugee & displaced
Albania	200	300	50	250	Mainly Austrian and Yugoslav
Austria	a 60, 000	15, 000	7, 000	8, 000	73% Polish; 11% Hungarian; 6% Czech and 6% Rumanian
Belgium	90,000	33,000	25,000	8,000	Mainly German, Austrian & Polish
Bulgaria	50,000	45,000	46,000	-----	-----
Czechoslovakia	b 315,000	c 65, 000	c 60, 000	6, 600	Mainly Polish; some Hungarian
Denmark	7,000	5,500	5,500	-----	-----

Finland	2,000	1,800	1,800	-----	-----
France	320,000	180,000	150,000	20,000	Mainly German, Austrian & Polish
Germany	d 215,000	94,000	20,000	74,000	85% Polish; 5% Hungarian; 4% Lithuanian, 3% Rumanian
Greece	75,000	10,000	10,000	-----	-----
Holland	150,000	30,000	24,000	6,000	Over 80% German & Austrian
Hungary	e 400,000	f 200,000	f 200,000	-----	-----
Italy	50,000	46,000	30,000	16,000	75% Polish; 7% Rumanian; 5% Czech; 5% Hungarian
Luxemburg	3,500	500	500	-----	-----
Norway	2,000	1,000	750	250	Mostly German
Poland	3,351,000	g 80,000	g 80,000	-----	-----
Rumania	h 850,000	i 335,000	j 320,000	15,000	Mainly Polish
Yugoslavia	75,000	11,000	11,000	-----	-----
Total (Table A)	6,015,700	1,153,106	1,000,600	152,000	-----

TABLE B

Country	1939	1946			
	Total	Total	Native	Refugee & displaced	Nationality of refugee & displaced
United Kingdom	340,000	350,000	300,000	50,000	90% German & Austrian
Portugal	3,600	4,000	3,600	600	Various nationalities
Soviet Union	13,560,000	2,665,000	2,600,000	165,000	150,000 Polish; 15,000 Hungarian
Spain	4,500	4,600	4,000	600	Various nationalities
Sweden	7,600	19,500	7,600	12,000	Mainly Polish, German & Austrian
Switzerland	26,000	28,600	18,000	10,500	Mainly Polish, German & Austrian
Total (Table B)	3,930,600	3,071,600	2,833,000	238,500	-----
Total (Table A)	6,015,700	1,153,100	1,000,600	152,500	-----
-----	-----	-----	-----	-----	-----
Total for Europe	9,946,200	4,224,600	3,833,600	391,000	-----

*The figures in this column include refugee as well as native Jews.

a In 1937, the Jewish population of Austria was approximately 192,000. By the outbreak of the war, the emigration of over 100,000, together with persecution and deportations had reduced the number to some 60,000.

b The figure refers to the Jewish population within pre-Munich boundaries, when the Jews of Czechoslovakia numbered about 360,000. By September 1939, due mainly to emigration, the number had fallen to approximately 315,000.

c Does not include such Jewish survivors as have remained in the Carpatho-Ukraine, the territory now in the Soviet Union.

d According to the census of June 1933 the Jewish population of Germany totaled 499,682. By September 1939 the emigration of something over 200,000, Persecution and natural population decline had reduced the number to around 215,000.

e The figure refers to the Jewish population within pre-Munich boundaries.

f These figures do not include an estimated 15,000 prisoners of war now in the Soviet Union who are expected ultimately to be repatriated.

g These figures do not include an estimated 150,000 Polish Jews in the Soviet Union, to whom the option of repatriation has been made available.

h Inclusive of the Jewish population of Bessarabia and Bukovina, which are now in the Soviet Union.

i Does not include an estimated 40-45,000 survivors of Bessarabia and Bukovina. The pre-war Jewish population within present Rumanian boundaries was approximately 520,000. Included in the 1916 figure of 335,000 are 40,000 formerly residing in the two ceded provinces.

j Includes the 1939 Jewish population of Estonia, Latvia and Lithuania, estimated at about 250,000.

APPENDIX IV- PALESTINE: HISTORICAL BACKGROUND

The First World War

Before the First World War the area today identified as Palestine had no separate existence as a single administrative unit within the Turkish Empire. Its population consisted of some 689,000 persons, of whom about 85,000 were Jews. The remainder were an Arabic speaking people, racially mixed but linguistically and culturally akin to the peoples of Syria, Mesopotamia, the Arabian peninsula and Egypt. The great majority of the Palestinian Arabs were Moslems, somewhat less than ten per cent being Christian. The economy of the land was overwhelmingly agricultural and the standard of living was low.

During the course of the First World War, which brought a British military occupation of Palestine, various commitments relating directly or indirectly to that area were made by the British and the other Allied and Associated Governments. The Hussein-McMahon letters of 1915-1916 promised British assistance to the Arab peoples in freeing themselves from the Turks and in establishing their independence. The limitations and restrictions placed upon this promise have always been held by the British Government to have excluded the area of Palestine. The Arab leaders, however, have insisted that Arab independence was promised there as elsewhere.

In 1917 the British Government issued the Balfour Declaration, stating that it viewed with favor the establishment in Palestine of a national home for the Jewish people and would endeavor to facilitate the achievement of this object, although nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine. The French and Italian Governments endorsed the Declaration in 1918, and a Joint Resolution of Congress in 1922 gave formal United States sanction to the ideal of the Jewish national home. This "National Home" was new to international law and subject to varied interpretations. It appears certain that no one in 1917 contemplated the immediate creation of a Jewish State to rule over the large Arab majority in Palestine. But many responsible persons in the British and United States Governments and among the Jewish people believed that a considerable Jewish majority might develop in Palestine in the course of time, and that a Jewish State might thus be the ultimate outcome of the Balfour Declaration.

These wartime commitments complicated the future of Palestine. Arab leaders could insist that they possessed a promise of an independent Arab Palestine as an additional support to their claims on the land based upon prescription and national self-determination. The Jews could claim an international pledge to assist in the creation of a Jewish National Home in Palestine.

The Palestine Mandate

As a part of the peace settlement at the end of the First World War, Palestine was placed under a League of Nations Mandate with Great Britain as the administering Power. The mandatory instrument approved by the Council of the League of Nations in July, 1922, and becoming effective in September, 1923, recited the Balfour Declaration and gave recognition to the historical connection of the Jews with Palestine and to their right to reconstitute their National Home in that country.

Legislative and administrative authority was given to the Mandatory which was enjoined to place the country under such political, administrative, and economic conditions as would secure the establishment of a Jewish National Home and the development of self-governing institutions, and was also enjoined to safeguard the civil and religious rights of all the inhabitants of Palestine, irrespective of race or religion. A Jewish agency was to be recognized as a public body to advise and cooperate with the Palestine Administration in matters affecting the National Home.

The Mandate, moreover, required Great Britain to facilitate Jewish immigration and to encourage close settlement on the land. Though extensive safeguards were provided for the non-Jewish peoples, the Mandate was framed primarily in the Jewish interest.

Even before the Palestine Mandate went into effect it had become evident that the Arab leaders in Palestine were not prepared readily to acquiesce in the creation of a Jewish National Home. Arab independence was their demand. Riots occurred in 1920 and 1921, and Arab unrest spread. An effort to define the term "National Home" in the hope of calming Arab fears and conciliating Arab opinion appeared to the British Government to be essential.

The Churchill White Paper of 1922, therefore, disclaimed the intention of creating a Jewish State in Palestine, defined the National Home in terms of a culturally autonomous Jewish community, and looked forward to the ultimate creation of a bi-national but unitary Palestinian State in which Jews and Arabs might cooperate. It agreed that Jewish immigration must continue, but established the concept of the economic absorptive capacity of the country as a limiting factor. This statement of policy was accepted, though without enthusiasm, by the Jews but was rejected by the Arabs. Arab refusal to cooperate resulted in the abandonment of a plan to introduce an elective element into the central government. The first of the major attempts to settle the Palestine problem thus failed. Arab-Jewish cooperation was not obtained.

The Disturbances of 1929 and the 1930 White Paper

The years between 1923 and 1926 were ones of relative peace in Palestine. The Government was organized largely on the Crown Colony model, with the responsible posts in the hands of British officials. Under the terms of the Religious Communities Ordinance, the Jewish community established an organization with many of the attributes of a semi-autonomous government, but the Arabs, intent on independence, rejected such a status for themselves.

The population, which in 1922 stood at 757,000 persons, of whom slightly more than 11 per cent were Jews, increased by 1929 to 960,000, of whom more than 16 per cent were Jews. This increase in the Jewish percentage appeared highly alarming to the Arab leaders.

In 1929 Arab dissatisfaction with the Mandate and the modified Jewish National Home of the White Paper showed itself in serious riots. A new statement of policy appeared necessary to the Shaw Commission which investigated the disturbances, and in October, 1930, the Passfield White Paper was issued. It reiterated the cultural nature of the National Home as defined in the Churchill Paper of 1922, and proposed further restrictions upon immigration and more stringent limitations upon the right of land purchase. It specifically espoused the theory of a bi-partite and equal obligation under the Mandate to the Jews and the Arabs and denied that the clauses designed to safeguard the rights of the non-Jewish communities were merely secondary conditions qualifying the provisions which called for the establishment of the National Home. It proposed the creation of a legislative council, modeled on the lines of that suggested in 1922. This statement was particularly unpalatable to the Jews, and the MacDonald letter of 1931, issued as an official interpretation of the policy, virtually explained away the intent to limit immigration and land sales. It also announced that the mandatory clauses protecting Arab rights were not to be construed as freezing existing conditions. Though the Jews were somewhat placated, the Arabs were correspondingly indignant, and the second major attempt to settle the Palestine issue failed.

The Arab Revolt and Partition

In the years from 1931 to 1936 the material progress of Palestine in agriculture and industry tended to reduce political unrest and tension. New proposals for a partially elected legislative council were presented by the Administration but were again rejected, this time by the Jews. Meanwhile, the population had grown to 1,366,000 persons, of whom almost 28 per cent were Jews.

Arab displeasure showed itself again in 1936 in a general strike in support of demands for self-government, the prohibition of land transfers to Jews, and the immediate cessation of Jewish immigration. The strike was marked by violence which again brought the Palestine problem sharply to the attention of the British Government. The Royal Commission which was established to investigate the situation denied the theory of equal obligations to Arabs and Jews, arguing that the Mandate had been predicated upon the supposition that the Palestine Arabs would accept the Jewish National Home. Since they had not done so, the Commission reached the conclusion that the Mandate had become unworkable and must be abrogated. It suggested Partition. A Jewish State would include Galilee, the Plain of Esdraelon and the coastal plain; an Arab State, most of the rest of Palestine and Trans-Jordan. Permanent mandates were proposed for the Jerusalem area and certain Christian Holy Places.

The Peel Report was published on 7th July, 1937. At the same time, the British Government released a statement of policy, agreeing with its conclusions and proposing to seek from the League of Nations authority to proceed with a plan of partition. The reception accorded the Peel proposals was, how-

ever, generally unfavorable. The Jewish Agency at once attacked partition as a breach of the Balfour Declaration which had promised a National Home in the whole of Palestine.

Later, however, both the Zionist Organization and the Jewish Agency adopted resolutions which authorized negotiations with the British Government to ascertain the precise terms to be advanced for the creation of a Jewish State, though they rejected the details of the Peel plan. The Arab leaders, both in the Husseini-controlled Arab Higher Committee and in the Nashashibi National Defense Party denounced partition and reiterated their demands for independence.

In Great Britain the House of Commons adopted a non-committal resolution, whereby the Cabinet was authorized to seek League of Nations approval of partition as a preliminary to the drafting of a definite plan for submission to Parliament. In its turn the Permanent Mandates Commission conceded that it would be desirable to examine a plan of partition but opposed the immediate grant of independence to the new States which, it held, would need a period of tutelage under mandate. Finally, the League of Nations Council, acting on 16th September, 1937, requested Great Britain to carry out a study of the status of Palestine, concentrating on a solution involving partition. In Palestine the brief period of peace which followed the publication of the Peel Report was succeeded by renewed Arab disturbances, culminating in the assassination of the Acting District Commissioner for Galilee. This new campaign of violence resulted in a more vigorous government policy.

On 30th September, 1937, regulations were issued allowing the Government to detain political deportees in any part of the British Empire, and authorizing the High Commissioner to outlaw associations whose objectives he regarded as contrary to public policy. Haj Amin el-Husseini was removed from the leadership of the Supreme Moslem Council and the General Waqf Committee, the local National Committees and the Arab Higher Committee were disbanded; five Arab leaders were deported to the Seychelles; and in fear of arrest Jamal el-Husseini fled to Syria and Haj Amin el-Husseini to Lebanon. In November, 1937, military courts were established for the trial of offenses connected with the carrying and discharge of firearms, sabotage and intimidation. Despite this, however, the Arab campaign of murder and sabotage continued and Arab gangs in the hills took on the appearance of organized guerrilla fighters.

In July, 1938, when the Palestine Government seemed to have largely lost control of the situation, the garrison was strengthened from Egypt, and in September it was further reinforced from England. The police were placed under the operational control of the army commander, and military officials superseded the civil authorities in the enforcement of order. In October the Old City of Jerusalem, which had become a rebel stronghold, was reoccupied by the troops. By the end of the year a semblance of order had been restored in the towns, but terrorism continued in rural areas until the outbreak of the Second World War.

The Woodhead Commission

Preparations for the appointment of the technical commission to examine the details of a partition scheme moved slowly. On 4th January, 1938, the terms of reference were published. They required the commission to recommend for the proposed Arab and Jewish areas boundaries that would afford a prospect of the eventual establishment of independent states and necessitate the inclusion of the smallest number of Arabs in the Jewish area and of Jews in the Arab area. The British Government stated that, if a scheme of partition which it regarded as equitable and practicable emerged from the work of the commission, it would be referred to the Council of the League of Nations for consideration.

The Woodhead Commission arrived in Palestine late in April and remained until early August. In November its report was published and revealed that no plan of partition could be evolved within the terms of reference which would, in the view of the members of the Commission, offer much hope of success. The Peel plan was rejected and two possible alternatives were considered. Plan B would have reduced the size of the Jewish State by the addition of Galilee to the permanently mandated area and of the southern part of the region south of Jaffa to the Arab State. Plan C would have limited the Jewish State to the coastal region between Zikhron Yaaqov and Rehovoth while northern Palestine, including the Plains of Esdraelon and Jezreel, and all the semi-arid region of southern Palestine would have been placed under separate mandate. Two members of the Commission favored Plan C, one favored Plan B. and one declared that no practicable scheme of partition could be devised.

The 1939 White Paper

The British Government accompanied the publication of the Woodhead Report by a statement of policy rejecting partition as impracticable in the light of the Commission's investigations, but suggesting that Arab-Jewish agreement might still be possible. An invitation was therefore extended to representatives of the Palestine Arabs, the neighboring Arab states and the Jewish Agency to confer with the British Government in London regarding future policy in Palestine.

It was stated, however, that if agreement could not be reached the Government would announce a policy of its own. The Arab delegates refused to meet with the representatives of the Jews. Conferences between the Government and the Jews on the one hand and the Government and the Arabs on the other were, however, conducted between 7th February and 17th March. The Government submitted to both sides proposals substantially the same as those contained in the White Paper issued after the failure of the conference, but did not succeed in getting agreement from either.

On 17th May, 1939, the British Government published a new statement of policy. The 1939 White Paper announced that the obligation to foster the creation of the National Home had been fulfilled, and that Palestine with its existing population was to be prepared for selfgovernment. The Government, stated the White Paper, regarded it as contrary to their obligations to the Arabs that the Arab population should be made subjects of a Jewish State against their will, and had as their objective to foster the creation of an independent state in which Jews and Arabs could share authority.

In development of these ideas, the White Paper announced a plan for constitutional progress which, it was hoped would permit the creation of such a state within ten years. During the first five years, Palestinians would replace British officials at the head of all Departments of Government; if public opinion was favorable, a legislative body would be created. At the end of this period an elected assembly would be convened to make recommendations concerning the constitution of the new state. If at the end of ten years, circumstances required a postponement of independence, the-British Government would consult with the people of Palestine, the Council of the League of Nations and the neighboring Arab states. The White Paper also announced that Jewish immigration could no longer be fostered in the face of continued Arab opposition, but declared that, in view of the fact that the economic life of Palestine was adjusted to the reception of large numbers of immigrants, and out of consideration for the plight of Jewish refugees from areas of persecution, the Government planned to admit to Palestine 75,000 persons during the succeeding five years, subject to the criterion of economic absorptive capacity. Finally, the Paper authorized the Government to place restrictions upon the purchase of land by Jews.

The Jews unanimously condemned the 1939 White Paper as a violation of the Mandate, which would place the Jews in a permanent minority status in a hostile Arab state. Jewish violence broke out in Palestine, and Jewish organizations throughout the world issued the most vigorous protests. The Arab leaders, too, rejected the White Paper at first on the ground that it denied them immediate independence. Soon, however, the Nashashibi faction agreed to cooperate with the Government in giving effect to its terms, and as time passed the majority of Arabs came to accept it as fulfilling, if properly implemented, their main demands.

Despite the hostile reception given the White Paper, and in face of vigorous attacks upon it in Parliament, the British Government succeeded in securing Parliamentary approval of their policy and presented it for consideration by the Permanent Mandates Commission. The Commission unanimously held that the White Paper was in conflict with the interpretation which the Mandatory Government, with the concurrence of the organs of the League, had put upon the mandate in the past. Four of the members felt that the policy was not in harmony with the terms of the Mandate, while the other three held that existing circumstances would justify the policy provided the Council of the League of Nations did not oppose it.

The Government thereupon prepared to lay its plans before the council in September, 1939, but the outbreak of the Second World War resulted in the suspension of League of Nations activities, and no final decision on Palestine policy was reached.

In Palestine, wartime conditions and Jewish and Arab rejection of its terms made it impossible fully to implement the White Paper. The constitutional changes suggested were never put into effect; instead, the Palestine Government continued to operate upon the Crown Colony pattern. Palestinians were not pro-

moted to head Departments of the Administration, in which the responsible officials like the members of the Executive and Advisory Councils remained wholly British, as did those on the district level.

Even in the local affairs, the advance of self-government has been extremely slow. There are provided for in Palestine today 24 elected municipal councils, 38 elected local councils and 24 more or less popularly chosen village councils, but the powers entrusted to these bodies are in most cases slight, and the most recent municipal elections took place in 1934. Demands for a greater voice in government come from both the Arab and the Jewish communities.

Unlike the constitutional provisions, the land transfer policy of the White Paper was speedily implemented. Land Transfers Regulations, published on 28th February, 1940, divided Palestine into three zones.

In Zone A, consisting of about 63 percent of the country including the stony hills, land transfers save to a Palestinian Arab were in general forbidden. In Zone B, consisting of about 32 percent of the country, transfers from a Palestinian Arab save to another Palestinian Arab were severely restricted at the discretion of the High Commissioner. In the remainder of Palestine, consisting of about five percent of the country-which, however, includes the most fertile areas- land sales remained unrestricted.

This legislation has been bitterly denounced by the Jews on the ground that it violates the Mandate both by ignoring the provisions for fostering close settlement on the land, and by establishing a form of "racial" discrimination. The Arabs have, on political grounds, generally favored the regulations, and indeed have demanded a more rigid enforcement despite the fact that they have the economic effect of preventing the flow of Jewish capital into Arab lands for use in agricultural or industrial development.

The immigration provisions of the White Paper were also in general put into effect. Powers were given the High Commissioner to set a limit upon the total immigration into Palestine and quotas were established on a basis which it was expected would permit the entry by 1944 of the 75,000 persons eligible as immigrants under the White Paper. Further immigration beyond 1944 was to be dependent upon Arab agreement.

Illegal Immigration

Many Jews, fleeing from anti-Semitism in Central and Eastern Europe, and finding the gates of Palestine closed, sought entry into the Holy Land by surreptitious means. Illegal immigration grew to unprecedented proportions. To meet this threat the Palestine Government continued its standing procedure of reducing the immigration quotas by the number of illegal entrants either apprehended or estimated to have entered the country. This, however, appeared a scarcely adequate method of coping with the problem, and in 1940 drastic efforts were made to halt further unlawful entry. The policy of reducing the immigration quotas was augmented by a threat to deport to some British colony and to intern there for the duration of the war any persons entering Palestine without proper qualifications. The attempt to implement this policy resulted in the Patraza disaster. In November, 1940, a vessel loaded with deportees was scuttled in Haifa Harbor by Jewish sympathizers, with loss of life to 252 persons. Some 1,350 illegal immigrants were, nevertheless, sent to Mauritius in December, 1940.

As the war engulfed Europe, the opportunities for movements of people, whether legal immigrants or not, became less, and in the autumn of 1943 it was found that only some 44,000 of the 75,000 persons provided for in the White Paper had reached Palestine. The British Government, therefore, announced on 10th November that the time limit of the White Paper would not be enforced but that, subject to economic absorptive capacity, an additional 31,000 Jews would be permitted to enter Palestine. Restricted legal immigration, therefore, continued on this basis until the end of 1945. Since then immigration has been maintained at the rate of 1,500 persons a month, pending the report of the Anglo-American Committee of Inquiry.

With the end of the war in Europe a revival of illegal immigration occurred as the displaced Jews of Europe sought refuge in the National Home. Even as the Committee was preparing to leave the Middle East, two boatloads of illegal immigrants were apprehended off the coast of Palestine. Attempts of the authorities to apprehend illegal immigrants have met the most determined resistance both from individual Jews and from secret Jewish organizations.

Jewish War Effort

With the outbreak of the Second World War, the Jewish Agency and the Jewish community in Palestine offered their support to the war effort, and agreed to lay aside their differences with the Mandatory. Even the Zionist extremists, the Revisionists, gave up for a time the campaign of violence with which they had greeted the 1939 White Paper. The Jewish Agency offered its services in the recruitment of men for rec-

ognized Jewish units to serve in Palestine, and, when this offer was rejected, the Agency proceeded to organize the recruiting of Jews in response to the calls of the Army, Air Force and Navy, while at the same time maintaining its campaign to secure approval for the creation of a specifically Jewish military force, a campaign which was finally crowned with success in September, 1944, when a Jewish Brigade Group was established. According to official figures, Jewish recruitment in Palestine for all types of military service, both combatant and noncombatant, between 1939 and 1940 reached a total of 27,028.

The Arabs and the War

The Arab community in Palestine, though showing few signs of actual disaffection and offering slight response to Axis propaganda, showed itself largely indifferent to the outcome of the war. Out of a population twice as large as the Jewish, only 12,445 persons were recruited for military service, a figure less than half the Jewish total. The flight of the Mufti, Haj Amin el-Husseini, to Italy and Germany, and his active support of the Axis, did not lose for him his following, and he is probably the most popular Arab leader in Palestine today.

Conflict Between the Administration and the Jews - the Illegal Army

As the war proceeded, and the partial implementation of the White Paper policy progressed, Jewish resistance became more active. The diametric opposition between the objectives of the Zionists as expressed in the Biltmore Program and the policy of the Mandatory Administration under the White Paper, led to constantly increasing friction between the Jewish organizations in Palestine and the Government, and encouraged on the part of Jewish youth and extremists an ever more frequent resort to violence as a means both of protest and of sabotage.

Military preparedness for a possible recourse to arms in defense of the Jewish National Home became the concern of an increasing number of persons within the Jewish community.

Haganah, a development from the earlier Jewish defense organizations against Arab terrorism, has grown into a military organization of over 60,000 persons, fairly well-armed and disciplined, and controlling its own secret radio transmitter. Though it has in general exercised a policy of restraint and refrained from acts of terrorism, it was implicated in the Jewish violence at the end of 1945 directed against the Government's efforts to prevent illegal immigration. The Irgun Zvai Leumi, the secret military organization of the Revisionists, is a smaller, less well-armed, but more radical body which, since 1943, has engaged in an intermittent series of robberies and extortions to produce funds and of bombing attacks upon Government buildings, transport and police installations. The so-called Stern Group, a dissident faction, once part of the Irgun, is the smallest but the most extreme of the Jewish secret bodies. Refusing cooperation of any sort with the Mandatory' its members engaged throughout the war in a series of outrages culminating in the attempted assassination of the High Commissioner in August, 1944, and in the murder of Lord Moyne in Cairo on 6th November of that year.

Arab Political Developments

In 1945 the Arabs also began to consider the political future. Demands were made for the release of Jamal el-Husseini, who had been interned in Southern Rhodesia following his capture in 1941 while seeking to escape southwards from Teheran in the aftermath of the Rashid All revolt in Iraq. Abortive attempts were made to organize a center for united Arab political expression in Palestine. In the following year, the Arab leader selected a politically neutral representative, Musa Effendi el-Alami, to attend the conferences in Egypt which led to the formation of the Arab League.

Since the Arab League was composed of independent States, Palestine's position in relation to it was not easy to define. It was settled by means of an annex to the Arab League Covenant, declaring that "owing to the peculiar circumstances of Palestine and until that country enjoys effective independence, the Council of the League should undertake the selection of an Arab delegate from Palestine to participate in its work". In December, 1945, the states members of the League undertook to boycott the products of Jewish industry in Palestine. Another result of the formation of the League was the establishment of Arab Offices in Washington, London and Jerusalem to serve as centers for the dissemination of information concerning Arab interests and objectives.

Finally, in November, 1945, a new Arab Higher Committee, representing all the Arab parties of Palestine, was formed, in which after his release from Rhodesia and return to Palestine early in 1946, Jamal el-Husseini became the leader. A reorganization of this body under Jamal el-Husseini's guidance gave rise in late March, 1946, to charges of high-handed and dictatorial methods from some of the non-Husseini factions. Despite internal friction, however, the Arab leaders in Palestine are united behind a program demanding the fulfillment of the White Paper policy and the speedy granting of independence to an Arab-dominated Palestine.

Arabs as well as Jews possess arms, and signs have not been entirely lacking of a revival of Arab secret activities, similar to those which preceded the disturbances of 1936-39.

In the face of actual violence and threats of much more serious violence, possibly approaching the status of civil war, the Palestine Government resorted to drastic emergency legislation which permitted it to modify or suspend normal civil liberties. There can be no gainsaying that Palestine today is governed without the consent of Jews or Arabs by an Administration depending almost solely upon force for the maintenance of a precarious authority.

APPENDIX V - PALESTINE: PUBLIC SECURITY

The Present State of Public Security

In Palestine there is a police and prisons establishment of over 15,000 persons, exclusive of supernumerary police. These police are habitually armed and are conspicuous everywhere. Throughout the country there are over 60 substantially built police barracks, capable of being defended as forts in an emergency. There is a military force stationed in Palestine which is the equivalent of two and a half divisions, and in addition there are a number of Air Force units and also certain naval forces engaged in coastal patrol and other duties. In 1944-1945 over L.P. 4,600,000 was spent by the Palestine Government on law and order, as opposed to less than L.P. 5,600,000 on all other governmental services not directly attributable to Palestine's part in the waging of the Second World War.

The Government, in an effort to preserve order, has assumed extensive emergency powers under authority of the Palestine Defense Order-in-Council of 1937. Emergency regulations, going back under this and previous authorizations to 1936, have granted extraordinary powers to the Government and the military authorities and have severely restricted the liberty of the individual.

In 1936, when the Arab revolt was assuming serious proportions, the Government enacted regulations authorizing the seizure and use of buildings and road transport, the imposition of curfews, the censorship of the press, the deportation of undesirables, and unusual privileges of arrest and search. Detention camps were established for the effective supervision of political suspects. Drastic regulations were issued imposing collective fines as punishments upon areas where unidentified inhabitants had committed a crime.

In 1937, regulations were enacted allowing the Government to detain political deportees in any part of the British Empire and authorizing the High Commissioner to outlaw associations whose objectives he regarded as contrary to public policy. Military courts were established for the trial of offenses connected with sabotage and intimidation, and with the discharge of firearms at persons and the carrying of arms and explosives, both of which offenses were made punishable by death. In 1938 and 1939, 908 cases were tried by these military courts and 109 death sentences were confirmed.

Recently, in the face of Jewish threats to public security, the Government has again had extensive resort to emergency regulations, some of them already existent and some of them newly issued and revised in 1945 and 1946. Orders of detention may be issued against any citizen on the authority of an Area Commander, and these orders are not reviewable by any court of law. Late in December 1945, the number of Jews held in detention stood at 554.

The High Commissioner's power to deport detained persons was exercised in October 1944, to deport 251 Jews to Eritrea, and in December 1945, to send 55 additional Jews to the same destination. The regulations confer on the authorities wide powers of arrest and search without warrant. Searches may be made in the absence of the owner or occupier, provided the mukhtar of the area or two responsible citizens are present. Military courts possess considerable jurisdiction and can impose the death sen-

tence. The principle of group responsibility has been extended, and the authorities are empowered to impose collective fines as punitive measures. The regulations provide also for forfeiture of property by any person who, in the considered opinion of the High Commissioner, has committed or abetted the commission of certain specified offenses.

The Background of Violence

During the early years of the Mandatory regime in Palestine threats to public order came largely from the Arabs, protesting against Jewish immigration and the withholding of independence. More recently, Jewish opposition to the policies expressed in the White Paper of 1939 has been responsible for unrest and violence.

As early as 1920, Palestine Arab opposition to Zionism and desire for self-government led to a threat to public security. Propaganda for union with an independent Syria led in April of that year to three days of rioting in Jerusalem, in which Arab mobs fell upon Jews with sticks, stones and knives. The Arab Police either adopted a passive attitude or joined in the riots. British troops were called out, the police were disarmed and order was finally reestablished. As a result of these disturbances, five Jews and four Arabs were killed and 211 Jews and 21 Arabs were wounded.

The opening of Palestine to Jewish immigration late in 1930 contributed to a new outbreak of violence. On May Day, 1921, Arab mobs attacked Jewish residents of Jaffa and stormed the Zionist Immigration Center, killing 13 persons. Again the military forces had to be summoned to replace the unreliable Arab police. The disorders, however, spread. On the 3d May Hebrew colonies at Kafr Saba and Ain Hal were looted. On the 5th May the village of Petah Tiqvah was attacked by several thousand armed Arabs in semi-military formation, and was saved from destruction only by the arrival of several squadrons of cavalry. On the 6th May Arabs besieged Haderah and attempted an attack on Rehovoth. In these disorders 47 Jews were killed and 146 wounded, mostly by Arabs, and 48 Arabs were killed and 73 wounded, mostly by police and military action.

The period from 1921 to 1928 was in general one of peace in Palestine. Jewish immigration was relatively slight and the Arab nationalist movement was ill-organized and divided within itself. In 1928, however, a quarrel developed between Jews and Arabs over the Wailing Wall in Jerusalem, ground holy alike to Moslems and Jews, and inter-community tension increased as the months passed. Jewish immigration seemed likely to increase and the Zionist movement was being strengthened in Europe and America. Arab political activity revived. On the 15th August, 1929, a Jewish demonstration was held at the Wailing Wall, and on the following day the Arabs held a counter-demonstration. On the 17th August a young Jew was stabbed to death by an Arab into whose garden he had followed a lost football, and his funeral became the occasion for a serious anti-Arab demonstration.

On the 23d August Arabs armed with knives and clubs invaded the new city of Jerusalem and began a massacre of the Jews. On the following day more than 60 Jews were killed at Hebron, and in the succeeding days a number of Jewish colonies were attacked. The police had to open fire to prevent outrages in Nablus and Jaffa, and Arabs attacked the Jewish quarter in Safad, killing or wounding 45 persons. In all, 133 Jews were killed and 339 wounded, and six Jewish colonies were destroyed. There were 116 reported Arab deaths, many of them as a result of police and military activities.

The period between 1929 and 1936 was marked by periodic violence. In August 1930, there was a minor Arab outbreak at Nablus. The years 1930 and 1931 saw a series of terrorist murders of Jews. Agrarian crime was endemic and the Arabs attempted to take into their own hands the prevention of illegal Jewish immigration. In October 1931, Arab demonstrations and riots directed against the Government, as well as against the Jews, took place in Jerusalem, Jaffa, Haifa and Babes. In the course of these and related incidents, 24 civilians were killed and 204 wounded. In November 1935, an Arab armed gang was discovered and liquidated by police action.

The extended Arab disturbances of 1936-1939 in support of demands for the stoppage of Jewish immigration, the prohibition of land sales to the Jews, and the grant of independence were ushered in on the 15th April 1936, when a band of Arab highwaymen held up ten automobiles on the Tulkarm-Nablus road and robbed their passengers, killing two persons, who apparently were selected for death

because they were Jews. On the following night two Arabs were murdered near Petah Tiqvah. On the 17th April the funeral of one of the Jews led to an anti-Arab demonstration in Tel-Aviv, and two days later Arabs in Jaffa fell upon the Jewish population and killed three persons before the police, reinforced by troops, managed to disperse them. On the 21st April a general strike was called by the Arab leaders to protest against Jewish immigration and land transfers. Soon the Arabs refused to pay taxes and violence increased. The Arab Higher Committee intimated to the Government that its members could not use their influence to check what they regarded as a spontaneous expression of national feeling.

During May and June the Arab strike was made effective through persuasion and intimidation. Jaffa port was closed. There was destruction of Jewish property and sniping at Jewish settlements. Sporadic attacks were made on the railway lines; roads were barricaded and telephone wires were cut. Armed bands, reinforced from Syria and Iraq, appeared in the hills. In the following months these bands increased in strength and were organized under the leadership of Fawzi cd-Din el-Kauwakji. Sabotage and murder of Jews increased. The oil pipeline running to Haifa was repeatedly punctured. Roads were systematically mined and railway tracks were frequently damaged. Towards the middle of August a few acts of retaliation, committed by Jews against the advice of their responsible leaders, began to occur. In the following month extensive operations against the Arab gangs by an augmented military force were commenced, but when on the 11th October the strike was called off by the Arab Higher Committee, the British armed forces were not used to their full capacity. The rebels in the hills were in many cases permitted to disperse. No effective effort to disarm the Arab population was made. Sniping, sabotage and assaults continued.

After a lull, while the Royal Commission was in Palestine and during which the military garrison was reduced, public security again deteriorated. During the first five months of 1937 lawlessness was generally confined to the north and to the Jerusalem area, but on the 13th June of that year an unsuccessful attempt was made on the life of the Inspector General of Police and from that time a campaign of murder, intimidation and sabotage conducted by Arab lawbreakers became widespread and occasionally provoked retaliatory acts by Jews. On the 26th September, 1937, the Acting District Commissioner of the Galilee District and his police escort were murdered at Nazareth by Arabs. Despite a stronger Government policy, which involved the disbanding of the Arab Higher Committee, the arrest of some of its leaders and the institution of military courts, Arab gangs in the hills increased in size, and assassinations, especially of police personnel, Government officials and moderate Arabs in prominent positions increased, as did sabotage of the oil pipeline and telegraph communications.

During 1938 the Arab campaign of murder and sabotage gathered strength. Gang warfare in the hills was developed on organized lines and was accompanied by increased terrorism in the towns. The roads became unsafe and the economic life of the country was seriously disrupted. Arms and money were smuggled into Palestine from the neighboring Arab countries, and gangsters and assassins were recruited and equipped in Beirut and Damascus for use in Palestine. Any Arabs who refused assistance to the rebels were subjected to intimidation, abduction and murder. Throughout the first five months of the year the Jews engaged in few acts of retaliation against Arab outrages, but in late June conditions changed somewhat, following the conviction by a military court and execution of a Revisionist youth who had fired on an Arab bus and was apprehended in possession of bombs and revolvers. Angry demonstrations against the Government took place in Jerusalem and Tel-Aviv. On the 6th and 25th of July bomb explosions in the Arab fruit market at Haifa caused the death of 74 Arabs and the wounding of 129 others. There were other bomb outrages in Jerusalem and Jaffa, committed by Jewish extremists.

By July, 1938, the Arab gangs had become thoroughly organized. Rebel courts were set up, rebel stamps were issued, and the Old City of Jerusalem became a rallying point of bandits from which acts of violence, murder and intimidation were organized and perpetrated freely and with impunity. On the 24th August the Assistant District Commissioner at Jenin was murdered. In September, when the rebel power reached its climax, there was a large increase in abductions and a studied concentration on the destruction of Government buildings and property and on the seizure of armories in outlying police posts. On the 9th September, Beersheba was raided by a large gang, and later in the month police and Government buildings there were set on fire and destroyed. The Palestine garrison was reinforced in July and again in late September, and by the end of the year large-scale military operations had reduced the gangs to comparative impotence in the field. But terrorism and sabotage continued almost unabated.

During the first eight months of 1939 the Arab rebellion continued, but with gradually diminishing vigor. The large gangs broke up and dissension grew among the leaders. In March Abdul Rahim el-Haj Mohammed was killed in action, and the other principal leaders soon left Palestine. There remained, however, smaller groups- of outlaws who proceeded to rob and destroy life and property in the hill villages, while assassins remained active in the urban areas. Though inter-Arab terrorism and brigandage continued on-a considerable scale until the end of the year, the outbreak of the Second World War was marked by a decrease in crimes of a political nature.

During the Arab revolt, from the middle of 1936 to the end of 1939, there were 1,791 verified deaths and 3,288 cases of injury as a result of the disorders. In addition, it is conservatively estimated that some 2,000 Arab rebels were killed by police and military action.

There has not since 1939 been a recrudescence of Arab disorders. The military authorities stated to the Committee that through recent years the Arabs have been quiescent. Armed to some extent though not organized, they constitute, however, a potential threat to internal security. Recent political and other developments emphasize this danger. In November, 1945, a new Arab Higher Committee was formed, announcing that its purpose was "to assure responsibility for political and national affairs in the name of the Arab population of Palestine." In a wider field the Arab League came into being in March 1945. The Palestine Arabs now rely upon the League to represent their interest politically, and it may be assumed that, in the event of conflict, they would look to the neighboring Arab States for armed assistance. On the 24th March 1945, a large party of Jews hiking in the area west of the Dead Sea was attacked by armed Arabs, one Jew being killed and three wounded. During August and September 1945, there was a revival of Arab clubs and societies such as had played a prominent part in 1936-1938 in the furtherance of the Arab rebellion.

Since 1939, however, the immediate threats to public security have come from the Jews protesting against the policy which the Mandatory laid down in the White Paper of that year. In February, 1939, when rumors were current that the British Government intended to grant independence to an Arab-dominated Palestine, there were bomb outrages throughout the country in which 38 Arabs were killed and 44 wounded. The long-present problem of illegal Jewish immigration was also intensified. On the 17th May, simultaneously with the issue of the White Paper, transmission lines were cut, the headquarters of the Department of Migration was set on fire, and Government offices at Tel-Aviv were sacked. On the next day in Jerusalem shops were looted, the police were stoned and a British constable was killed. In the following week a campaign of attacks by Jews on Arabs and the Government was begun, and with a short lull during the second half of July this continued until the outbreak of the war. Time bombs, isolated murders, and sabotage of telephone services, the Palestine broadcasting station and police launches were the main features of this campaign. With the outbreak of the war, however, the Jews unanimously agreed to put aside their differences with the British policy. Jewish terrorist action ceased completely for a time and an illegal broadcasting station which had been operating for some months was closed down.

The publication of the Land Transfers Regulations late in February, 1940, evoked a general Jewish strike followed by a week of processions and disorderly demonstrations. In December, 1940, the Government immigration offices in Haifa were sabotaged by bombs in protest over the Patzra disaster and against the deportation to Mauritius of illegal immigrants. In July, 1942, the Stern group, an extremist band of Jews which had been engaged in terrorist activity since 1940, came into prominence with a series of robberies and murders in the Tel-Aviv area.

Following the Allied successes in North Africa in 1942, political considerations began to overshadow the war issue. In November of that year the Biltmore Programme was enunciated by the Zionists, and opposition to the immigration, land transfers, and constitutional policies of the Mandatory Power became more vocal. In a speech at Tel Hal on the 20th March, 1943, Mr. Ben Gurion, chairman of the Executive of the Jewish Agency, stated that the end of the war would not necessarily mean the end of fighting for the Jews, but might, on the contrary, be only the beginning of their fight.

During March, 1943, there was a notable increase in the number and magnitude of thefts of arms and explosives from military establishments, and shortly afterwards there was revealed the existence of a large-scale stealing racket with ramifications throughout the Middle East. Jewish feeling against action by the Government and the military authorities to stop this traffic was aroused by the trial in a

military court of two Jews who had taken part in the traffic. The "arms trial," as it came to be called, was preceded by the trial of two British military deserters who were sentenced each to fifteen years imprisonment for complicity in the thefts.

The two accused Jews were convicted at the end of September and sentenced to ten and seven years imprisonment respectively. In passing sentence the President of the court stated that the trial had shown "that there is in existence in Palestine a dangerous and widespread conspiracy for obtaining arms and ammunition from His Majesty's Forces" and that the organization behind the activities of the two accused "seems to have had considerable funds at its disposal and to possess wide knowledge of military matters, including military organization." The trial caused considerable bitterness on the part of the Jewish community against the Government which, they thought, should recognize that the Jews had a moral right to own. Feeling was aggravated by the facts that the trial was held in public and that Jewish official bodies were mentioned in the course of the proceedings. Allegations were made in the Jewish press that the trial was an anti-Semitic "frame-up" aimed at discrediting the Jewish authorities and the Jewish war-effort.

The year 1944 saw an increase of terrorism by the Jewish extremists of the Irgun Zvai Leumi and the Stern group. On the 3d February, 1944, two Jews were surprised tampering with the wall of St. George's Cathedral. From articles left behind, it appeared that they had been engaged in the installation of an infernal machine at the gate of the Cathedral through which the High Commissioner usually passed on his way to Sunday service. On the 12th February there were explosions in the offices of the Department of Migration in Jerusalem, Tell-Aviv and Haifa, and considerable damage was done to the buildings. On the 14th February a British police officer and a British constable were shot dead in the streets of Haifa. On the 24th February bomb explosions occurred in police headquarters in Haifa causing police casualties, and on the 26th February the income tax offices at Jerusalem, Haifa and Tel-Aviv were seriously damaged by bombs. During March there were isolated murders of policemen, and on the 23d eight British policemen were murdered by shooting and bombs, and serious damage was done to police buildings in the four major towns. Following these last attacks curfews were imposed and the death penalty was reintroduced for the carrying of arms and other crimes. On the 17th May, the Ramallah broadcasting station was attacked and an abortive attempt was made to broadcast therefrom. On the 14th July, the District police headquarters and District land registry offices at Jerusalem were attacked and severely damaged by explosives and fire; police casualties were inflicted, and the land registry records were destroyed. On the 8th August, an attempt was made by Jewish terrorists to assassinate the High Commissioner while he and Lady McMichael were proceeding by car to a municipal farewell function at Jaffa. A fine of L.P. 500 was subsequently placed on the Jewish settlement of Givat Shaul for failing to assist the police who investigated the crime. On the 22d August, three police buildings in Jaffa and Tel-Aviv were attacked with loss of police lives.

On the 27th September, four police stations were attacked with some casualties to the Palestine police personnel, and on the 29th September, a senior police officer was assassinated on the way to his office. On the 5th October, the Tel-Aviv offices and stores of the Department of Light Industries were raided, and textiles valued at L.P. 100,000 were removed. On the 6th November, this wave of terrorism culminated in the murder in Cairo by two members of the Stern group of Lord Moyne, the British Minister Resident in the Middle East.

On the 10th October, before the assassination of Lord Moyne, the Officer Administering the Government of Palestine and the Commander in Chief, Middle East, had issued a joint official communique in which it was clearly stated that the terrorists and "their active and passive sympathizers are directly impeding the war effort of Great Britain" and "assisting the enemy." The communique called upon "the Jewish community as a whole to do their utmost to assist the forces of law and order in eradicating this evil thing within their midst" and added that "verbal condemnation of outrages on the platform and in the press may have its effect but is not in itself enough; what is required is actual collaboration with the forces of law and order, especially the giving of information leading to the apprehension of the assassins and their accomplices." The communique then demanded "of the Jewish community in Palestine, their leaders and representative bodies to recognize and discharge their responsibilities and not to allow the good name of the Yishuv to be prejudiced by acts which can only bring shame and dishonor on the Jewish people as a whole." After the assassination the Jewish

Agency which had heartily deplored the outrages of the extremists, made arrangements to provide cooperation with the Government in a campaign against terrorism, and the measure of assistance thus afforded was forthcoming until comparatively recently.

During the early part of 1945 there was a lull in Jewish terrorist activity, but in May, following threats by the Irgun Zvai Leumi that V-Day for the world would be D-Day for them, there occurred a renewed outbreak. On the 13th May, telegraph poles were damaged by explosives and an attempt was made to attack the Police Mobile Force Camp at Sarona by locally made mortars. There was a recurrence of this attack by mortar fire on the 15th May. On the 22d May, the oil pipeline Eras punctured in two places and on the 25th a police patrol was fired on. On the 12th June, mortars aimed at the King's Birthday parade in Jerusalem were discovered, and on the following day a similar battery of mortars was found aiming at the saluting box from which Lord Gort, then High Commissioner, would take the salute at the parade. On the 17th June, substantial quantities of gelnite were stolen by armed Jews from quarries, and on the 13th July, a lorry load of explosives was ambushed and the British constable escort was killed. On the same day a bridge on the Haifa-Kantara railway line was blown up. On the 7th August, L.P. 3,500 were stolen from a Tel-Aviv bank in an armed holdup. On the 13th a large body of armed Jews stole 450 pounds of gelnite and other explosives from the store at Petah Tiqvah of Solel Boneh Ltd., a Jewish cooperative. On the 16th August, the personnel of a training unit of the Irgun Zvai Leumi was arrested near Banvamina in possession of arms and explosives. On the 20th a Jewish settler who had been of assistance to the police was murdered. On the 2d September, armed Jews dressed as British police attempted to rob the safe of a Tel-Aviv bank, and shortly afterwards L.P. 5,000 worth of textiles were stolen in Tel-Aviv. On the 28th September, a British constable was fatally wounded in Tel-Aviv while escorting money for the payment of British officials' salaries. On the 11th October, 218 rifles, 15 machine guns and a store of ammunition were stolen from the training depot for Palestinian soldiers at Rehovoth. On the 16th October, a military truck containing L.P. 14,000 was ambushed by armed men who were beaten off by the Jewish military escort. On the 31st October, sabotage occurred in railway communications. On the 15th and 16th November there were demonstrations of protest in Tel-Aviv against the policy of the British Government as stated by the Secretary of State for Foreign Affairs when he announced in the House of Commons the decision to set up the Anglo-American Committee. These demonstrations culminated in looting and mob violence during which, in addition to loss of life, Government offices were severely damaged and the District Office rendered unusable. Curfews were imposed and the mobs dispersed by troops and police. On the 24th November, two coastguard stations were extensively damaged. On the 27th December, police headquarters in Jerusalem, police stations in Jaffa and Tel-Aviv and a military depot in Tel-Aviv were attacked by large gangs of armed men. Severe damage was caused to the police buildings by explosives and two British constables, one Arab telephone operator, one British soldier and four Basuto soldiers were killed and others wounded by fire from automatic weapons or explosives.

On the 12th January, 1946, a train was derailed near Haderah and attacked by some 70 armed Jews, and L.P. 36,000 in cash intended for payment of the railway staff was stolen. On the 19th January, attacks were made on the Central Prison and on an electric substation in Jerusalem, the latter resulting in casualties. On the 20th January, an attack, resulting in casualties and damage, was made on a coastguard station. On the 3d February, a raid was made for arms on a military depot in Tel-Aviv. On the 6th a raid resulting in casualties was made for arms on a military camp near Jaffa. On the 20th damage was done to a radar station at Haifa. On the 22d attacks were made on police camps, and on the 26th military airfields were attacked. On the 6th March, a military camp was attacked. The total casualties suffered from these incidents in Palestine from the end of the war in Europe to the day of our arrival in Palestine were 45 killed and 278 wounded.

It seems clear that the threats to public order in Palestine during the Mandatory period have arisen very largely out of the conflict between Arabs and Jews with regard to Jewish immigration viewed in the light of its effect upon the political future of the country. Until 1939, violence came from the Arabs, protesting against continued Jewish immigration. Since 1939, it has come from the Jews, protesting against restrictions upon such immigration. In 1936 the Arab leaders indicated their inability to halt violence. In 1946 the Jewish leaders did likewise.

APPENDIX VI - The Mandate

(see above Document *Council of the League of Nations' Confirmed Text on Terms of the British Mandate, 24 July 1922*)

APPENDIX VII - List of Staff

AMERICAN	BRITISH
<u>Research Staff</u>	
Paul L. Hanna	Paul A. Wilson
Frederick V. Loud	E. Christie Willatts
William F. Stinespring	Miss Hazel Hamilton
Miss Mary Chanter	
<u>Administrative Officers</u>	
William M. Rountree	William F. Teagle
<u>Verbatim Reporters</u>	
Miss Margaret Omer	Miss Helen Painting, MBE
Miss Helen B. Campbell	Miss I. M. Audrey Grundy
<u>Secretarial Staff</u>	
Miss Helen Randall	Miss Suzanne McDowall
Miss Dorothy C. Herchenroeder	Miss N. Audrey Greig
Mrs. Frances R. Warden	Miss Daphne Wakelen
Mrs. Sue Freshman	Miss Elizabeth M. White



**BRITISH CABINET MINUTES, CM (46) 60TH CONCLUSIONS,
LONDON, 20 JUNE 1946 [EXCERPTS]**

3. The Cabinet had before them a memorandum by the Secretary of State for the Colonies (C.P. (46) 238) on recent developments in Palestine. In the last days there had been an organized series of attacks on bridges over the Jordan, the railway workshops at Haifa had been severely damaged and five British officers had been kidnapped from the Officers' Club in Tel Aviv. Another officer and a nursing sister had now been reported missing. The High Commissioner for Palestine considered that this situation called for vigorous action by His Majesty's Government, and he urged (i) that His Majesty's Government should refuse to conduct any further discussions on the subject of the admission of 100,000 Jews into Palestine until the kidnapped officers had been returned; and (ii) that he should be authorized to put into effect at whatever time he thought appropriate the full plan drawn up locally against the Jewish illegal organizations and the Jewish Agency.

The Secretary of State for the Colonies recalled that the Cabinet had not so far considered the moment opportune to take extreme measures against the illegal organizations in Palestine, but there was no doubt that the situation was becoming more serious. The patience of the Administration and the military was being seriously tried and there was grave risk of the troops taking matters into their own hands. He felt bound, therefore, to ask the Cabinet to consider the matter afresh. In his view it was necessary to take very firm action. He did not, however, advise the acceptance of the High Commissioner's first recommendation. Technical discussions with the Americans had just begun. These were limited to examining the implications of admitting 100,000 immigrants to Palestine, in terms of transport, finance and their absorption into the community. We had not decided that this number of immigrants should be admitted.

To break off the number of immigrants should be admitted. To break off the negotiations at this stage might imply that this decision had been taken and would also have a very unfortunate effect in America. The Secretary of State said that on the previous day he had seen Mr. Ben Gurion, Chairman of the Executive of the Jewish Agency in Palestine, who had seemed genuinely distressed at the kidnapping of British officers. He had agreed to the publication of a statement expressing his deep regret, and had also asked for a message to be sent to the Agency in Jerusalem for publication locally appealing to the Jewish community to give every possible assistance in freeing the officers. Mr. Ben Gurion had also given his categorical assurance that there was no connection between the Agency and the Irgun Zwei Leumi or Stern groups. He had not been so clear on their relationship with the Hagana, who we had reason to believe were in fact controlled by the Agency.

In discussion there was general agreement that it would be a mistake to break off the discussions with the United States officials on the Report of the Anglo-American Committee. On the contrary, it would be advisable to press for the early arrival in this country of the remaining part of the American Delegation.

As regards action in Palestine, the Chief of the Imperial General Staff emphasized that if the existing state of affairs continued, troops in Palestine might get out of hand. The Chiefs of Staff thought that the time had come when greater freedom of action should be given to the High Commissioner and the Commander-in-Chief. The Secretary of State for War spoke on support of this view.

The Prime Minister read to the Cabinet a telegram from the Foreign Secretary in Paris. The Foreign Secretary took the view that strong action should be taken and emphasized the importance of enlisting the support of the United States Government for that action. He hoped that they could be informed in advance of the course we proposed and persuaded to endorse it. He also suggested that a publicity campaign should be undertaken to make clear to public opinion in this country and the United States the reasons for our action.

Discussion showed that there was general agreement that the situation called for firm action. We could no longer tolerate a position in which the authority of Government we set at nought. The following points were also made:

- (a) While it was the activities of the Jews had provoked the present situation, it must be remembered that historically the illegal organizations had in some part originated as a protection against Arab violence. That violence might recur. There had, indeed, been some indication in the recent declarations of Arab leaders that it would do so. It was understood that many Arabs in Palestine at present held arms.
- (b) The important step at the moment, however, was to break the illegal organization rather than to compel individuals throughout the country to surrender their arms. The wholesale disarming of Jews and Arabs might follow later, but it would be a difficult operation and it was impossible to foresee its implications. It might entail a heavy and continuing military commitment.
- (c) It was only the Jews who had effective illegal organizations at the moment and action would be taken against them first, but the Government should make it clear that they were no longer prepared to tolerate the existence of any illegal organizations among either community in Palestine. It was important that we should not appear to be discriminating against the Jews in favor of the Arabs.
- (d) The more extreme elements seemed now to have obtained control of the Jewish Agency. There was clear evidence that the Agency was connected with the Hagana and it would probably be necessary in suppressing illegal organizations to raid its premises and to arrest some of its members. The complete suppression of the Agency as such would, however, be undesirable.
- (e) The success of the operations proposed would depend largely on the secrecy with which they were prepared. It would, therefore, be undesirable to give any indication beforehand of the course proposed. For this reason, despite the importance of securing the continued co-operation of the United States in Palestine and the Middle East, it would be undesirable to inform the United States Government until very shortly beforehand of the action which was to be taken.

- (f) The Secretary of State for War was expecting to be asked, by Private Notice Question in the House of Commons that afternoon, to make a statement about the kidnapping of British officers in Palestine. If this Question could not be postponed, he should say that he had no statement to make at the moment.
- (g) Reference was made to the reported arrival of the Mufti of Jerusalem in Cairo which could not fail to have repercussions throughout the Middle East. It was reported that the Egyptian Government proposed that he should be allowed to stay in the country on the strict condition that he indulged in no political activities. The Foreign Office were asked to submit a full report on this, and on the manner in which the Mufti had effected his escape from France.

The Cabinet --

- (a) Agreed that the discussions with United States officials about the Anglo-American Commission's Report should continue.
- (b) Agreed that the High Commissioner for Palestine should be authorized to take such steps as he considered to break up the illegal organizations in Palestine; that for this purpose the premises of the Jewish Agency might be searched and persons connected with it arrested; but that the Agency as such should not be closed or proscribed; and that there should not at this stage be any attempt to secure the wholesale disarming of individuals both Jewish and Arabs, in Palestine.
- (c) Agreed that the United States Government should be informed of the course of action which we proposed to take, but that this should not be done until very shortly before action was, in fact, to be taken.
- (d) Invited the Secretary of State for the Colonies and the Minister of State to arrange for consideration to be given to the publicity measures which would be required.
- (e) Asked the Minister of State to arrange for a report to be submitted to the Cabinet on the means by which the Mufti had left France and arrived in Egypt and on the course of action which might now be taken in respect of him.

Cabinet Office, S.W.1, 20th June, 1946.



**MEMORANDUM BY THE JOINT CHIEFS OF STAFF FOR THE STATE-WAR-NAVY
COORDINATING COMMITTEE, WASHINGTON, DC, 21 JUNE 1946**

ENCLOSURE

*The Joint Chiefs of State
Washington 25, DC*

Subject: British Proposals in Connection with the Report of the Anglo-American Committee of Inquiry on Palestine.

With regard to the request of 7 June 1946 by the Acting State member, State-War-Navy Coordinating Committee (Appendix), following are comments by the Joint Chiefs of Staff on certain topics proposed by the British for joint consideration in connection with the recommendations of the report of the Anglo-American Committee of Inquiry on Palestine. It will be noted that no definitive recommendations are offered on many of the difficult political aspects of this problem, on which the Joint Chiefs of Staff do not feel they should advise.

We urge that no US armed forces be involved in carrying out the Committee's recommendations. We recommend that in implementing the report, the guiding principle be that no action should be taken which will cause repercussions in Palestine which are beyond the capabilities of British troops to control.

Should the question of using any US forces arise, we would point out that, under present War and Navy Department commitments to the Congress, only very limited forces could be spared from tasks in which we are already engaged. Such contingents might in theory be of a size to contribute to pacifying the situation *in Palestine*, but we believe that the political shock attending the reappearance of

US armed forces in the Middle East would unnecessarily risk such serious disturbances throughout the area as to dwarf any local Palestine difficulties. Such a condition would, among other effects, invalidate entirely any current estimates of required strengths of the Army and Navy. Further, the Middle East could well fall into anarchy and become a breeding ground for World War.

It is believed that implementation of the report by force would prejudice British and US interests in much of the Middle East and that British and US influence would consequently be curtailed except as it might be maintained by military force. The USSR might replace the United States and Britain in influence and power through the Middle East.

As to the importance of a stable Middle East, friendly to the Western Powers, it is obvious that this area is the buffer between Russia and the British Mediterranean life line. If the people of there turn to Russia, this would have the impact in many respects as would military conquest on this area by the Soviets. Under these conditions, even if Turkey maintains her internal and political integrity it is highly questionable that she could continue her stand on the Dardanelles and maintain her position as other than a satellite Russian state. Also, for very serious consideration from a military point of view is control of the oil of the Middle East. This is probably the one large undeveloped reserve in a world which may come to the limits of its oil resources within this generation without having developed any substitute. A great part of our military strength as well as our standard of living, is based on oil.

As to US participation in a Palestine trusteeship, we consider that military advice must rest on our supposition that such participation would lead to military involvement, on which subject our views are stated above.

In summary, the Joint Chiefs of Staff recommend that in implementing the report of the Anglo-American Committee, no action be taken which would:

- (a) Commit US armed forces, or
- (b) Orient the peoples of the Middle East away from the Western Powers, as the US has a vital security interest in that area.

For the Joint Chiefs of Staff:

A.J. McFarland, Colonel, US Army - Secretary



BRITISH CABINET MINUTES, CM (46) 72ND CONCLUSIONS, LONDON, 23 JULY 1946

The Secretary of State for the Colonies gave the Cabinet the latest information about the explosion which had occurred on the previous day in the Headquarters of the Government Secretariat and Army Command in the King David Hotel, Jerusalem.

It appeared that a lorry had been driven up to the tradesmen's entrance of the hotel; and that the occupants, after holding up the staff at the pistol point, had entered the kitchen premises carrying a number of milk cans. They had shot and seriously wounded a British soldier who had challenged them; and, after placing bombs in the basement of the building, had made good their escape. The subsequent explosion had destroyed a substantial part of the building. The casualties so far reported were 41 killed, 52 missing and 53 injured.

The Officer Administering the Government in the absence of the High Commissioner had reported that a large proportion of his staff were dead, missing or wounded, and that this created a situation which could be handled only if drastic action were taken by His Majesty's Government. He had consulted his Executive Council and the General Officer Commanding the troops in Palestine, and they were agreed that only two alternative courses were open. The first was to institute widespread searches for arms with a view to breaking up the Jewish resistance movement. This, in their view, would create conditions tanta-

mount to a state of war in Palestine. The second alternative was for His Majesty's Government to announce a final solution of the political problem. This was the alternative which they preferred. In view of this latest outrage, further negotiations with the Jews seemed to be impossible; and the best course would be for His Majesty's Government to impose their own solution of the political problem.

The Prime Minister said that, although there was evidence that the Hagana had been implicated in some of the earlier acts of violence, there was no reason to believe that any but the most extreme advocates of violence were involved in this latest outrage. Our earlier action against Jewish illegal organizations had had the effect of strengthening the influence of the more moderate Jewish leaders in Palestine; and it would be a mistake to rush into a widespread search for arms, which would be taken as a measure directed against all the Jews in Palestine, before we had any evidence to show who had been responsible for this latest outrage. Such action might have the effect of alienating all sections of Jewish opinion in Palestine. On the other hand, he thought it would equally be a mistake for His Majesty's Government to take a sudden decision on the political problem, before the consultations with the United States Government had been completed. In his view the right course was to press on with the Anglo-American conversations and to seek an early agreement with the United States Government on a long-term policy. If such an agreement could be reached, we should announce our joint policy and try to rally the support of world opinion in favor of its adoption.

The Foreign Secretary said that he also attached importance to securing an early declaration by the United States Government condemning this recent outrage. He had already suggested that such a declaration should be made and he hoped that it might be made very shortly.

In discussion there was general agreement with the views expressed by the Prime Minister. In particular, the Cabinet agreed that it would be a mistake to break off the discussions with the United States Government. These discussions were going very well and it seemed probable that agreed conclusions on the general principles of a settlement could be formulated by the following day. The United States Delegation hoped to be able to obtain the approval of their Government to these agreed conclusions by the end of the week; if not, it should be possible for the Foreign Secretary very shortly afterwards to discuss them with the United States Secretary of State in Paris and to obtain agreement on them there. It had previously been the intention that the results of the discussions with the United States Delegation should not be published before the proposed conference with Arab and Jewish representatives. In the altered circumstances, however - and particularly now that statements had appeared in the Press which foreshadowed part of the conclusion - the Cabinet felt that it would be advisable that they should be published as soon as possible. They must first be conveyed to the Arab Governments and to the representatives of the Jews, but it might be possible for this to be done in time for an announcement to be made before or during the debate which was to take place before the Summer Recess.

The Cabinet discussed whether the White Paper regarding the complicity of the Jewish Agency in terrorist acts should be published on the following day. It was argued that its publication now would associate the Agency with the latest outrage, with which, in all probability, they had not in fact been concerned. On the other hand, the Prime Minister was pledged to produce the White Paper, and if it were postponed until the following week its publication simultaneously with the announcement of a long-term policy would be even more undesirable. The Cabinet's conclusion was therefore that the White Paper should be published as arranged.

On the question of a wholesale search for arms in Palestine, the Cabinet noted that the High Commissioner, the Chief Secretary and the General Officer Commanding were not in favor of such a course and considered that it would lead to conditions tantamount to a state of war. It was also argued that it would be directed against the Hagana rather than the dissident groups, namely, the Irgun Zvai Leumi and the Stern groups, who were probably responsible for the latest outrage, and would probably not lead to the capture of those responsible for the outrage or even to the discovery of the arms and explosives used by their organizations. At the same time it would drive the Hagana into closer association with them. Was it not more important to lead the Hagana away from extremist measures and to convince them that it would be to their own interest to root out the dissidents altogether! It was only if they could be persuaded to this view that there was any substantial chance of preventing a recurrence of the outrages.

On the other hand, it was also argued that the Hagana had themselves been responsible for some outrages and that at some point their disarmament would be necessary. Was not this the moment to carry it out!

The Chief of the Air Staff said that he was not convinced that the search for arms would necessarily lead to open war. The operations in the previous month, when a large cache of arms had been found, had been very successfully concluded with hardly any casualties. Even if the search brought the Hagana into armed rebellion, the military forces in Palestine, with appropriate reinforcements from elsewhere in the Middle East, could deal with the situation provided that it did not lead to trouble elsewhere in the Middle East.

The Cabinet inclined to the view that in the circumstances the balance of advantage lay in not carrying out a wholesale search for arms at the moment, but they felt that it would be well that the contrary view should be put once more to the High Commissioner and the General Officer Commanding in Palestine, and that their considered opinion should be obtained.

Whatever the decision on this point, there must be no room for the suggestion that the Government were giving way to violence. The House of Commons were bound to take a most serious view of an incident which had led to so many casualties. A Question was in fact being put to the Prime Minister on the subject that afternoon. The Cabinet discussed and agreed the general lines of the reply which should be given to this Question.

During this discussion the suggestion was made that the reply should include an appeal to the more moderate elements among the Jewish population of Palestine to stamp out the dissident organizations. In favor of this suggestion it was argued that only with Jewish help was there a reasonable chance of successfully dealing with these groups. The Cabinet felt, however, that this was not the moment to place ourselves under any obligation to Jewish organizations in Palestine.

The following further points were raised:

- (a) We must not forget the background from which the Jewish community of Palestine was drawn. The conditions under which they had lived in Europe and the sense of frustration from which they still suffered had created in them a pathological state of mind. Nevertheless it would be the greatest mistake to lead them to believe that terrorism provided a short cut to the achievement of their aims.
- (b) The fact that it had been possible for terrorists to enter the lower floors of the building in which the Secretariat and the Headquarters of the troops were situated seemed to imply that adequate security precautions had not been taken. Enquiry into this matter should be made forthwith.

The Cabinet

- (1) Agreed that the discussions with the United States Delegation should continue.
- (2) Agreed that, as soon as conclusions had been agreed with the United States Delegation and accepted by the United States Government, they should first be communicated to the Arab Governments and to representative Jews as a basis for discussion at the forthcoming conference, and should, if possible, then be published either before or during the debate in the House of Commons in the following week.
- (3) Agreed that the White Paper regarding the complicity of the Jewish Agency in terrorist acts should be published on the following day.
- (4) Invited the Secretary of State for the Colonies to convey to the High Commissioner for Palestine the substance of the discussion on the question whether there should be a wholesale search for arms, and to ask him to submit his considered recommendations on the matter after discussion with the General Officer Commanding in Palestine.
- (5) Invited the Secretary of State for the Colonies, in association with the Service authorities, to institute an enquiry into the security precautions which had been and were being taken for the protection of vital Government buildings in Palestine.

Cabinet Office, S.W.1., 23rd July, 1946.



BRITISH CABINET MINUTES, CM (46) 75TH CONCLUSION, LONDON, 30 JULY 1946

1. The Lord President welcomed to the Cabinet Sir John Shaw, Chief Secretary to the Government of Palestine. After expressing the Cabinet's sympathy for the Palestine Service in the losses which they had suffered as a result of the outrage at the King David Hotel, he invited Sir John Shaw to give them his impression of the situation in Palestine.

Sir John Shaw said that there was an unparalleled intensity of feeling in Palestine. On the Arab side, the state of tension which had been growing for some time had been heightened by the publication of the Anglo-American Committee's Report and the recent succession of outrages. In the King David Hotel incident between fifty and sixty Arabs had been killed, including members of prominent families, and this had increased the tension almost to breaking point. The funerals of the victims had passed off without incident, but at any moment an incident might occur which would start serious trouble.

The majority of Jews disliked bloodshed and the Jewish community were, as a whole, shocked by the King David Hotel outrage. But few, if any, had openly declared their support of the Government in the suppression of terrorists. The Hebrew papers, while condemning terrorism, had not exhorted their readers to assist the Government in bringing the criminals to justice. A suggestion by one moderate newspaper that there should be a change in the leaders of the Jewish community had not been favorably received. There was reason to believe that the Irgun Zvei Leumi, who had been responsible for the outrage, had informed the Hagana authorities beforehand of their plans and had been advised by them to alter the time from 12.30 p.m. to 2.30 p.m., when the building would be much emptier, so as to reduce the number of casualties. Sir John Shaw said that since the explosion he had been approached by an intermediary with the suggestion that, if the Government appealed to the Hagana to do so, they would deal with the terrorists themselves. This offer had not been followed up, since it had been felt that the Palestine Government could not involve the aid of one illegal organization to suppress another.

As to action, the High Commissioner had proposed three things; an intensive search for terrorists, the stoppage of all immigration, legal and illegal, and the sequestration of certain Zionist funds. The Cabinet had agreed to the intensive search for terrorists and this was being carried out. As regards the other two proposals, the High Commissioner understood that, in present circumstances, a complete withdrawal of the immigration quota would be very difficult and he did not wish to press this suggestion. He did, however, wish to urge that steps to stop illegal immigration should be renewed and that the question of the sequestration of Zionist funds should be reopened. It was of vital importance to prevent any more illegal immigrants arriving in Palestine. There were already some thousands in the Athlit clearance camp, who formed an overdraft on the legal quota of 1,500 immigrants a month and were released as certificates became available. The additional 2,700 illegal immigrants on board the ship detained within the last two days would exhaust the quota until November. The constant arrival of illegal immigrants compelled the Palestine Government to refuse certificates to all but a very few legal immigrants. Thus many Jews who on grounds of hardship had a strong claim to be admitted to Palestine were being excluded. The important consideration at the moment, however, was that the arrival of these shiploads of illegal immigrants might at any moment provoke an outbreak among the Arabs. The High Commissioner hoped, therefore, that His Majesty's Government would be able to reconsider their decision and to agree that any further ships with illegal immigrants should be diverted to Cyprus.

In reply to questions, Sir John Shaw made the following points:

- (a) There had been elaborate security arrangements for the portion of the King David Hotel used to accommodate the Secretariat and Military Headquarters. Unfortunately, the rest of the building had remained in use as an hotel, and in the basement, immediately under the wing occupied by the Secretariat, was a restaurant. The terrorists had obtained access to this through a tradesmen's entrance at the other end of the building and had made their way along a corridor in the basement. The reason why this entrance had not been guarded was not yet known. The Government had been aware that

they were taking a certain risk in not taking over the whole hotel, though they had been reluctant to take over the whole hotel, partly because of the acute shortage of accommodation in Jerusalem and partly because they wished, as a matter of policy, to maintain a semblance of normality.

- (b) Though the more moderate Jews included men of position who might be expected to exert a good influence, such men were, in his opinion, becoming increasingly inarticulate and unwilling to appear as the champions of the Government.
- (c) Both Arabs and Jews would uncompromisingly reject the new plan of provincial autonomy. The attitude of the Palestine Arabs, who were badly led and whose leaders were reactionary, was likely to be even more hostile than that of the Jews. Those Arabs were more enlightened had not the moral courage to take a strong lead. In particular, there would almost inevitably be a violent reaction to that part of the plan which involved the immigration of 100,000 Jews. The Arab States, whose leaders had naturally not quite the same degree of personal interest in the matter, would probably be less hostile to the proposed settlement. Much would depend on the action taken by the Government as a result of the outrage, and if the High Commissioner's proposal to sequester Zionist funds were accepted, this would have a stabilising effect on Arab opinion.
- (d) It was almost beyond hope that Arabs and Jews would agree to sit round the same table at a conference on the Government's proposals. They had been unwilling to do this at the St. James's Palace Conference in 1939, and the atmosphere was far worse now. The Government were committed to consulting the Arab and Jewish representatives, but, in many respects, it would be easier to impose a scheme than to try by negotiation to get it accepted by both sides. Once imposed, both sides, after an initial outburst, might accept it.

The Lord President thanked Sir John Shaw for his clear statement of the position. On behalf of the Cabinet, he invited him to convey to the staff of the Palestine Government their sympathy with them in the trying circumstances in which they had to work and their admiration for the fortitude with which they were carrying out a task of unparalleled difficulty. Sir John Shaw then withdrew.

The Secretary of State for the Colonies informed the Cabinet that during the disturbances between 1936 and 1939, fines amounting to at least 1 pound million had been imposed on the Arabs. The High Commissioner felt that in justice certain Zionist property should now be sequestered and that a fine of 500,000 pound should be imposed on the Jews. The Palestine Government were faced with a heavy liability in respect of the damage to life and property caused by the recent series of outrages and it did not seem unreasonable that funds up to this amount belonging to organizations such as the Jewish Agency, whose complicity in some at least of these outrages had been established, should be held as security for payment of this fine.

In discussion the prevailing view was that in present circumstances it would be injudicious to impose a general fine on the Jewish community, many of whom were in no way responsible for the King David Hotel outrage.



SUMMARY OF THE MORRISON-GRADY PLAN, JULY 1946

[In July 1946, after the Anglo-American Committee of Inquiry's recommendations to increase Jewish immigration were rejected, British Deputy PM Herbert Morrison and US Ambassador Henry Grady proposed a federal solution by converting the British Mandate into a trusteeship and to divide the country into a Jewish and an Arab province as well as two districts (Jerusalem and Negev). The Palestine Roundtable Conference in Sept. in London rejected the plan. See also Map 7 in the Annex].

Administration

The plan intended to convert the mandate into a trusteeship and to divide the country into two provinces (a Jewish and an Arab) and two districts (Jerusalem and Negev), envisioning that such ar-

rangements would ultimately lead either to a bi-national state or to partition. The Plan further proposed that a central government under a British High Commissioner would rule directly the Jerusalem and Negev districts, and have exclusive authority - at least at the beginning - over issues such as customs, defense, foreign relations, customs, courts, transportation, communications, and broadcasting. Regarding internal relations, the plan proposed autonomy and the election of a legislative body for each of the two provinces, with the reservation that for a certain period, the heads of these bodies would be appointed by the High Commissioner.

Immigration

In terms of immigration the plan proposed that 100,000 Jews would be admitted in the first year after “it is decided to put into effect the scheme as a whole”; and the United States would be asked “to undertake sole responsibility for the sea transportation” of the refugees to Palestine. Afterwards, Britain would hold control over immigration, whereby each province would be entitled to address the central government on the matter. The central government would decide in accordance with “the economic absorptive capacity” of the respective province.

Implementation

Morrison and Grady maintained that the execution of their plan would require the cooperation of the US and be subject to Arab and Jewish acceptance. It would be President Truman’s task to “recommend legislation granting 50 million dollars to the Government of Palestine for the purpose of financing development schemes” and, “in the event that adequate finance from other sources such as the International Bank is not available, to recommend ...legislation authorizing ...loans through an appropriate agency for the development of the Middle East region, including Palestine, up to 250 million dollars.”

However, when members of the 1946 Anglo American Inquiry Committee referred to a one of their previous plans that included exactly the same provisions as the Morrison-Grady plan but had been overall rejected, Truman did not endorse the Morrison-Grady scheme. This decision marked the beginning of a temporary withdrawal on the part of the US from attempts to find a solution for the Palestine impasse.



HEAD OF THE ARAB DEPARTMENT OF THE JEWISH AGENCY ELIYAHU SASSON, REPORT ON JEWISH AGENCY CONTACTS WITH EGYPTIAN LEADERS, CAIRO, 9 AUGUST 1946

[Summary of discussion with Ali Mahir.]

Abd ar-Rahman Azzam had approached the English with a proposal to help them with a solution to the Palestinian and Libyan questions, if only they would agree to Egypt’s demands. He hadn’t received any reply. He understood that any solution to the Palestine question without the assent of the Jews and the Arabs was doomed to failure from the start. He also understood that any agreement of this sort means compromise and concessions by both sides, by the Arabs and the Jews. There was only one solution, in his view, and that was: partition. But, in order to arrive at this solution, joint discussions and talks were needed. As Secretary of the Arab League he could not appear before the Arabs as the initiator of such a proposal; his position was very delicate. [...] He would be prepared to support partition on [one of] two conditions; if one of the Arab states took into its hands the initiative and found the strength and courage to propose the things in the League Council, or if the British requested him to work along these lines. He respected very much the Jewish achievements and strength in Palestine, and believed that if the Arab East came to an understanding with them it would be able to reap great benefits. He suggested that we declare our willingness to join the Arab League.

Isma'il Sidqi, the Prime Minister, understood that the English would not leave Egypt so long as the Palestine question remained unresolved and served as a source of unrest which threatened the entire Arab East. The English were hoping that Palestine would be a "secure haven" for the British Army in the East.

From this perspective he was prepared to listen to our claims and demands and to try to help as best he can. But in order for him to harness himself to the affair he would need to know how much we were prepared to concede. There could be no question of a Jewish state in all of Palestine, but [he] might definitely [consider] partition, a bi-national state or a federal state. In addition, he would need to know the extent of the help we could give him in England and America towards the success of the Anglo-Egyptian negotiations and the extent of the economic aid we could give to the Arab world. For this reason he asked us to submit to him immediately (in writing, but without signature) a short memorandum which would include all the details he needed. It would be very desirable if he received the memorandum this very week, so that he could study it and orient the discussions at the Arab Foreign Minister's Conference, meeting on the 12th of this month in Alexandria, in accordance with it.

He repeatedly stressed that he was a "businessman", neither pro-Jewish nor pro-Arab. He was after what was best for Egypt. If that required Jewish-Arab understanding, so be it. But he could not understand the English. Why were they not requesting him to intervene? Couldn't we, Jews, do something in this direction?

[Brief summary of talks with Hasan Rifaat, Deputy Minister of the Interior, and Lutfi as-Sayyid, Egyptian Foreign Minister.]



BRIGADIER ILTYD N. CLAYTON ON NOTES ALLEGEDLY DELIVERED BY JEWISH AGENCY SOURCES IN JERUSALEM TO EGYPTIAN PRIME MINISTER ISMA'IL SIDQI, 13 AUGUST 1946

1. Points out that continued immigration and development of National Home is Jewish main interest. The Jews seem to realise that their ideal of a Jewish state in the whole of Palestine cannot be achieved so are looking for a compromise which will secure their essential requirements.
2. The Arabs['] essential requirements are (a) to ensure for the majority of the Arabs in Palestine the right to shape their own destiny and give full scope to their natural talent and aspirations; and (b) to confine Zionist designs to a definite area, so preventing further expansion and the Jews from becoming a disturbing factor in the Arab world.
3. The Jews will never abandon immigration. They are now an expansionist element and so disturbing, but if integrated into the Arab World they may become a useful and valuable part of it. They will have much to do in absorbing their own immigration and developing their existing communities. They are interested in a peaceful solution as otherwise they will have to direct to armed forces money which they would otherwise have available for development.
4. The Jews are largely agricultural. In this they will not compete with the Arab countries. In fact they will have to buy largely from them. The balance of trade with Arab countries has always been largely against the Jews and can be expected to continue to be so.
5. The Egyptian demand for the total evacuation of Egypt and the Canal Zone can only be satisfied if an alternative base for British forces can be found. This can only be in Palestine and is only possible in a peaceful Palestine. Egypt's interest is therefore to promote a peaceful compromise in Palestine. This can only be possible on the basis of some form of segregation. Jewish public opinion in the world, especially in America, would be of great value in the solution of the Egyptian question and, if the Palestine question were solved, would become friendly instead of hostile. It could act the part of mediator and honest broker between British and Egyptian interests, the clash of which could be avoided by the availability of a base in Palestine for British forces.

6. The international situation is dangerous. The Jews form an important force both in Palestine and in the world. It is very important to have a peaceful condition in Palestine, within the framework of the Middle East, and with the backing of Jewish public opinion and interests throughout the world.



**HEAD OF THE ARAB DEPARTMENT OF THE JEWISH AGENCY ELIYAHU SASSON,
REPORTS OF MEETING WITH KING ABDALLAH AT SHUNEH,
12 AND 19 AUGUST 1946 [EXCERPTS]**

(A)

The conversation took place at his invitation and lasted an hour and a half. The Amir [sic] began by asking after Moshe Shertok and by expressing the hope that he would be freed [from internment at Latrun] soon. [...]

He had told his [British] “allies” about my visit and was asked by them to try to convince us to agree to several points: [...] (b) to co-operate with the authorities in their war against [Jewish] terrorism; (c) to agree to the London talks without any preconditions; (d) to stop the anti-British “intriguing” in the United States; (e) to understand the delicate and difficult situation of the British in the Arab East as a result of Russian propaganda and Russian aspirations; (f) to put our trust in them, because in the end we’ll be satisfied [...].

To my comment that we could not go to the London talks on the basis of the proposed [Morrison-Grady] “federal” plan, the Amir tried to explain that it was a much better plan for the Jews than the Peel partition. True, it did not give us a state, but it assured us the immigration of 100,000 over a short time and the continuation of immigration afterwards. [...] True, it denied us access to the Arab sector; but even here it was possible to find ways to penetrate and opportunities for settlement in due course. That would depend on who stood at the head of the Arab sector and on international conditions.

In the course of his remarks, the Amir revealed that [...h]e himself preferred partition and the annexation of the Arab sector to Transjordan. To my question, whether he would be prepared to stick to this position under all conditions, he replied that this depended largely on an understanding and an agreement between ourselves and him. When I requested him to be more explicit, he asked me to swear a solemn oath to keep what he would tell me secret and not reveal it to anyone except our current policy-makers. I promised.

He began by saying: he aspired to expand the borders of Transjordan and to create a large and strong Hashemite kingdom that would enter into a treaty with Britain and Turkey and would keep the English line of defense in the East. His plan of execution had several stages:

- (a) partition of Palestine and annexation of the Arab sector to Transjordan;
- (b) annexation of Syria to the [enlarged] Transjordan;
- (c) entry of the [enlarged] Transjordan into a federation with Iraq;
- (d) entry of the Jewish part of Palestine into a federation, or alliance, with the Jordanian-Syrian-Iraqi federation;
- (e) Lebanon would have the choice of joining this federative bloc or remaining isolated. [...]

When I asked whether the Arabs of Palestine would agree to the federal plan, the Amir answered in the negative, adding that the British, the Arab states and the Zionists had to do everything in order to get them to agree. To my remark, why should the Zionists be interested in doing this, he answered: First in order not to shut the gates of the Arab sector completely before them and not to lose every possibility of expansion; second, in order not to lend their hand to the creation of an eighth Arab state, extremist and hostile, headed by their arch-enemies, the Husainis; thirdly, it was better for the

Jews to speak of the creation of their own state two or three years from now, when their numbers would be larger by another 100-200,000. Fourth, in order not to block the way to the expansion of Transjordan and the strengthening of the Hashemite family; fifth, to make things easier for Britain in these days of crisis, and thereby repair their relations with her and win back her sympathy for Zionism.

When I remarked that I didn't manage to understand his position exactly, whether he was in favor of the federal plan or partition, the Amir answered that he was [...] temporarily setting aside his wishes for those of the English. But, if we believed that we had the power to move the partition plan (i.e., creation of a Jewish state and the annexation of the Arab sector to Transjordan) through England, the United States and the United Nations, he would be prepared to support us and to fulfil any [obligation] falling to him. He was sure that Iraq would also support us, even if the matter caused a split in the "Arab League".

When I asked whether it was not desirable to hold a secret, limited, Iraqi-Jordano-Zionist conference or consultations to discuss and evaluate matters together and to define a unified stance for the London talks, the Amir answered there was no need for this at the moment. It was premature. He was empowered to speak for the Iraqis. If we came to an agreement with him, he added, he was prepared to put us in touch with Samir Rifai, the head of the Transjordanian delegation travelling to London.

When I asked if he had thought of how to impose on the Palestinian Arabs the federal plan [...] or the partition plan and the annexation of the Arab sector to Transjordan, the Amir answered that in recent weeks he had been pondering over this, and only this, question. He said that he was finalising a certain plan which seemed a good one, and he was prepared to present it to me if I would visit him again next Monday, August 19th. But, he added, I was to bring him our final answer on these three matters:

- (a) To which plan [federal or partition] do we agree?
- (b) Our readiness to work to halt the acts of violence against the British and to repair our relations with them.
- (c) Our readiness to support him "frankly and with all our power" in the realisation of his far-reaching plan.

I was also to bring to him, as a first payment, P10,000 pounds. [Discussion of Abdallah's forthcoming financial requirements.] When I pretended that the sums he required from us - almost P40,000 pounds - were quite large and I could not bring them to him, he answered: "He who wishes to earn a living does not need to count out the portions", i.e., whoever wants a state must invest what is required. This, in his opinion, was the right time to act - for him and for us. And here he began a comprehensive explanation of the economic possibilities which would develop before us under the future expanded Hashemite kingdom. [...]

In speaking of the Anglo-Egyptian negotiations, the Amir [...] rejected my suggestion that his and the Egyptian Foreign Ministers might co-operate in promoting the partition plan at the Arab Foreign Minister's Conference then taking place in Alexandria. [...]

When I rose to leave, the Amir took my hand and said: He was now 66 years old; the remaining years of his life were numbered. We didn't have a faithful friend like him in the entire Arab world. There were two ways before us: to join together and work with him, or to abandon him. If we took the first route, we had to fulfil his requests without hesitations, without further calculations and quickly. Every moment was precious. If we took the second route, God be with us; but he would ask us not to go on talking with him about co-operation or common interests. [...]

(B)

- (a) [Reports unexpected and unpleasant incidents of thorough searches and interrogations by Transjordanian police on entering and leaving Transjordan.]
- (b) [Discussion of extent of Syrian, British and Iraqi support for Abdallah's plans.]

- (c) I told him what had happened to me on my journey to him, and stressed that it was not a good idea, for him or for us, for me to visit him often. He understood and agreed. He pointed to one of his envoys presently in Jerusalem conducting talks and gathering signatures in favor of the “separation and annexation” plan, and said that I should look upon him as our liaison and give him my complete confidence. He gave me his name and address [...].
- (d) During the course of the conversation the Amir asked for details about the talks between our people in Paris and London and British ministers, and [...] showed me two documents [...] from the British representative in his country regarding our previous conversation. [...]
- (e) When I tried to talk to him about the “separation and annexation” plan and the adjustment of boundaries [...], he interrupted me, saying that the time had not yet come for that. First of all we had to reach an agreement on the principle, and after that we could talk about details. If the rearrangement [of borders] were dependent on his agreement alone, he promised that he would not be stubborn and would get right to the heart of the matter, on the condition that it ended up that neither side benefited at the other’s expense. [...] When I repeated myself and pressed him on this matter, he said: “Don’t be egoists, making demands only for your own good. Look at things within the framework of the Arab East as a whole, with its complexities, and not solely in a Palestinian framework.”
- Here I proposed a compromise to him: to leave the discussion on this to emissaries in London - to his envoys and to ours. If the talks developed in the direction of “separation and annexation” and the question of modification of boundaries were raised, the envoys would meet and discuss amongst themselves how best to present the question. In general, I added, it was desirable that there should be contact between his envoys and ours. He agreed and promised to give instructions on this matter to the head of his delegation [Samir ar-Rifai], but on condition that the contacts be limited to only two people: My Shertok and the head of his delegation. He also requested that the discussions between them comprise all questions, that is, that the two men would serve as advisers to each other. I thanked him for this and we made arrangements for the contacts.
- (f) To my question about the resolutions of the Arab Foreign Ministers’ Conference at Alexandria, he said that they all came, involuntarily and under pressure of the Mufti and his men, to an agreement to demand the implementation of the White Paper of 1939. Despite this, they were prepared for some concessions: the Palestine government, which would be established according to the White Paper, would: (a) recognize the Jews as a politically and economically influential minority; (b) grant the Jews internal autonomy; and (c) authorize limited immigration. In addition, the Arab states would declare that they were prepared, like all the other democratic states [...], to contribute their share to resolving the question of the displaced Jews of Europe. In taking this stand, the Amir continued, the Arab states wished to kill two birds with one stone: to enable England, until realisation of the White Paper, to continue to strengthen her rule in the country and to step up all the military bases she needs there; and also to appear before the whole world, and especially before the UN, as moderate, generous and gentlemen. By the way, these two points would make negotiations with England easier for Egypt.
- (g) [Discussion of ex-Mufti, and Abdallah’s desire to “remove” him “at any cost, and quickly”. Discussion of Palestinians’ decision on whether to participate in the London Conference.]
- (h) In his opinion we had to oppose all plans except the “separation and annexation” plan, and to do everything in order to achieve it. In so doing we would pave the way for [...] the possibility of the English, in the end, imposing the federative solution on us and on the Palestinian Arabs. Such an imposition, said Abdallah, would be a net gain. True, it would not give the Jews full satisfaction, but it held out [the prospect ...], in his opinion, of making easier our efforts at improving and expanding our powers in the future. In the meantime, it would make possible the immigration of 100,000 Jews into the country, and it would draw us closer to the Arab world.

[Brief resume of discussion of latest regional political developments.] When we talked about the Anglo-Egyptian negotiations I stressed that we would continue our efforts to win the backing of Isma’il Sidqi and his people.



**TELEGRAM SENT BY BRITISH PRIME MINISTER ATTLEE
TO US PRESIDENT TRUMAN, 18 AUGUST 1946**

It is, of course, a great disappointment to us that you should feel yourself unable to give support to the plan recommended by the Anglo-American Expert Delegations. The discussion of the summary of this plan which we recently presented to Parliament will form the first item on the agenda at the coming conference. We earnestly hope that, as a result of the conference, some solution will emerge which, even if not fully accepted by either Arabs or Jews, may be possible of implementation without too gravely endangering the peace of Palestine or of the Middle East as a whole. But you will appreciate that any such solution must, as matters stand, be one which we can put into effect with our resources alone.

As regards the plan of partition submitted by the Jewish Agency, it is, as I have said, our intention to place the outlines of the provincial autonomy plan before the conference. On various matters, and in particular as regards the boundaries of the provinces and the degree of self-government to be conceded to them, we designedly refrained from committing ourselves in any way when presenting the plan to Parliament. While we are adopting the plan as the initial basis for discussion, we do not propose to take up an immovable position in regard either to the plan itself or to its constituent features in advance of the conference.

It is accordingly open to the Jews or to the Arabs, if they accept our invitation to attend the conference, to propose alterations in the outline plan as announced, to make recommendations as to its details or to submit counter-proposals. All such proposals and recommendations will given due consideration.



**JEWISH AGENCY POLITICAL DEPARTMENT, SUMMARY OF TALKS IN EGYPT,
29 AUGUST 1946**

1. The Egyptians agree that there is no other acceptable solution to the Palestine question except partition.
2. The Egyptians understand and agree that speeding-up the [Palestine] solution will ease their own negotiations [with the British].
3. The Egyptians are prepared to get involved and begin to concern themselves with the matter immediately on three conditions:
 - (a) that there be an official overture to them from the British;
 - (b) that the round-table conference be postponed several days in order for them to have time to prepare things in the desired direction;
 - (c) that [our] contacts remain completely secret. They emphasise that if the affair becomes known to the Arabs they will categorically deny that they had any contact whatsoever with the Jews.
4. Current negotiations on partition will be on the level of principle; areas and boundaries will be discussed only after obtaining the agreement in principle of the Palestinian Arabs and the Arab states.
5. We spoke of partition and the establishment of a Jewish state. As for the Arab part, the choice will be left to the Palestinian Arabs to determine whether to be joined to Transjordan or to establish an independent state in their sector. In such an event, the Jews must commit themselves to support the Palestinian Arabs.
6. The Jewish state would be prepared to:
 - (a) sign an agreement with the British for setting up military bases in the Jewish state for as long as the British deemed it necessary.
 - (b) join the [Arab] League as a member, and take upon itself all the consequent obligations from the political, military and economic point of view. In case the Jewish state's joining the League as a member were not possible, it would sign treaties with the League with the Arab Palestinian state and with the rest of the Arab states, which would be equivalent to membership in the League itself.

- (c) If the partition solution were not achieved, the Jews would be prepared to an exchange of views on other solutions. In the case of the federal solution on the basis of the Morrison proposal, they would discuss an extension of the powers, an improvement in the frontiers, and the control over Jewish immigration by the Jews themselves. In the case of discussion of a bi-national state, they would deal with the immediate immigration of Jews into Palestine until numerical parity is reached; in addition, there would be discussion of the continuation of immigration.

[7.] The Egyptians are herewith putting forth two demands:

- (a) Immediate assistance on our part which would include activating our channels in England and in America for the creation of public opinion favoring Egypt's position in her negotiations with England, and activating the same channels for the creation of public opinion justifying the existence of the current government.
- (b) Future assistance to include co-operation with Egypt in the economic, industrial, agricultural, etc. fields. [...]

Sasson's opinion is that we must communicate the above urgently to Paris and London in order to get an approach of some sort from England to the Egyptians. He also sees it as very important that articles should soon appear in the English and American press in the sense asked for by the Egyptians.

On Sunday [1 September] Sasson will have a talk with an important person from the King's Court. We know that the results of the above talks have been communicated to the King.



**ARAB STATES DELEGATIONS TO THE PALESTINE CONFERENCE,
CONSTITUTIONAL PROPOSALS, LONDON, 30 SEPTEMBER 1946**

1. The first step would be for the High Commissioner to establish, by nomination and after consultation with the leading Palestinian elements, a Provisional Government consisting of seven Arab and three Jewish Ministers of Palestine nationality. The legislative and executive powers of present administration in Palestine would be transferred to the Provisional Government as soon as it has been appointed. The High Commissioner would retain a power of veto throughout the transition period.
2. [...T]he Provisional Government would hold elections for a Constituent Assembly in accordance with an electoral law to be enacted by them. This Constituent Assembly would consist of 60 members. The electoral law should provide for the adequate representation in the Constituent Assembly of all the important sections of citizenry, as defined in paragraph 4(vi)(a) below, in accordance with their respective members.
The representation of Arabs and Jews in the Provisional Government would be without prejudice to the proportions to be determined in the constitution for the representation of Arabs and Jews in the Legislative Assembly. [...]
3. The Provisional Government would prepare and submit to the Constituent Assembly a draft constitution for Palestine. [...]
4. The Provisional Government in drafting or enacting the constitution, and the Constituent Assembly in debating and voting on it, would be bound by directives issued by the High Commissioner. With the exception of these binding directives, the constitution, as decided by the Constituent Assembly[,] would not be subject to the power of veto by the High Commissioner. These directives would provide for the embodiment in the constitution of the following principles:
 - (i) Palestine would be a unitary State.
 - (ii) It should have a democratic constitution, with an elected legislature.
 - (iii) The constitution should provide guarantees for the sanctity of the Holy Places, covering inviolability, maintenance, freedom of access and freedom of worship in accordance with the *status quo*.

- (iv) The constitution should guarantee, subject to suitable safeguards, freedom of religious practice in accordance with the *status quo* throughout Palestine (including the maintenance of separate religious courts for matters of personal status).
 - (v) The law of naturalisation should provide amongst other condition that the applicant should be a legal resident of Palestine for a continuous period of ten years before his application.
 - (vi) The constitution should provide guarantees for:
 - (a) Full rights of citizenship for: [Definitions of eligibility, including:] (2) Any person who acquired Palestinian citizenship by naturalisation before May 1939; (3) Any person who acquired Palestinian citizenship after May 1939, under the Palestinian Citizenship Order, 1925-41, and has been permanently resident in Palestine for a period of ten years. [...]
 - (b) The rights of any resident in Palestine to apply for and acquire Palestinian citizenship on the same terms and conditions without discrimination on grounds of race, religion or language.
 - (c) The right of religious bodies or other societies and individuals to maintain, in addition to educational establishments administered by public authority, private schools and universities, subject to the compulsory teaching of Arabic in the schools and to Government control for the purpose of maintaining educational standards and preventing subversive teaching with the object of creating common allegiance.
 - (d) The right of Jews to employ the Hebrew language as a second official language of districts where they form an absolute majority.
 - (e) 1. Securing that the electoral law for the Legislature shall provide for the adequate representation of all the important sections of the citizenry, as defined in sub-paragraph (a) above, provided that in no case shall the number of Jewish representatives exceed one-third of the total number of the members.
2. Securing that the constitution shall provide for the adequate reflection in the Executive and the Administration of the distribution of the representation in the legislature.
 - (vii) Unless and until legislation provides otherwise, Jewish immigration into Palestine should be entirely prohibited, and the existing land transfer restrictions should remain unchanged. The constitution should provide that any change in the above two matters can only be effected by law requiring the consent of the Arabs in Palestine as expressed by a majority of the Arab members of the Legislative Assembly.
 - (viii) [Guarantees concerning the Holy Places.]
 - (ix) The guarantees concerning the rights of the Jewish citizens which are prescribed in the preceding provisions should not be subject to amendment without the consent of the Jewish citizens of Palestine as expressed by a majority of the Jewish members of the Legislative Assembly.
 - (x) [Machinery, through the establishment of a Supreme Court, for review of legislation and upholding of the constitution.]
5. When the constitution had been adopted, the Provisional Government would proceed forthwith to hold the first parliamentary elections. The first Head of the Independent Palestine State would then be appointed, by whatever procedure was laid down for the purpose in the constitution. The Head of the State would forthwith assume full powers under the constitution. The Mandatory Power should effect the termination of the Mandate and recognize the independence of Palestine. A Treaty of Alliance should be concluded to define the future relations between His Majesty's Government in the United Kingdom and the Independent State of Palestine.
 6. During the transition period, substantial numbers of Palestinians should be progressively brought into the administration.
 7. Every effort should be made to complete with the least possible delay the stages described in the preceding paragraphs, notwithstanding the non co-operation of any section of the Palestine citizenry. The assumption of powers by the Head of the Palestine State should take place to later than 31st December 1948.



**TELEGRAM SENT BY US PRESIDENT TRUMAN TO BRITISH PRIME MINISTER
ATTLEE, US STATE DEPARTMENT, WASHINGTON, DC, 3 OCTOBER 1946**

PLEASE DELIVER AT EARLIEST POSSIBLE MOMENT FOLLOWING MESSAGE FROM THE PRESIDENT TO THE PRIME MINISTER:

QUOTE: I deeply regret that it has been found necessary to postpone further meetings of the Palestine Conference in London until Dec 16 and I sincerely hope that it will be found possible in the interim to begin moving on a large scale the 100,000 displaced Jews in Europe who are awaiting admission to Palestine. In view of the deep sympathy of the American people for these unfortunate victims of Nazi persecution in Europe and of the hopes in this country that a fair and workable solution of the Palestine problem be reached as soon as possible I find it necessary to make a further statement at once on the subject. Attached hereto is a copy of the statement which I am planning to issue tomorrow Oct. 4. Colon.

SUBQUOTE I have learned with deep regret that the meetings of the Palestine Conference in London have been adjourned and are not to be resumed until Dec 16, 1946. In the light of this situation it is appropriate to examine the record of the Administration's efforts in this field, efforts which have been supported in and out of Congress by members of both political parties, and to state my views on the situation as it now exists.

It will be recalled that when Mr. Earl Harrison reported on Sep 29, 1945 concerning the condition of displaced persons in Europe, I immediately urged that steps be taken to relieve the situation of these persons to the extent at least of admitting 100,000 Jews into Palestine. In response to this suggestion the British Government invited the Government of the United States to cooperate in setting up a joint Anglo-American Com-mittee of Inquiry, an invitation which this Government was happy to accept in the hope that its participation would help to alleviate the situation of the displaced Jews in Europe and would assist in finding a solution for the difficult and complex problem of Palestine itself. The urgency with which this Government regarded the matter is reflected in the fact that a 120 day limit was set for the completion of the Committee's task.

The unanimous report of the Anglo-American Committee of Inquiry was made on April 20, 1946, and I was gratified to note that among the recommendations contained in the Report was an endorsement of my previous suggestion that 100,000 Jews be admitted into Palestine. The Administration immediately concerned itself with devising ways and means for transporting the 100,000 and caring for them upon their arrival. With this in mind, experts were sent to London in June 1946 to work out provisionally the actual travel arrangements. The British Government cooperated with this group, but made it clear that in its view the report must be considered as a whole and that the issue of the 100,000 could not be considered separately.

On June 11, I announced the establishment of a Cabinet Committee on Palestine and Related Problems, composed of the Secretaries of State, War and Treasury, to assist me in considering the recommendations of the Anglo-American Committee of Inquiry. The Alternates of this Cabinet Committee, headed by Ambassador Henry F. Grady, departed for London on July 10, 1946 to discuss with British Government representatives how the Report might best be implemented. The Alternates submitted on July 24, 1946 a report, commonly referred to as the Morrison plan, advocating a scheme of provincial autonomy which might lead ultimately to a bi-national state or to partition. However, opposition to this plan developed among members of the major political parties in the United States - both in the Congress and throughout the country. In accordance with the principle which I have consistently tried to follow, of having a maximum degree of unity, within the country and between the parties on major elements of American foreign policy, I could not give my support to this plan.

I have, nevertheless, maintained my deep interest in the matter and have repeatedly made known and have urged that steps be taken at the earliest possible moment to admit 100,000 Jewish refugees to Palestine.

In the meantime, this Government was informed of the efforts of the British Government to bring to London representatives of the Arabs and Jews, with a view to finding a solution to this distressing problem. I expressed the hope that as a result of these conversations a fair solution of the Palestine problem could be found. While all the parties invited had not found themselves able to attend, I had hoped that there was still a possibility that representatives of the Jewish Agency might take part. If so, the prospect for an agreed and constructive settlement would have been enhanced.

The British Government presented to the Conference the so-called Morrison plan for provincial autonomy and stated that the Conference was open to other proposals. Meanwhile, the Jewish Agency proposed a solution of the Palestine problem by means of the creation of a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine instead of in the whole of Palestine. It proposed furthermore the immediate issuance of certificates for 100,000 Jewish immigrants. This proposal received widespread attention in the United States, both in the press and in public forums. From the discussion which has ensued it is my belief that a solution along these lines would command the support of public opinion in the United States. I cannot believe that the gap between the proposals which have been put forward is too great to be bridged by men of reason and goodwill. To such a solution our Government could give its support.

In the light of the situation which has now developed I wish to state my views as succinctly as possible:

1. In view of the fact that winter will come on before the Conference can be resumed I believe and urge that substantial immigration into Palestine cannot await a solution to the Palestine problem and that it should begin at once. Preparations for this movement have already been made by this Government and it is ready to lend its immediate assistance.
2. I state again, as I have on previous occasions, that the immigration laws of other countries, including the United States, should be liberalized with a view to the admission of displaced persons. I am prepared to make such a recommendation to the Congress and to continue as energetically as possible collaboration with other countries on the whole problem of displaced persons.
3. Furthermore, should a workable solution for Palestine be devised, I would be willing to recommend to the Congress a plan for economic assistance for the development of that country.

In the light of the terrible ordeal which the Jewish people of Europe endured during the recent war and the crisis now existing, I cannot believe that a program of immediate action along the lines suggested above could not be worked out with the cooperation of all people concerned. The Administration will continue to do everything it can be this end. END OF MESSAGE

Repeated to Paris for SECDEL. ACHESON, ACTING



**IMMIGRATION INTO PALESTINE –
STATEMENT BY US PRESIDENT TRUMAN, 4 OCTOBER 1946**

I have learned with deep regret that the meetings of the Palestine Conference in London have been adjourned and are not to be resumed until December 16, 1946. In the light of this situation it is appropriate to examine the record of the administration's efforts in this field, efforts which have been supported in and not of Congress by members of both political parties, and to state my views on the situation as it now exists.

It will be recalled that, when Mr. Earl Harrison reported on September 29, 1945, concerning the condition of displaced persons in Europe, I immediately urged that steps be taken to relieve the situation of these persons to the extent at least of admitting 100,000 Jews into Palestine. In response to this suggestion the British Government invited the Government of the United States to cooperate in setting up a joint Anglo-American Committee of Inquiry, an invitation which this Government was happy to accept in the hope that its participation would help to alleviate the situation of the displaced

Jews in Europe and would assist in finding a solution for the difficult and complex problem of Palestine itself. The urgency with which this Government regarded the matter is reflected in the fact that a 120-day limit was set for the completion of the Committee's task.

The unanimous report of the Anglo-American Committee of Inquiry was made on April 20, 1946, and I was gratified to note that among the recommendations contained in the Report was an endorsement of my previous suggestion that 100,000 Jews be admitted into Palestine. The administration immediately concerned itself with devising ways and means for transporting the 100,000 and caring for them upon their arrival. With this in mind, experts were sent to London in June 1946 to work out provisionally the actual travel arrangements. The British Government cooperated with this group but made it clear that in its view the Report must be considered as a whole and that the issue of the 100,000 could not be considered separately.

On June 11, I announced the establishment of a Cabinet Committee on Palestine and Related Problems, composed of the Secretaries of State, War, and Treasury, to assist me in considering the recommendations of the Anglo-American Committee of Inquiry. The alternates of this Cabinet Committee, headed by Ambassador Henry F. Grady, departed for London on July 10, 1946, to discuss with British Government representatives how the Report might best be implemented. The alternates submitted on July 24, 1946 a report, commonly referred to as the "Morrison plan", advocating a scheme of provincial autonomy which might lead ultimately to a bi-national state or to partition. However, opposition to this plan developed among members of the major political parties in the United States—both in the Congress and throughout the country. In accordance with the principle which I have consistently tried to follow, of having a maximum degree of unity within the country and between the parties on major elements of American foreign policy, I could not give my support to this plan.

I have, nevertheless, maintained my deep interest in the matter and have repeatedly made known and have urged that steps be taken at the earliest possible moment to admit 100,000 Jewish refugees to Palestine.

In the meantime, this Government was informed of the efforts of the British Government to bring to London representatives of the Arabs and Jews, with a view to finding a solution to this distressing problem. I expressed the hope that as a result of these conversations a fair solution of the Palestine problem could be found. While all the parties invited had not found themselves able to attend, I had hoped that there was still a possibility that representatives of the Jewish Agency might take part. If so, the prospect for an agreed and constructive settlement would have been enhanced.

The British Government presented to the Conference the so-called "Morrison plan" for provincial autonomy and stated that the Conference was open to other proposals. Meanwhile, the Jewish Agency proposed a solution of the Palestine problem by means of the creation of a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine instead of in the whole of Palestine. It proposed furthermore the immediate issuance of certificates for 100,000 Jewish immigrants. This proposal received wide-spread attention in the United States, both in the press and in public forums. From the discussion which has ensued it is my belief that a solution along these lines would command the support of public opinion in the United States. I cannot believe that the gap between the proposals which have been put forward is too great to be bridged by men of reason and good-will. To such a solution our Government could give its support.

In the light of the situation which has now developed I wish to state my views as succinctly as possible:

1. In view of the fact that winter will come on before the Conference can be resumed I believe and urge that substantial immigration into Palestine cannot await a solution to the Palestine problem and that it should begin at once. Preparations for this movement have already been made by this Government and it is ready to lend its immediate assistance.

2. I state again, as I have on previous occasions, that the immigration laws of other countries, including the United States, should be liberalized with a view to the admission of displaced persons. I am prepared to make such a recommendation to the Congress and to continue as energetically as possible collaboration with other countries on the whole problem of displaced persons.
3. Furthermore, should a workable solution for Palestine be devised, I would be willing to recommend to the Congress a plan for economic assistance for the development of that country.

In the light of the terrible ordeal which the Jewish people of Europe endured during the recent war and the crisis now existing, I cannot believe that a program of immediate action along the lines suggested above could not be worked out with the cooperation of all people concerned. The administration will continue to do everything it can to this end.



**TELEGRAM SENT BY US PRESIDENT TRUMAN TO BRITISH PRIME MINISTER
ATTLEE, US STATE DEPARTMENT, WASHINGTON, DC, 10 OCTOBER 1946**

President desires you to arrange for immediate delivery to PRIMIN ATTLEE of following reply to letter's personal and TOPSEC message of Oct 4 re Palestine:

QUOTE If my statement of October 4, 1946 was embarrassing to you, I very much regret it. My feeling was that the announcement of the adjournment until December 16 of the discussions with the Arabs had brought such depression to the Jewish displaced persons in Europe and to millions of American citizens concerned with the fate of these unfortunate people that I could not even for a single day postpone making clear the continued interest of this Government in their welfare.

It is now well over a year since I first brought to your attention the recommendations of Mrs. Earl Harrison in regard to the European displaced Jews. Since that time, this Government has steadfastly adhered to the view that nothing would contribute more to the alleviation of the plight of the Jewish victims of Nazi and Fascist persecution than the immediate transfer of a substantial number of them from Europe to Palestine. It was in line with this attitude that, following the unanimous recommendation made by the Anglo-American Committee of Inquiry that the entry into Palestine of at least 100,000 displaced Jews be authorized at the earliest possible moment, I made it clear that the American Government would finance the transportation of these immigrants from Europe to Palestine. In the succeeding months, this matter was the subject of frequent communications between our Governments, but no decision was reached.

During the course of the recent discussions which your Government was conducting with the representatives of the Arab State; this Government had followed a policy of refraining from public statements with respect to Palestine which might complicate the negotiations. We did so in spite of recurring requests from many quarters that we make known unequivocally our attitude toward the matters under discussion in London. When, however, it was learned that the conference with the Arabs had been postponed until the month of December without a decision as to concrete steps which might be taken either to alleviate the situation of the Jewish survivor in Europe or to resolve the pressing problems of Palestine itself, I considered that it was incumbent on me to express regret at this outcome and again to call attention to the urgency of this matter.

The failure to reach an agreement which would permit their entry to Palestine has had a most distressing effect upon the morals of the European displaced Jews, who have seen nearly a year and a half pass since their liberation with no decision as to their future. Their feeling of depression and frustration was, of course, intensified by the approach of their annual Day of Atonement, when they are accustomed to give contemplation to the lot of the Jewish people. I am sure that you will agree that it would be most unfair to these unfortunate persons to let them enter upon still another winter without

any definite word as to what disposition is to be made of them and specifically as to whether they are to be allowed to proceed to Palestine, where so many of them wish ardently to go.

I felt that this Government owed it to these people to leave them in no doubt, at this particular season with all its traditional associations, as to its continuing interest in their future and its desire that all possible steps should be taken to alleviate their plight.

We realize that Great Britain is responsible for the administration of Palestine under the terms of the Mandate which your Government received after the end of the First World War. We believe, however, that one of the primary purposes of the Mandate was to foster the development of the Jewish National Home, a development which has commanded international sympathy and in which the Government of the United States has traditionally maintained a deep and abiding interest. In our view the development of the Jewish National Home has no meaning in the absence of Jewish immigration and settlement on the land as contemplated in the Mandate. We therefore feel that the implementation of the Mandate, as well as the humanitarian considerations mentioned above, call for immediate and substantial immigration into Palestine.

In stating these views we, of course, are fully appreciative of the many difficult problems which Great Britain faces in connection with the discharge of its responsibilities under the Mandate. It was a matter of considerable regret to us to observe that the recent conversations in London did not apparently result in a situation in which some, at least, of these difficulties might have been lessened. We felt, however, that the matter of the transfer of the displaced Jews was so urgent that it could not await the outcome of negotiations which promised to be of a protracted character.

This Government, as has already been made clear, stands ready to do all in its power to initiate immediate measures for the transfer of the 100,000 Jewish displaced persons to Palestine. Believe me, Mr. Prime Minister, I appreciate the difficulty of the situation of your Government in the matter of opening Palestine to increased Jewish immigration. I am concerned, however, that further postponement of decisions which would permit displaced European Jews to begin entering Palestine in substantial numbers is sure to render still more difficult the solution of a problem in which my Government as well as your Government has so deep an interests. UNQUOTE

Sent London, Repeated to Paris for SECDEL

ACHESON - Acting



**HIGH COMMISSIONER FOR PALESTINE, SIR ALAN G. CUNNINGHAM,
MEMORANDUM TO THE SECRETARY OF STATE FOR COLONIES, ARTHUR
CREECH JONES, COMPARING THE TREATMENT OF ARABS AND JEWS DURING
THE DISTURBANCES OF 1936-39, 1945 AND SUBSEQUENT YEARS, 19 JUNE 1947**

The Arab disturbances of 1936 and 1937/9 were essentially different in character from the Jewish terrorism of 1945 onwards. The Arab rebellion was a mass movement; until the latter stages of the second disturbances it is roughly true to say that the whole population was either actively participating in the rebellion or openly assisting the rebels. Gangs of all sizes up to 200 persons roamed the countryside as more or less organized and permanent formations; pitched battles lasting for hours (and even in one case for days) were fought with the security forces; the Government writ ceased for months on end to run in large areas of the country; Government services were entirely suspended over most the Arab Palestine; the rebels set up their own courts and established what was in fact a rudimentary government and administration in the areas under their control. It is often overlooked that the Arab disturbances were far wider in scope and greater in intensity than the recent Jewish terrorism.

2. The cardinal feature of Jewish terrorism is that for the most part it has been and is the work of two comparatively small groups (the National Military Organization and the Stern Group), whose ac-

tivities have been repeatedly repudiated and indeed denounced by the responsible institutions of the Jewish community, and whose attitude to the recognized Jewish leaders is scarcely less envenomed than is their attitude to the mandatory administration. The Jewish Agency and other Jewish bodies, while not prepared to call upon the Yishuv to cooperate with the Government in the suppression of the terrorist groups, are taking certain steps of limited efficacy to circumscribe their activities by, e.g., giving protection to those persons who contribute to their funds under duress and by counter-propaganda particularly among those sections of the Jewish community most susceptible to dissident persuasion. The attitude of the Yishuv itself to the dissidents varies markedly from time to time, but generally it is true to say that it is passive and insert, neither affording the terrorists active assistance nor actively co-operating with the security forces in counter-terrorist operations.

3. To combat the mass insurgency which characterized the Arab disturbances the Palestine Government was driven to adopt the principle of collective responsibility and to make use of collective penalties. The principle of collective responsibility was one to which the Arab community had been accustomed from ancient times; but its application to the Jewish community would have been out of place, not only because of the difference of its social organization, based on the western concept of the individual, but also on account of the very nature of Jewish terrorism, which, as indicated in the preceding paragraph, has been, and continues to be, the work of a dissident minority in which the Jewish community as a whole is not actively implicated. No comparison can usefully be made between the treatment accorded to the Arab and that accorded to Jewish community which ignores the essential difference between the problem with which the Palestine Government was confronted in the years 1936/39 and that with which it has been faced since the end of the war. The following tables afford a statistical comparison of the scope of the Arab and Jewish disturbances and of the measures taken by Government for the suppression of each:

(a) *Terrorist incidents.*

<i>Arab disturbances.</i>		<i>Jewish disturbances.</i>	
1936 --- (no figures available) (Records destroyed)		1945	
1937	438	1946	487
1938	5,708	1947	271
1939	3,315	(to 30.4.47)	

(b) *Casualties inflicted as a result of terrorist action (excluding terrorists killed or wounded by action of the security forces.)*

	<i>Arab disturbances.</i>		<i>Jewish disturbances.</i>		
	<i>Killed.</i>	<i>Wounded</i>	<i>Killed</i>	<i>Wounded.</i>	
1936	314	1,337	1945	17	112
1937	97	149	1946	119	241
1938	835	1,204	1947	22	44
1939	545	598	(to 30.4.47)		

(c) *Casualties suffered by the security forces as a result of terrorist outrages.*

	<i>Arab disturbances.</i>		<i>Jewish disturbances.</i>		
	<i>Killed.</i>	<i>Wounded.</i>	<i>Killed.</i>	<i>Wounded.</i>	
1936	37	206	1945	5	50
1937	19	13	1946	77	180
1938	172	331	1947	21	161
1939	37x ¹ (figure not available) (to 30.4.47)				

(d) Terrorists killed and wounded by action of the security forces.

	<i>Arab disturbances.</i>		<i>Jewish disturbances.</i>	
	<i>Killed.</i>	<i>Wounded.</i>	<i>Killed.</i>	<i>Wounded.</i>
1936	1,000 (estimate).	(figure not available)	1945	(Records destroyed).
1937	150		1946	15 17
1938	1,000 (estimate).	(figure not available)	1947	5 4
1939		(no figures available).		(to 30.4.47)

(e) Persons deported from Palestine for complicity in terrorism.

<i>Arab disturbances.</i>	<i>Jewish disturbances</i> (to 30.4.47)
5	444

(f) Terrorists and suspected terrorists detained under emergency powers.

<i>Arab disturbances.</i>	<i>Jewish disturbances.</i>
1936	(figures not available).
	1945 512
	1946 1,204
1937	816
	1947 715
1938	2,463
	(to 30.4.47)
1939	9,343
	(These figures related to Jews only).
	(These figures relate to Arabs only)

(g) Persons executed in pursuance of military court sentences.

<i>Arab Disturbances.</i>	<i>Jewish disturbances.</i>
1936	Nil.
1937	2x ²
1938	53
1939	53
	1945 _____
	1946 _____
	1947 4x ³
	(These figures related to Arabs only).

x¹ This figure relates only to British and Palestinian police. (Figure for military killed not available).

x² Figure of 3 given at page 16 of the Report to the League of Nations for 1937 is incorrect.

x³ Plus two prisoners under sentence of death who committed suicide in prison.

4. A fine of 500 pound was imposed on the Jewish settlement of Givat Shaul following the attempts on the like of Sir Harold MacMichael. This was collected in full.
5. The comparison would not be complete were mention omitted of two forms of collective penalty imposed in the Arab rebellion which have not been used (x4) in the disturbances of 1945/7. These comprised:

(a) punitive demolition of buildings.

No record exists of the number of buildings so destroyed; the power to appropriate (and subsequently demolish) property conferred by regulation 19B of the Emergency Regulations 1936 was vested originally in district commissioners and assistant district commissioners and subsequently in military commands and was exercised in accordance with the exigencies of the local situation. It is commonly said that some 2,000 Arab buildings were demolished for punitive reasons between 1936 and 1940. These were for the most part small village dwellings of mud or rough stone of comparatively little pecuniary value; to have employed a similar form of punishment in Jewish areas would have involved the destruction of substantially

built edifices - blocks of flats and corporation buildings - of vastly greater value, and would have been a penalty incomparably greater severity.

(b) Imposition of collective fines and punitive police.

The records of these have been destroyed. A substantial part of the fines imposed was never collected and was subsequently written-off.



**SUMMARY OF THE REPORT OF THE UN SPECIAL COMMITTEE ON PALESTINE
(UNSCOP) REGARDING THE PARTITION PLAN, 31 AUGUST 1947**

(a) General Recommendations of the Committee

The eleven unanimously adopted resolutions of the Committee were:

- That the Mandate should be terminated and Palestine granted independence at the earliest practicable date (recommendations I and II);
- That there should be a short transitional period preceding the granting of independence to Palestine during which the authority responsible for administering Palestine should be responsible to the United Nations (recommendations III and IV);
- That the sacred character of the Holy Places and the rights of religious communities in Palestine should be preserved and stipulations concerning them inserted in the constitution of any state or states to be created and that a system should be found for settling impartially any disputes involving religious rights (recommendation V);
- That the General Assembly should take steps to see that the problem of distressed European Jews should be dealt with as a matter of urgency so as to alleviate their plight and the Palestine problem (recommendation VI);
- That the constitution of the new state or states should be fundamentally democratic and should contain guarantees for the respect of human rights and fundamental freedoms and for the protection of minorities (recommendation VII);
- That the undertakings contained in the Charter whereby states are to settle their disputes by peaceful means and to refrain from the threat or use of force in international relations in any way inconsistent with the purposes of the United Nations should be incorporated in the constitutional provisions applying to Palestine (recommendation VIII);
- That the economic unity of Palestine should be preserved (recommendation IX);
- That states whose nationals had enjoyed in Palestine privileges and immunities of foreigners, including those formerly enjoyed by capitulation of usage in the Ottoman Empire, should be invited to renounce any rights pertaining to them (recommendation X);
- That the General Assembly should appeal to the peoples of Palestine to cooperate with the United Nations in its efforts to settle the situation there and exert effort to put an end to acts of violence (recommendations XI);

In addition to these eleven unanimously approved recommendations, the Special Committee, with two members (Uruguay and Guatemala) dissenting, and one member recording no opinion, also approved the following twelfth recommendation:

Recommendation XII. The Jewish Problem in General

It is recommended that: In the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general.

(b) Majority Proposal: Plan of Partition with Economic Union

According to the plan of the majority (the representatives of Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay), Palestine was to be constituted into an Arab State, a Jewish State and the City of Jerusalem. The Arab and the Jewish States would become independ-

ent after a transitional period of two years beginning on 1 September 1947. Before their independence could be recognized, however, they must adopt a constitution in line with the pertinent recommendations of the Committee and make to the United Nations a declaration containing certain guarantees, and sign a treaty by which a system of economic collaboration would be established and the economic union of Palestine created.

The plan provided, *inter alia*, that during the transitional period, the United Kingdom would carry on the administration of Palestine under the auspices of the United Nations and on such conditions and under such supervision as the United Kingdom and the United Nations might agree upon. During this period a stated number of Jewish immigrants was to be admitted. Constituent Assemblies were to be elected by the populations of the areas which were to comprise the Arab and Jewish States, respectively, and were to draw up the constitution of the States.

These constitutions were to provide for the establishment in each State of a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation and an executive body responsible to the legislature. They would also contain various guarantees, e.g. for the protection of the Holy Places and religious buildings and sites, and of religious and majority rights.

The Constituent Assembly in each State would appoint a provisional government empowered to make the declaration and sign the Treaty of Economic Union, after which the independence of the State would be recognized. The Declaration would contain provisions for the protection of the Holy Places and religious buildings and sites and for religious and minority rights. It would also contain provisions regarding citizenship.

A treaty would be entered into between the two States, which would contain provisions to establish the economic union of Palestine and to provide for other matters of common interest. A Joint Economic Board would be established consisting of representatives of the two States and members appointed by the Economic and Social Council of the United Nations to organize and administer the objectives of the Economic Union.

The City of Jerusalem would be placed, after the transitional period, under the International Trusteeship System by means of a Trusteeship Agreement, which would designate the United Nations as the Administering Authority. The plan contained recommended boundaries for the city and provisions concerning the governor and the police force.

The plan also proposed boundaries for both the Arab and Jewish States.

(c) *Minority Proposal: Plan of a Federal State*

Three UNSCOP members (the representatives of India, Iran and Yugoslavia) proposed an independent federal state. This plan provided, *inter alia*, that an independent federal state of Palestine would be created following a transitional period not exceeding three years, during which responsibility for administering Palestine and preparing it for independence would be entrusted to an authority to be decided by the General Assembly.

The independent federal state would comprise an Arab State and a Jewish State. Jerusalem would be its capital.

During the transitional period a Constituent Assembly would be elected by popular vote and convened by the administering authority on the basis of electoral provisions which would ensure the fullest representation of the population. The Constituent Assembly would draw up the constitution of the federal state, which was to contain, *inter alia*, the following provisions:

The federal state would comprise a federal government and governments of the Arab and Jewish States, respectively. Full authority would be vested in the federal government with regard to na-

tional defense, foreign relations, immigration, currency, taxation for federal purposes, foreign and inter-state waterways, transport and communications, copyrights and patents.

The Arab and Jewish States would enjoy full powers of local self-government and would have authority over education, taxation for local purposes, the right of residence, commercial licences, land permits, grazing rights, inter-state immigration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries.

The organs of government would include a head of state, an executive body, a representative federal legislative body composed of two chambers, and a federal court. The executive would be responsible to the legislative body. Election to one chamber of the federal legislative body would be on the basis of proportional representation of the population as a whole, and to the other on the basis of equal representation of the Arab and Jewish citizens of Palestine. Legislation would be enacted when approved by majority votes in both chambers; in the event of disagreement between the two chambers, the issue would be submitted to an arbitral body of five members including not less than two Arabs and two Jews.

The federal court would be the final court of appeal regarding constitutional matters. Its members, who would include not less than four Arabs and three Jews, would be elected by both chambers of the federal legislative body. The constitution was to guarantee equal rights for all minorities and fundamental human rights and freedoms. It would guarantee, *inter alia*, free access to the Holy Places and protect religious interests. The constitution would provide for an undertaking to settle international disputes by peaceful means.

There would be a single Palestinian nationality and citizenship. The constitution would provide for equitable participation of representatives of both communities in delegations to international conferences.

A permanent international body was to be set up for the supervision and protection of the Holy Places, to be composed of three representatives designated by the United Nations and one representative of each of the recognized faiths having an interest in the matter, as might be determined by the United Nations.

For a period of three years from the beginning of the transitional period Jewish immigrants would be permitted into the Jewish State in such numbers as not to exceed its absorptive capacity, and having due regard for the rights of the existing population within that State and their anticipated natural rate of increase. An international commission, composed of three Arabs, three Jewish and three United Nations representatives, would be appointed to estimate the absorptive capacity of the Jewish State. The commission would cease to exist at the end of the three-year period mentioned above.

The minority plan also laid down the boundaries of the proposed Arab and Jewish areas of the federal state.



UN SPECIAL COMMITTEE ON PALESTINE (UNSCOP), RECOMMENDATIONS TO THE UN GENERAL ASSEMBLY, 3 SEPTEMBER 1947

Chapters V, VI, VII and VIII are given.

Recommendations (I)

Introductory Statement

1. The Committee held a series of informal discussions during its deliberations in Geneva as a means of appraising comprehensively the numerous aspects of the Palestine problem. In these discussions the members of the Committee debated at length and in great detail the various proposals advanced for its solution.

2. In the early stages of the discussions, it became apparent that there was little support for either of the solutions which would take an extreme position, namely, a single independent State of Palestine, under either Arab or Jewish domination. It was clear, therefore, that there was no disposition in the Committee to support in full the official proposals of either the Arab States or the Jewish Agency as described in Chapter IV of this report. It was recognized by all members that an effort must be made to find a solution which would avoid meeting fully the claims of one group at the expense of committing grave injustice against the other.
3. At its forty-seventh meeting on 27 August 1947, the Committee formally rejected both of the extreme solutions. In taking, this action the Committee was fully aware that both Arabs and Jews advance strong claims to rights and interests in Palestine, the Arabs by virtue of being for centuries the indigenous and preponderant people there, and the Jews by virtue of historical association with the country and international pledges made to them respecting their rights in it. But the Committee also realized that the crux of the Palestine problem is to be found in the fact that two sizeable groups, an Arab population of over 1,200,000 and a Jewish population of over 600,000, with intense nationalist aspirations, are diffused throughout a country that is arid, limited in area, and poor in all essential resources. It was relatively easy to conclude, therefore, that since both groups steadfastly maintain their claims, it is manifestly impossible, in the circumstances, to satisfy fully the claims of both groups, while it is indefensible to accept the full claims of one at the expense of the other.
4. Following the rejection of the extreme solutions in its informal discussions, the Committee devoted its attention to the bi-national State and cantonal proposals. It considered both, but the members who may have been prepared to consider these proposals in principle were not impressed by the workability of either. It was apparent that the bi-national solution, although attractive in some of its aspects, would have little meaning unless provision were made for numerical or political parity between the two population groups, as provided for in the proposal of Dr. J. L. Magnes. This, however, would require the inauguration of complicated mechanical devices which are patently artificial and of dubious practicality.
5. The cantonal solution, under the existing conditions of Arab and Jewish diffusion in Palestine, might easily entail an excessive fragmentation of the governmental processes, and in its ultimate result, would be quite unworkable.
6. Having thus disposed of the extreme solutions and the bi-national and cantonal schemes, the members of the Committee, by and large, manifested a tendency to move toward either partition qualified by economic unity, or a federal-State plan. In due course, the Committee established two informal working groups, one on partition under a confederation arrangement and one on the federal State, for the purpose of working out the details of the two plans, which in their final form are presented in Chapters VI and VII of this report, with the names of the members who supported them.
7. As a result of the work done in these working groups, a substantial measure of unanimity with regard to a number of important issues emerged, as evidenced in the forty-seventh meeting of the Committee. On the basis of this measure of agreement, a drafting sub-committee was appointed to formulate specific texts.
8. In the course of its forty-ninth meeting on 29 August 1947, the Committee considered the report of the drafting sub-committee, and unanimously approved eleven recommendations to the General Assembly, the texts of which are set forth in section A of this chapter. A twelfth recommendation, with which the representatives of Guatemala and Uruguay were not in agreement, appears in section B.

SECTION A. RECOMMENDATIONS APPROVED UNANIMOUSLY

Recommendation I. Termination of the Mandate

It is recommended that

The Mandate for Palestine shall be terminated at the earliest practicable date.

Comment

Among the reasons for this unanimous conclusion are the following:

- a. All directly interested parties - the mandatory Power, Arabs and Jews - are in full accord that there is urgent need for a change in the status of Palestine. The mandatory Power has officially informed the Committee "that the Mandate has proved to be unworkable in practice, and that the obligations

undertaken to the two communities in Palestine have been shown to be irreconcilable". Both Arabs and Jews urge the termination of the mandate and the grant of independence to Palestine, although they are in vigorous disagreement as to the form that independence should take.

- b. The outstanding feature of the Palestine situation today is found in the clash between Jews and the mandatory Power on the one hand, and on the other the tension prevailing between Arabs and Jews. This conflict-situation, which finds expression partly in an open breach between the organized Jewish community and the Administration and partly in organized terrorism and acts of violence, has steadily grown more intense and takes as its toll an ever-increasing loss of life and destruction of property.
- c. In the nature of the case, the Mandate implied only a temporary tutelage for Palestine. The terms of the Mandate include provisions which have proved contradictory in their practical application.
- d. It may be seriously questioned whether, in any event, the Mandate would now be possible of execution. The essential feature of the mandates system was that it gave an international status to the mandated territories. This involved a positive element of international responsibility for the mandated territories and an international accountability to the Council of the League of Nations on the part of each mandatory for the well-being and development of the peoples of those territories. The Permanent Mandates Commission was created for the specific purpose of assisting the Council of the League in this function. But the League of Nations and the Mandates Commission have been dissolved, and there is now no means of discharging fully the international obligation with regard to a mandated territory other than by placing the territory under the International Trusteeship System of the United Nations.
- e. The International Trusteeship System, however, has not automatically taken over the functions of the mandates system with regard to mandated territories. Territories can be placed under Trusteeship only by means of individual Trusteeship Agreements approved by a two-thirds majority of the General Assembly.
- f. The most the mandatory could now do, therefore, in the event of the continuation of the Mandate, would be to carry out its administration, in the spirit of the Mandate, without being able to discharge its international obligations in accordance with the intent of the mandates system. At the time of the termination of the Permanent Mandates Commission in April 1946, the mandatory Power did, in fact, declare its intention to carry on the administration of Palestine, pending a new arrangement, in accordance with the general principles of the Mandate. The mandatory Power has itself now referred the matter to the United Nations.

Recommendation II. Independence

It is recommended that

Independence shall be granted in Palestine at the earliest practicable date.

Comment

- a. Although sharply divided by political issues, the peoples of Palestine are sufficiently advanced to govern themselves independently.
- b. The Arab and Jewish peoples, after more than a quarter of a century of tutelage under the Mandate, both seek a means of effective expression for their national aspirations.
- c. It is highly unlikely that any arrangement which would fail to envisage independence at a reasonably early date would find the slightest welcome among either Arabs or Jews.

Recommendation III. Transitional period

It is recommended that

There shall be a transitional period preceding the grant of independence in Palestine which shall be as short as possible, consistent with the achievement of the preparations and conditions essential to independence.

Comment

- a. A transitional period preceding independence is clearly imperative. It is scarcely conceivable, in view of the complicated nature of the Palestine problem, that independence could be responsibly granted without a prior period of preparation.

- b. The importance of the transitional period is that it would be the period in which the governmental organization would have to be established, and in which the guarantees for such vital matters as the protection of minorities, and the safeguarding of the Holy Places and religious interests could be ensured.
- c. A transitional period, however, would in all likelihood only serve to aggravate the present difficult situation in Palestine unless it were related to a specific and definitive solution which would go into effect immediately upon the termination of that period, and were to be of a positively stated duration, which, in any case, should not exceed a very few years.

Recommendation IV. United Nations responsibility during the transitional period

It is recommended that

During the transitional period the authority entrusted with the task of administering Palestine and preparing it for independence shall be responsible to the United Nations.

Comment

- a. The responsibility for administering Palestine during the transitional period and preparing it for independence will be a heavy one. Whatever the solution, enforcement measures on an extensive scale may be necessary for some time. The Committee is keenly aware of the central importance of this aspect of any solution, but has not felt competent to come to any conclusive opinion or to formulate any precise recommendations on this matter.
- b. It is obvious that a solution which might be considered intrinsically as the best possible and most satisfactory from every technical point of view would be of no avail if it should appear that there would be no means of putting it into effect. Taking into account the fact that devising a solution which will be fully acceptable to both Jews and Arabs seems to be utterly impossible, the prospect of imposing a solution upon them would be a basic condition of any recommended proposal.
- c. Certain obstacles which may well confront the authority entrusted with the administration during the transitional period make it desirable that a close link be established with the United Nations.
- d. The relative success of the authority entrusted with the administration of Palestine during the transitional period in creating the proper atmosphere and in carrying out the necessary preparations for the assumption of independence will influence greatly the effectiveness of the final solution to be applied. It will be of the utmost importance to the discharge of its heavy responsibilities that, while being accountable to the United Nations for its actions in this regard, the authority concerned should be able to count upon the support of the United Nations in carrying out the directives of that body.

Recommendation V. Holy Places and religious interests

It is recommended that

In whatever solution may be adopted for Palestine,

- A. The sacred character of the Holy Places shall be preserved and access to the Holy Places for purposes of worship and pilgrimage shall be ensured in accordance with existing rights, in recognition of the proper interest of millions of Christians, Jews and Moslems abroad as well as the residents of Palestine in the care of sites and buildings associated with the origin and history of their faiths.
- B. Existing rights in Palestine of the several religious communities shall be neither impaired nor denied, in view of the fact that their maintenance is essential for religious peace in Palestine under conditions of independence.
- C. An adequate system shall be devised to settle impartially disputes involving religious rights as an essential factor in maintaining religious peace, taking into account the fact that during the Mandate such disputes have been settled by the Government itself, which acted as an arbiter and enjoyed the necessary authority and power to enforce its decisions.
- D. Specific stipulations concerning Holy Places, religious buildings or sites and the rights of religious communities shall be inserted in the constitution or constitutions of any independent Palestinian State or States which may be created.

Comment

Palestine, as the Holy Land, occupies a unique position in the world. It is sacred to Christian, Jew and Moslem alike. The spiritual interests of hundreds of millions of adherents of the three great monothe-

istic religions are intimately associated with its scenes and historical events. Any solution of the Palestine question should take into consideration these religious interests.

- a. The safeguarding of the Holy Places, buildings and sites located in Palestine should be a condition to the grant of independence.

Recommendation VI. Jewish displaced persons

It is recommended that

The General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews, of whom approximately 250,000 are in assembly centers, will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem.

Comment

- a. The distressed Jews of Europe, together with the displaced persons generally, are a legacy of the Second World War. They are a recognized international responsibility. Owing however to the insistent demands that the distressed Jews be admitted freely and immediately into Palestine, and to the intense urge which exists among these people themselves to the same end, they constitute a vital and difficult factor in the solution.
- b. It cannot be doubted that any action which would ease the plight of the distressed Jews in Europe would thereby lessen the pressure of the Palestinian immigration problem, and would consequently create a better climate in which to carry out a final solution of the question of Palestine. This would be an important factor in allaying the fears of Arabs in the Near East that Palestine and ultimately the existing Arab countries are to be marked as the place of settlement for the Jews of the world.
- c. The Committee recognizes that its terms of reference would not entitle it to devote its attention to the problem of the displaced persons as a whole. It realizes also that international action of a general nature is already under way with regard to displaced persons. In view of the special circumstances of the Palestine question, however, it has felt justified in proposing a measure which is designed to ameliorate promptly the condition of the Jewish segments of the displaced persons as a vital prerequisite to the settlement of the difficult conditions in Palestine.

Recommendation VII. Democratic principles and protection of minorities

It is recommended that

In view of the fact that independence is to be granted in Palestine on the recommendation and under the auspices of the United Nations, it is a proper and an important concern of the United Nations that the constitution or other fundamental law as well as the political structure of the new State or States shall be basically democratic, i.e., representative, in character, and that this shall be a prior condition to the grant of independence. In this regard, the constitution or other fundamental law of the new State or States shall include specific guarantees respecting

- A. Human rights and fundamental freedoms, including freedom of worship and conscience, speech, press and assemblage, the rights of organized labor, freedom of movement, freedom from arbitrary searches and seizures, and rights of personal property; and
- B. Full protection for the rights and interests of minorities, including the protection of the linguistic, religious and ethnic rights of the peoples and respect for their cultures, and full equality of all citizens with regard to political, civil and religious matters.

Comment

- a. The wide diffusion of both Arabs and Jews throughout Palestine makes it almost inevitable that, in any solution, there will be an ethnic minority element in the population. In view of the fact that these two peoples live physically and spiritually apart, nurture separate aspirations and ideals, and have widely divergent cultural traditions, it is important, in the interest of orderly society, and for the well-being of all Palestinians, that full safeguards be ensured for the rights of all.
- b. Bearing in mind the unique position of Palestine as the Holy Land, it is especially important to protect the rights and interests of religious minorities.

Recommendation VIII. Peaceful relations

It is recommended that

It shall be required, as a prior condition to independence, to incorporate in the future constitutional provisions applying to Palestine those basic principles of the Charter of the United Nations whereby a State shall

- A. Undertake to settle all international disputes in which it may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered; and
- B. Accept the obligation to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the purposes of the United Nations.

Comment

- a. A fundamental objective in the solution of the Palestine problem is to achieve a reasonable prospect for the preservation of peaceful relations in the Middle East.
- b. Taking into account the charged atmosphere in which the Palestine solution must be effected, it is considered advisable to emphasize the international obligations with regard to peaceful relations which an independent Palestine would necessarily assume.

Recommendation IX. Economic unity

It is recommended that

In appraising the various proposals for the solution of the Palestine question, it shall be accepted as a cardinal principle that the preservation of the economic unity of Palestine as a whole is indispensable to the life and development of the country and its peoples.

Comment

- a. It merits emphasis that the preservation of a suitable measure of economic unity in Palestine, under any type of solution, is of the utmost importance to the future standards of public services, the standards of life of its peoples, and the development of the country. Were the country less limited in area and richer in resources, it would be unnecessary to lay such stress on the principle of economic unity. But there are sound grounds for the assumption that any action which would reverse the present policy of treating Palestine as an economic unit - particularly with regard to such matters as customs, currency, transportation and communications, and development projects, including irrigation, land reclamation and soil conservation - would not only handicap the material development of the territory as a whole but would also bring in its wake a considerable hardship for important segments of the population.
- b. Arab and Jewish communities alike would suffer from a complete severance of the economic unity of the country. Each of the two communities, despite the inevitable economic disruptions incident to the present state of affairs in Palestine, makes vital contributions to the economic life of the country, and there is a substantial degree of economic interdependence between them.
- c. Despite the degree of separateness in the economic life of the Jewish and Arab communities in Palestine, the fact that unity exists in essential economic matters contributes to the material well-being of both groups. If that economic unity were not maintained in essentials people in all parts of the country would be adversely affected.

Recommendation X. Capitulations

It is recommended that

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by capitulation or usage in the Ottoman Empire, be invited by the United Nations to renounce any right pertaining to them to the re-establishment of such privileges and immunities in an independent Palestine.

Comment

- a. Article 9 (1) of the Mandate for Palestine makes provision for a judicial system which "shall assure to foreigners, as well as to natives, a complete guarantee of their rights." It is especially significant, in this regard, that article 8 of the Mandate did not abrogate consular jurisdiction and pro-

tection formerly enjoyed by capitulation or usage in the Ottoman Empire, but merely left them in abeyance during the Mandate.

- b. On the termination of the Mandate, therefore, States having enjoyed such rights prior to the Mandate will be in a position to claim the re-establishment of capitulations in Palestine, and may demand, in particular, as a condition for waiving such right, the maintenance of a satisfactory judicial system.
- c. The Committee takes the view that, since independence will be achieved in Palestine under the auspices of the United Nations, and subject to guarantees stipulated by the United Nations as a condition prior to independence, there should be no need for any State to re-assert its claim with respect to capitulations.

Recommendation XI. Appeal against acts of violence

It is recommended that

The General Assembly shall call on the peoples of Palestine to extend their fullest co-operation to the United Nations in its effort to devise and put into effect an equitable and workable means of settling the difficult situation prevailing there, and to this end, in the interest of peace, good order, and lawfulness, to exert every effort to bring to an early end the acts of violence which have for too long beset that country.

Comment

- a. The United Nations, being seized with the problem of Palestine, should exert every proper effort to secure there a climate as congenial as possible to the application of a solution of the problem, both as regards the transitional and post-transitional periods.
- b. The recurrent acts of violence, until very recently confined almost exclusively to underground Jewish organizations, are not only detrimental to the well-being of the country, but will also so augment the tension in Palestine as to render increasingly difficult the execution of the solution to be agreed upon by the United Nations.

SECTION B. RECOMMENDATION APPROVED BY SUBSTANTIAL MAJORITY

Recommendation XII. The Jewish problem in general (Two members of the Committee dissented from this recommendation and one recorded no opinion.)

It is recommended that

In the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general.

Comment

- a. Palestine is a country of limited area and resources. It already has a considerable settled population which has an unusually high rate of natural increase. It is, therefore, most improbable that there could be settled in Palestine all the Jews who may wish to leave their present domiciles, for reasons of immediate displacement or distress, or actual or anticipated anti-Jewish attitudes in the countries in which they now reside.
- b. In any case, owing to the factors of time, limited transportation, and local ability to absorb, it could not be anticipated that Palestine alone could relieve the urgent plight of all of the displaced and distressed Jews.
- c. Further, serious account must be taken of the certain resentment and vigorous opposition of the Arabs throughout the Middle East to any attempt to solve, at what they regard as their expense, the Jewish problem, which they consider to be an international responsibility.
- d. With regard to Jewish immigration into the Jewish areas of Palestine during the proposed transitional period, it is to be noted that provision for limited and controlled immigration during such period is made in both the partition and federal State proposals set forth in Chapters VI and VII respectively.

Recommendations (II)

1. The Committee, sitting informally as a means of facilitating its deliberations on specific proposals, informally set up two small working groups to explore specific proposals with regard to a plan of

partition involving economic union. One of these groups was known as the Working Group on Constitutional Matters; the other was the Working Group on Boundaries.

2. The Working Group on Constitutional Matters (Mr. Sandstroem, Mr. Blom, Mr. Granados, and Mr. Rand), in a series of informal meetings formulated a plan of partition with provisions for economic unity and constitutional guarantees. This plan was subsequently discussed and completed in joint discussions of these two working groups.
3. In the course of the forty-seventh meeting of the Committee on 27 August 1947, seven members of the Committee (Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay), expressed themselves, by recorded vote, in favour of the Plan of Partition with Economic Union, presented by the Working Group on Constitutional Matters.
4. The Plan of Partition with Economic Union is herewith reproduced. It consists of the following three parts:

Part I.	Partition with economic union
Part II.	Boundaries
Part III.	City of Jerusalem

PART I. PLAN OF PARTITION WITH ECONOMIC UNION JUSTIFICATION

1. The basic premise underlying the partition proposal is that the claims to Palestine of the Arabs and Jews, both possessing validity, are irreconcilable, and that among all of the solutions advanced, partition will provide the most realistic and practicable settlement, and is the most likely to afford a workable basis for meeting in part the claims and national aspirations of both parties.
2. It is a fact that both of these peoples have their historic roots in Palestine, and that both make vital contributions to the economic and cultural life of the country. The partition solution takes these considerations fully into account.
3. The basic conflict in Palestine is a clash of two intense nationalisms. Regardless of the historical origins of the conflict, the rights and wrongs of the promises and counter-promises, and the international intervention incident to the Mandate, there are now in Palestine some 650,000 Jews and some 1,200,000 Arabs who are dissimilar in their ways of living and, for the time being, separated by political interests which render difficult full and effective political co-operation among them, whether voluntary or induced by constitutional arrangements.
4. Only by means of partition can these conflicting national aspirations find substantial expression and qualify both peoples to take their places as independent nations in the international community and in the United Nations.
5. The partition solution provides that finality which is a most urgent need in the solution. Every other proposed solution would tend to induce the two parties to seek modification in their favour by means of persistent pressure. The grant of independence to both States, however, would remove the basis for such efforts.
6. Partition is based on a realistic appraisal of the actual Arab-Jewish relations in Palestine. Full political co-operation would be indispensable to the effective functioning of any single-State scheme, such as the federal State proposal, except in those cases which frankly envisage either an Arab or a Jewish-dominated State.
7. Partition is the only means available by which political and economic responsibility can be placed squarely on both Arabs and Jews, with the prospective result that, confronted with responsibility for bearing fully the consequences of their own actions, a new and important element of political amelioration would be introduced. In the proposed federal-State solution, this factor would be lacking.
8. Jewish immigration is the central issue in Palestine today and is the one factor, above all others, that rules out the necessary co-operation between the Arab and Jewish communities in a single State. The creation of a Jewish State under a partition scheme is the only hope of removing this issue from the arena of conflict.
9. It is recognized that partition has been strongly opposed by Arabs, but it is felt that that opposition would be lessened by a solution which definitively fixes the extent of territory to be allotted to the Jews with its implicit limitation on immigration. The fact that the solution carries the sanction of the United Nations involves a finality which should allay Arab fears of further expansion of the Jewish State.

10. In view of the limited area and resources of Palestine, it is essential that, to the extent feasible, and consistent with the creation of two independent States, the economic unity of the country should be preserved. The partition proposal, therefore, is a qualified partition, subject to such measures and limitations as are considered essential to the future economic and social well-being of both States. Since the economic self-interest of each State would be vitally involved, it is believed that the minimum measure of economic unity is possible, where that of political unity is not.
11. Such economic unity requires the creation of an economic association by means of a treaty between the two States. The essential objectives of this association would be a common customs system, a common currency and the maintenance of a country-wide system of transport and communications.
12. The maintenance of existing standards of social services in all parts of Palestine depends partly upon the preservation of economic unity, and this is a main consideration underlying the provisions for an economic union as part of the partition scheme. Partition, however, necessarily changes to some extent the fiscal situation in such a manner that, at any rate during the early years of its existence, a partitioned Arab State in Palestine would have some difficulty in raising sufficient revenue to keep up its present standards of public services.
One of the aims of the economic union, therefore, is to distribute surplus revenue to support such standards. It is recommended that the division of the surplus revenue, after certain charges and percentage of surplus to be paid to the City of Jerusalem are met, should be in equal proportions to the two States. This is an arbitrary proportion but it is considered that it would be acceptable, that it has the merit of simplicity and that, being fixed in this manner, it would be less likely to become a matter of immediate controversy. Provisions are suggested whereby this formula is to be reviewed.
13. This division of customs revenue is justified on three grounds: (1) The Jews will have the more economically developed part of the country embracing practically the whole of the citrus-producing area which includes a large number of Arab producers; (2) the Jewish State would, through the customs union, be guaranteed a larger free trade area for the sale of the products of its industry; (3) it would be to the disadvantage of the Jewish State if the Arab State should be in a financially precarious and poor economic condition.
14. As the Arab State will not be in a position to undertake considerable development expenditure, sympathetic consideration should be given to its claims for assistance from international institutions in the way of loans for expansion of education, public health and other vital social services of a non-self-supporting nature.
15. International financial assistance would also be required for any comprehensive irrigation schemes in the interest of both States, and it is to be hoped that constructive work by the Joint Economic Board will be made possible by means of international loans on favourable terms.

Recommendations

A. PARTITION AND INDEPENDENCE

1. Palestine within its present borders, following a transitional period of two years from I September 1947, shall be constituted into an independent Arab State, an independent Jewish State, and the City of Jerusalem, the boundaries of which are respectively described in Parts II and III below.
2. Independence shall be granted to each State upon its request only after it has adopted a constitution complying with the provisions of section B, paragraph 4 below, has made to the United Nations a declaration containing certain guarantees, and has signed a treaty creating the Economic Union of Palestine and establishing a system of collaboration between the two States and the City of Jerusalem.

B. TRANSITIONAL PERIOD AND CONSTITUTION

1. During the transitional period, the present mandatory Power shall:
 - a. Carry on the administration of the territory of Palestine under the auspices of the United Nations and on such conditions and under such supervision as may be agreed upon between the United Kingdom and the United Nations, and if so desired, with the assistance of one or more Members of the United Nations;
 - b. Take such preparatory steps as may be necessary for the execution of the scheme recommended;

- c. Carry out the following measures:
- (1) Admit into the borders of the proposed Jewish State 150,000 Jewish immigrants at a uniform monthly rate, 30,000 of whom are to be admitted on humanitarian grounds. Should the transitional period continue for more than two years, Jewish immigration shall be allowed at the rate of 60,000 per year. The responsibility for the selection and care of Jewish immigrants and for the organizing of Jewish immigration during the transitional period shall be placed in the Jewish Agency.
 - (2) The restrictions introduced by land regulations issued by the Palestinian Administration under the authority of the Palestine (Amendment) Order-in-Council of 25 May 1939 shall not apply to the transfer of land within the borders of the proposed Jewish State.
2. Constituent assemblies shall be elected by the populations of the areas which are to comprise the Arab and Jewish States, respectively. The electoral provisions shall be prescribed by the Power administering the territory. Qualified voters for each State for this election shall be persons over twenty years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.
- Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States, respectively. Women may vote and be elected to the constituent assemblies.
3. During the transitional period, no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Administration.
4. The constituent assemblies shall draw up the constitutions of the States, which shall embody chapters I and 2 of the Declaration provided for in C. below, and include, *inter alia*, provisions for:
- a. Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature.
 - b. Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered.
 - c. Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
 - d. Guaranteeing to all persons equal and non-discriminatory rights in civil, political and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religious worship, language, speech and publication, education, assembly and association.
 - e. Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to security considerations; provided that each State shall control residence within its borders.
 - f. Recognize the rights of the Governor of the City of Jerusalem to determine whether the provisions of the constitution of the States in relation to Holy Places, religious buildings and sites within the borders of the States and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions in cases of disputes which may arise with respect to such Holy Places, buildings and sites; also accord to him full co-operation and such privileges and immunities as are necessary for the exercise of his functions in those States.
5. The constituent assembly in each State shall appoint a provisional government empowered to make the Declaration and sign the Treaty of Economic Union, provided for in C. and D below.
- On making the Declaration and signing the Treaty of Economic Union by either State, and upon approval by the General Assembly of the United Nations of such instruments as being in compliance with these recommendations, its independence as a sovereign State shall be recognized. If only one State fulfils the foregoing conditions, that fact shall forthwith be communicated to the United Nations for such action by its General Assembly as it may deem proper. Pending such action, the regime of Economic Union as recommended shall apply.

C. DECLARATION

A Declaration shall be made to the United Nations by the Provisional Government of each proposed State before the interim administration is brought to an end. It shall contain *inter alia* the following clauses:

General provision

The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter 1. Holy Places, religious buildings and sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.
2. Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.
3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government shall call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.
4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.
5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions in cases of disputes which may arise with respect to such Places, buildings, and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2. Religious and minority rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion or language.
2. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.
3. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or eleemosynary bodies of any faith or to discriminate against any representative or member of them on the ground of his religion or nationality.
4. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions.
The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired.
5. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.¹⁵

¹⁵ A number of members of the Committee held the view that, at the end of the ten-year period, the parties should be free to terminate the Treaty without the interference of the General Assembly.

6. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State)¹⁶ shall be allowed except for public purposes unless the land, suitable for agricultural purposes, has remained uncultivated and unused for not less than one year after written notice of utilization thereof has been given; and upon an order made by the Supreme Court of the respective State approving the expropriation on the grounds of absence of sufficient reasons for the non-utilization thereof. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

Chapter 3

1. *Citizenship.* Palestinian citizens, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine, shall, upon the recognition of independence, become citizens of the State in which they are resident; or, if resident in the City of Jerusalem, who sign a notice of intention provided in section B, paragraph 2 above, of the State mentioned in such notice, with full civil and political rights, provided that they do not exercise the option mentioned hereafter. Such persons, if over eighteen years of age, may opt within one year for the citizenship of the other State or declare that they retain the citizenship of any State of which they are citizens, and if they exercise this option it will be taken to include their wives and children under eighteen years of age; provided that no person who has signed the notice of intention referred to in section B, paragraph 2 above, shall have the right of option.
2. *International Conventions.* The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.
3. *Financial Obligations.* The State shall, until its independence is recognized, respect and fulfill all financial obligations of whatever nature assumed on behalf of Palestine by the mandatory Power, including the rights of public servants to pensions, compensation or gratuities, to be negotiated where necessary with the Government of the United Kingdom. Commercial concessions heretofore granted in respect of any part of Palestine shall continue to be valid according to their terms, unless modified by agreement between the parties.

Chapter 4

1. The provisions of Chapters I and 2 of this Declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.
2. Any dispute relating to the application or the interpretation of this Declaration shall be referred, at the request of either Party, to the International Court of Justice, unless the Parties agree to another mode of settlement.

D. ECONOMIC UNION

A treaty shall be entered into between the two States and signed simultaneously with the Declaration provided for in C. above. The treaty shall be binding at once without ratifications. It shall contain provisions to establish the Economic Union of Palestine and to provide for other matters of common interest.

I. The Economic Union of Palestine

The objectives of the Economic Union of Palestine shall be:

- a. A customs union.
- b. A common currency.

¹⁶ A number of members of the Committee proposed to add here: "Hereafter modifications may be made by agreement of the two States but no such modification shall remove from the Treaty any of the objectives of the Economic Union without the assent of the General Assembly of the United Nations."

- c. Operation in the common interest of railways, interstate highways, postal, telephone and telegraphic services; and the ports of Haifa and Jaffa.
- d. Joint economic development, especially in respect of irrigation, land reclamation and soil conservation.

There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations in the first instance for a term of three years. The functions of the Joint Economic Board shall be to organize and administer, either directly or by delegation, the functions of the Economic Union.

The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote. In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem. There shall be a common customs tariff with complete freedom of trade between the States and the City of Jerusalem.

The tariff schedules shall be drawn up by a Tariff Commission consisting of representatives of each of the States in equal numbers. In case of disagreement or failure to approve any tariff schedule by a date to be fixed, the matter shall be settled by the arbitration of the Joint Economic Board.

The following items shall be a first charge on the customs revenue:

- a. The expenses of the customs service;
- b. The administrative expenses of the Joint Economic Board;
- c. The financial obligations of the Administration of Palestine consisting of: (i) the service of the outstanding public debt, (ii) the cost of superannuation benefits, now being paid or falling due in the future.

After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than 5 per cent and not more than 10 per cent to the City of Jerusalem, and the residue in equal proportion to the Jewish and Arab States. After a period of three years, the division shall be reviewable by the Joint Economic Board, which shall make such modifications as may be deemed necessary.

All international conventions and treaties affecting customs tariffs, communications and commercial matters generally, shall be entered into by both States.

2. Freedom of transit and visit

The Treaty shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within their borders.

3. Termination, modification and interpretation of the Treaty

The Treaty shall remain in force for a period of ten years. It shall continue in force until notice of termination, to take effect two years thereafter, is given by either of the Parties and such termination is assented to by the General Assembly of the United Nations.¹⁷

During the initial ten-year period, the Treaty may not be modified except by consent of both Parties and with the approval of the General Assembly.¹⁸

¹⁷ According to the Government of Palestine, the total Jewish population in July 1947 was 625,000. In addition there may be a number of illegal unregistered immigrants not included in this total.

¹⁸ The following stipulation shall be added to the Declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration."

Any dispute relating to the application or the interpretation of the Treaty shall be referred, at the request of either Party, to the International Court of Justice, unless the Parties agree to another mode of settlement.

E. ASSETS

The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Immovable assets shall become the property of the government in the territory in which they are situated.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

Upon the recognition of the independence of the Arab and Jewish States, respectively, sympathetic consideration should be given to their application for admission to membership in the United Nations, in accordance with Article 4 of the Charter of the United Nations.

A Commentary on Partition

The primary objectives sought in the foregoing scheme are, in short, political division and economic unity: to confer upon each group, Arab and Jew, in its own territory, the power to make its own laws, while preserving to both, throughout Palestine, a single integrated economy, admittedly essential to the well-being of each, and the same territorial freedom of movement to individuals as is enjoyed today. The former necessitates a territorial partition; the latter, the maintenance of unrestricted commercial relations between the States, together with a common administration of functions in which the interests of both are in fact inextricably bound together.

The territorial division with the investment of full political power in each State achieves, in turn, the desire of each for statehood and, at the same time, creates a self-operating control of immigration. Although free passage between the States for all residents is provided, each State retains exclusive authority over the acquisition of residence and this, with its control over land, will enable it to preserve the integrity of its social organization.

The Economic Union is to be administered by a Joint Economic Board, in the composition of which a parity of interest in the two States is recognized by equal representation from them. But in relation to such necessary and convenient services, day-to-day rulings are imperative; and since in the present circumstances it cannot be expected that in joint matters they would easily agree, the principle of arbitral decision is introduced by adding to the Board three independent outside persons to be chosen by the United Nations. It is obvious that, while such a device is an accepted mode of adjusting economic disputes, it would be unacceptable as a general method of making political decisions. This limits, therefore, the functions with which the Board can be clothed and confines them to such neutral services as communications or to a function which, though carrying a political quality, is dictated by the necessities of the overriding interest of unity.

In these respects the scheme may be contrasted with that of the federal State presented by three members of the Committee. In the later, paramount political power, including control over immigration, is vested at the centre; but the attempt to introduce parity through equal representation in one chamber of the legislature is nullified by the predominance of Arab majority influence in the ultimate decision. But even were an independent element to be introduced, the administration would break down because of the wide political field in which it would operate. If that field were reduced to the subjects dealt with by the Board under the Economic Union scheme, apart from the question of majority determination, the difference in substance between the two plans would lie in the failure of the federal scheme to satisfy the aspirations of both groups for independence.

The Arab State will organize the substantial majority of Arabs in Palestine into a political body containing an insignificant minority of Jews; but in the Jewish State there will be a considerable minority of Arabs. That is the demerit of the scheme. But such a minority is inevitable in any feasible plan which does not place the whole of Palestine under the present majority of the Arabs. One cannot disre-

gard the specific purpose of the Mandate and its implications nor the existing conditions, and the safeguarding of political, civil and cultural rights provided by the scheme are as ample as can be devised.

But in the larger view, here are the sole remaining representatives of the Semitic race. They are in the land in which that race was cradled. There are no fundamental incompatibilities between them. The scheme satisfies the deepest aspiration of both: independence. There is a considerable body of opinion in both groups which seeks the course of co-operation. Despite, then, the drawback of the Arab minority, the setting is one from which, with good will and a spirit of co-operation, may arise a rebirth, in historical surroundings, of the genius of each people. The massive contribution made by them throughout the centuries in religious and ethical conceptions, in philosophy, and in the entire intellectual sphere, should excite among the leaders a mutual respect and a pride in their common origin.

The Jews bring to the land the social dynamism and scientific method of the West; the Arabs confront them with individualism and intuitive understanding of life. Here then, in this close association, through the natural emulation of each other, can be evolved a synthesis of the two civilizations, preserving, at the same time, their fundamental characteristics. In each State, the native genius will have a scope and opportunity to evolve into its highest cultural forms and to attain its greatest reaches of mind and spirit. In the case of the Jews, that is really the condition of survival. Palestine will remain one land in which Semitic ideals may pass into realization.

At the same time there is secured, through the constitutional position of Jerusalem and the Holy Places, the preservation of the scenes of events in which the sentiments of Christendom also centre. There will thus be imposed over the whole land an unobjectionable interest of the adherents of all three religions throughout the world; and so secured, this unique and historical land may at last cease to be the arena of human strife.

Whether, however, these are vain speculations must await the future. If they are never realized, it will not, it is believed, be because of defects in the machinery of government that is proposed.

PART II. BOUNDARIES

Definition

The plan envisages the division of Palestine into three parts: an Arab State, a Jewish State and the City of Jerusalem. The proposed Arab State will include Western Galilee, the hill country of Samaria and Judea with the exclusion of the City of Jerusalem, and the coastal plain from Isdud to the Egyptian frontier. The proposed Jewish State will include Eastern Galilee, the Esdraelon plain, most of the coastal plain, and the whole of the Beersheba sub-district, which includes the Negeb.

The three sections of the Arab State and the three sections of the Jewish State are linked together by two points of intersection, of which one is situated south-east of Afula in the sub-district of Nazareth and the other north-east of El Majdal in the sub-district of Gaza.

The Arab State

Western Galilee is bounded on the west by the Mediterranean and in the north by the frontier of the Lebanon from Ras en Naqura to Qadas; on the east the boundary starting from Qadas passes southwards, west of Safad to the Southwestern corner of the Safad sub-district; thence it follows the western boundary of the Tiberias subdistrict to a point just east of Mount Tabor; thence southwards to the point of intersection south-east of Afula mentioned above. The south-western boundary of Western Galilee takes a line from this point, passing south of Nazareth and Shaff Amr, but north of Beit Lahm, to the coast just south of Acre.

The boundary of the hill country of Samaria and Judea starting on the Jordan River south-east of Beisan follows the northern boundary of the Samaria district westwards to the point of intersection south-east of Afula, thence again westwards to Lajjun, thence in a south-western direction, passing

just west of Tulkarm, east of Qalqilia and west of Majdal Yaba, thence bulging westwards towards Rishon-le-Zion so as to include Lydda and Ramle in the Arab State, thence turning again eastwards to a point west of Latrun, thereafter following the northern side of the Latrun-Majdal road to the second point of intersection, thence south-eastwards to a point on the Hebron sub-district boundary south of Qubeiba, thence following the southern boundary of the Hebron sub-district to the Dead Sea.

The Arab section of the coastal plain runs from a point a few miles north of Isdud to the Egyptian frontier, extending inland approximately eight kilometres.

The Jewish State

The northeastern sector of the proposed Jewish State (Eastern Galilee) will have frontiers with the Lebanon in the north and west and with Syria and Transjordan on the east and will include the whole of the Huleh basin, Lake Tiberias and the whole of the Beisan sub-district. From Beisan the Jewish State will extend north-west following the boundary described in respect of the Arab State.

The Jewish sector on the coastal plain extends from a point south of Acre to just north of Isdud in the Gaza sub-district and includes the towns of Haifa, Tel Aviv and Jaffa. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area includes the whole of the Beersheba sub-district, which includes the Negeb and the eastern part of the Gaza sub-district south of the point of intersection. The northern boundary of this area, from the point of intersection, runs south-eastwards to a point on the Hebron sub-district boundary south of Qubeiba, and thence follows the southern boundary of the Hebron sub-district to the Dead Sea.

The City of Jerusalem

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem.

Justification

In making its proposal for a plan of partition with economic union for Palestine, the members of the Committee supporting this plan are fully aware of the many difficulties of effecting a satisfactory division of Palestine into a Jewish and an Arab State. The main problems to be faced are the following:

1. The problem of minorities

The central inland area of Palestine includes a large Arab population and, leaving Jerusalem out of account, practically no Jews. This obviously is the main starting point in demarcating a possible Arab State. Further north, particularly in Western Galilee, and separated from the central area by a narrow belt of Jewish settlements, is another concentration of Arabs and very few Jews. These two areas form the main territory of an Arab State which has only a very small minority of Jews.

The Jewish State, on the other hand, has its centre and starting point in the coastal plain between Haifa and Tel Aviv and even in this area there is also a considerable number of Arabs. Extensions of this area in the most suitable directions to include a larger number of Jews as well as a larger land area, increase the proportion of Arabs to Jews in the Jewish State.

2. The problem of viability

The creation of two viable States is considered essential to a partition scheme.

3. The problem of development

A partition scheme for Palestine must take into account both the claims of the Jews to receive immigrants and the needs of the Arab population, which is increasing rapidly by natural means. Thus, as far as possible, both partitioned States must leave some room for further land settlement.

4. *The problem of contiguity*

It is obviously desirable to create States with continuous frontiers. Due to geographic and demographic factors, it is impossible to make a satisfactory partition without sacrificing this objective to some extent.

5. *Access to the sea for the Arab State*

Even within the scheme for economic union, this is considered to be important for psychological as well as material reasons.

In solving this complex of problems, a compromise is necessary and in suggesting the boundaries upon which this partition scheme rests all these matters have been given serious consideration so that the solution finally reached appears to be the least unsatisfactory from most points of view.

The figures given for the distribution of the settled population in the two proposed States, as estimated on the basis of official figures up to the end of 1946, are approximately as follows:¹⁹

	<i>Jews</i>	<i>Arabs and others</i>	<i>Total</i>
<i>The Jewish State</i>	498,000	407,000	905,000
<i>The Arab State</i>	10,000	725,000	735,000
<i>City of Jerusalem</i>	100,000	105,000	205,000

In addition there will be in the Jewish State about 90,000 Bedouins, cultivators and stock owners who seek grazing further afield in dry seasons.

The proposed Jewish State leaves considerable room for further development and land settlement and, in meeting this need to the extent that it has been met in these proposals, a very substantial minority of Arabs is included in the Jewish State. On the other hand, Western Galilee is attributed to the Arab State, providing it with some areas for further development and also giving it an outlet to the sea at the town of Acre. An outlet to the sea is also provided in the south by the inclusion of Gaza in the Arab State.

Nearly all previous attempts to draw partition maps for Palestine have been faced with the separation of the solid Arab population in Judea and Samaria from the Arab population in Galilee. To include the whole of Galilee in a Jewish State provides contiguous frontiers, but it also results in the inclusion of the large Arab population of Western Galilee in the Jewish State and weakens the Arab State economically and politically by denying to it a developed Arab area. In the present partition scheme, these problems have been solved by a definition of boundaries which provides two important links, one between Western Galilee and Samaria and one in the south near Gaza. These links are at suitable meeting places of the frontiers, and would consist of a small unbuilt area which would be a condominium. By this means it has been possible to include Western Galilee in the Arab State without the disadvantage of its being separated at all points from Samaria by the territory of the Jewish State.

The inclusion of the whole Beersheba sub-district in the Jewish State gives to it a large area, parts of which are very sparsely populated and capable of development, if they can be provided with water for irrigation. The experiments already carried out in this area by the Jews suggest that further development in an appreciable degree should be possible by heavy investment of capital and labour and without impairing the future or prejudicing the rights of the existing Bedouin population. The Negeb south of latitude 31, though included in the Jewish State, is desert land of little agricultural value, but is naturally linked with the northern part of the sub-district of Beersheba.

Jaffa, which has an Arab population of about 70,000, is entirely Arab except for two Jewish quarters. It is contiguous with Tel Aviv and would either have to be treated as an enclave or else be included in the Jewish State. On balance, and having in mind the difficulties which an enclave involves, not least

¹⁹ In the Declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words: "by a Jew in the Arab State".

from the economic point of view, it was thought better to suggest that Jaffa be included in the Jewish State, on the assumption that it would have a large measure of local autonomy and that the port would be under the administration of the Economic Union.

A Technical Note on the Viability of the Proposed Partition States Prepared by the Secretariat

On certain assumptions it may be possible in a given case to calculate roughly the order of magnitude of the loss or gain of revenue which an area might experience as a result of partition. Similar estimates might be made of expenditures necessary to maintain existing standards of social services and other normal budget expenditures, and a comparison of the two sets of figures would throw some light on the ability of the State in question to maintain these standards without large budget deficits. It should, of course, be made quite clear that this would not be in any sense a measure of an actual budgetary position, but merely a general indication of the probability of the viability or non-viability of the area under consideration.

In the case of the plan for the partition of Palestine recommended in this report, as well as in the case of all previous partition plans which have been suggested, it is the viability of the Arab State that is in doubt. It is necessary, therefore, to examine the proposed Arab State from this point of view as carefully as conditions permit. Until the proposed boundaries are precisely defined, however, it would not be possible to assemble accurate information regarding the area. Therefore, in order to get a preliminary idea of the viability, as we have defined it, of the proposed Arab State a calculation was made in respect of the areas which it had been proposed should become Arab provinces in the provincial autonomy plan elaborated by the Government of the United Kingdom in 1946. Fairly complete statistics were available in regard to this particular plan of partition. As it happens, though the partition proposed by the members of this Committee differs in some very important respects from the provincial autonomy plan of the British Government, the area of the proposed Arab State is not very different in the two cases and, in regard to actual resources, the differences are not very marked. The most important difference is in respect of the town of Jaffa, which in the British plan is part of the Arab State and in the present plan is part of the Jewish State. The estimated total population of the Arab States in the two cases is as follows:

British provincial autonomy plan	830,000
Committee's proposed plan	730,000

The difference is mainly accounted for by the town of Jaffa, which has about 70,000 Arabs. Apart from the town of Jaffa, there are no important differences in economic resources of the Arab areas in the two plans.

The calculation has been made as follows. The budget estimates of the Palestine Administration for the year 1947-1948 both as regards revenue and expenditure have been taken as the sole basis of the calculation. Assuming the boundaries of the British scheme mentioned above, the expenditures have been partitioned between the States on a population basis. Some expenditure has been reserved to a central body, on the assumption that a customs union would be set up and that certain obligations for public debt and pensions would be met as charges on surplus revenue. Apart from this and a few small items, all the expenditure of the present Administration has been hypothetically divided among the States. This procedure is open to the objection that, in fact, in a partitioned State the items of expenditure might be different. This is true, but -it must be remembered that it cannot be known how such States would develop their policy, and our present assumption is that the same standard of public services is maintained. Actually there would be some increase in overhead expenditure in providing the same services in a partitioned Palestine, since partitioning would involve some duplication of administration. The difference on this account might not be very great, however.

No expenditure has been allocated to defence since the costs of external defence are at present borne by the British Government, and since expenditure for internal security, which is £.P 7,000,000 in the present estimates, has been added to the expenditures of the States in the present calculation.

The estimates of revenue for the year 1947-1948 have, with the exception of customs revenue and net income from the Currency Board, Posts and Telegraph, etc., been attributed to the two States on a

territorial basis. In respect of land tax, animal tax, and about 75 per cent of income tax, it is possible, on the basis of figures supplied by the Palestine Government, to make this division fairly accurately. In other cases, it has been necessary to use an arbitrary assumption that the revenue would be in proportion to the population.

The summary results of this calculation are as follows:

<i>Jewish State</i>	<i>£.P. *</i>
Revenue (apart from customs)	4,878,000
Expenditure	8,418,000
Deficit	3,540,000
<i>Arab State</i>	
Revenue (apart from customs)	1,560,000
Expenditure	9,324,000
Deficit	7,764,000
<i>City of Jerusalem</i>	
Revenue (apart from customs)	1,098,000
Expenditure	3,004,000
Deficit	1,906,000
Combined deficit	13,210,000
Net revenue of customs and other joint services	11,996,000

* Palestine pounds.

The net revenue of joint services is available for distribution between the two States and the City of Jerusalem but falls short of the combined deficits by just over one and one-quarter million pounds. This, however, is not important in the present discussion since it is merely the consequence of basing the calculations on the actual estimates of the present Palestine Administration. It should be noted that in the present Administration budget there are expenditures of £.P. 7,000,000 on police and security and about £.P. 2,000,000 on subsidies designed to keep the cost of living down. Police expenditure should certainly be substantially reduced in the event of a settlement of the Palestine problem, and it is also possible that some saving could be made in regard to food subsidies since the necessity for them would be less in an Arab State which would contain a large number of self-sufficient cultivators and relatively few industrial wage-earners. In this case the expenditure attributed to the Arab State on this basis might be capable of reduction by as much as £.P. 3,000,000. Reductions on police expenditure should, of course, also be possible for the other two areas. On the side of revenue, it is possible that income tax yields could be increased in the area of the proposed Arab State.

It is in the light of these considerations that the members of the Committee, in proposing their partition scheme with economic union, have made their particular recommendations for the distribution of the customs revenue. By this means the members of the Committee supporting the partition plan believe that the viability of the Arab State could be reasonable assured.

The Committee is satisfied that, in the sense defined, the proposed Jewish State and the City of Jerusalem would be viable.

PART III. CITY OF JERUSALEM

Justification

1. The proposal to place the City of Jerusalem under international trusteeship is based on the following considerations.
2. Jerusalem is a Holy City for three faiths. Their shrines are side by side; some are sacred to two faiths. Hundreds of millions of Christians, Moslems and Jews throughout the world want peace, and especially religious peace, to reign in Jerusalem; they want the sacred character of its Holy Places to be preserved and access to them guaranteed to pilgrims from abroad.

3. The history of Jerusalem, during the Ottoman regime as under the Mandate, shows that religious peace has been maintained in the City because the Government was anxious and had the power to prevent controversies involving some religious interest from developing into bitter strife and disorder. The Government was not intimately involved in local politics, and could, when necessary, arbitrate conflicts.
4. Religious peace in Jerusalem is necessary for the maintenance of peace in the Arab and in the Jewish States. Disturbances in the Holy City would have far-reaching consequences, extending perhaps beyond the frontiers of Palestine.
5. The application of the provisions relating to the Holy Places, religious buildings and sites in the whole of Palestine would also be greatly facilitated by the setting up of an international authority in Jerusalem. The Governor of the City would be empowered to supervise the application of such provisions and to arbitrate conflicts in respect of the Holy Places, religious buildings and sites.
6. The International Trusteeship System is proposed as the most suitable instrument for meeting the special problems presented by Jerusalem, for the reason that the Trusteeship Council, as a principal organ of the United Nations, affords a convenient and effective means of ensuring both the desired international supervision and the political, economic and social well-being of the population of Jerusalem.

Recommendations

1. The City of Jerusalem shall be placed under an International Trusteeship System by means of a Trusteeship Agreement which shall designate the United Nations as the Administering Authority, in accordance with Article 81 of the Charter of the United Nations.
2. The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which to be Abu Dir; the most southern Bethlehem; the most western Ein Karim and the most northern Shu'fat, as indicated on the attached sketch-map.
3. The Trusteeship Agreement in respect of the Holy Places, religious buildings and sites, and minorities, shall contain provisions similar to those contained in chapters I and 2 of the Declaration in the Plan of Partition with Economic Union. It shall also include, *inter alia*, the provisions set forth below:
 - a. The City of Jerusalem shall be demilitarized, its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.
 - b. Persons residing in the City of Jerusalem, without distinction as to ethnic origin, sex, language or religion, shall be ensured protection under its laws with regard to the enjoyment of human rights and fundamental freedoms, including freedom of worship, language, speech and publication, education, assembly and association.
 - c. Residents of the City of Jerusalem, irrespective of nationality, may participate in the local elections of the City. They shall be subject to the jurisdiction of the City in respect of taxation and judicial proceedings.
 - d. A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council. He shall be neither Arab nor Jew nor a citizen of the Palestine States nor, at the time of appointment, a resident of the City of Jerusalem.
 - e. In addition to the Governor, there shall be such other executive, legislative and judicial organs, bodies and offices for governing the City as may be determined in the Trusteeship Agreement.
 - f. The Governor, as chief administrative official of the City, shall be responsible, in such manner as the Trusteeship Agreement shall prescribe, for the conduct of the administration of the City. With relation to the Holy Places, religious buildings and sites in any part of Palestine, other than the City of Jerusalem, he shall determine whether the provisions of the constitution of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected. The protection of all such places, buildings and sites located in the City of Jerusalem shall be a special concern of his office. He shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different communities in respect of such Holy Places, religious buildings and sites in any part of Palestine.
 - g. Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

- h. The City of Jerusalem shall guarantee free transit and visit to residents of the Arab and Jewish States in Palestine, subject only to security considerations.
- i. The protection of the Holy Places, religious buildings and sites in the City of Jerusalem shall be entrusted to a special police force, the members of which shall be recruited outside of Palestine and shall be neither Arab nor Jew. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this special force.
- j. The City of Jerusalem should be included in the Economic Union of Palestine.

Recommendations (III)

1. In the course of the informal meetings of the Committee to explore solutions, a working group was set up to deal with the federal-State proposal.
2. The Working Group in the Federal State Solution (Sir Abdur Rahman, Mr. Entezam, Mr. Simic, and Mr. Atyeo) formulated a comprehensive proposal along these lines and it was voted upon and supported by three members (India, Iran, and Yugoslavia) at the forty-seventh meeting of the Committee on 27 August 1947.
3. The federal-State plan is herewith reproduced.

Plan for a federal-State

Justification for the federal-State solution

1. It is incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general.
2. It is recognized that Palestine is the common country of both indigenous Arabs and Jews, that both these peoples have had an historic association with it, and that both play vital roles in the economic and cultural life of the country.
3. This being so, the objective is a dynamic solution which will ensure equal rights for both Arabs and Jews in their common State, and which will maintain that economic unity which is indispensable to the life and development of the country.
4. The basic assumption underlying the views herein expressed is that the proposal of other members of the Committee for a union under artificial arrangements designed to achieve essential economic and social unity after first creating political and geographical disunity by partition, is impracticable, unworkable, and could not possibly provide for two reasonably viable States.
5. Two basic questions have been taken into account in appraising the feasibility of the federal-State solution, viz.,(a) whether Jewish nationalism and the demand for a separate and sovereign Jewish State must be recognized at all costs, and (b) whether a will to co-operate in a federal State could be fostered among Arabs and Jews. To the first, the answer is in the negative, since the well-being of the country and its peoples as a whole is accepted as outweighing the aspirations of the Jews in this regard. To the second, the answer is in the affirmative, as there is a reasonable chance, given proper conditions, to achieve such co-operation.
6. It would be a tragic mistake on the part of the international community not to bend every effort in this direction. Support for the preservation of the unity of Palestine by the United Nations would in itself be an important factor in encouraging co-operation and collaboration between the two peoples, and would contribute significantly to the creation of that atmosphere in which the will to co-operate can be cultivated. In this regard, it is realized that the moral and political prestige of the United Nations is deeply involved.
7. The objective of a federal-State solution would be to give the most feasible recognition to the nationalistic aspirations of both Arabs and Jews, and to merge them into a single loyalty and patriotism which would find expression in an independent Palestine.
8. The federal State is also in every respect the most democratic solution, both as regards the measures required for its implementation and in its operation, since it requires no undemocratic economic controls, avoids the creation of national minority groups, and affords an opportunity for full and effective participation in representative government to every citizen of the State. This solution would be most in harmony with the basic principles of the Charter of the United Nations.
9. The federal-State solution would permit the development of patterns of government and social organization in Palestine which would be more harmonious with the governmental and social patterns in the neighbouring States.

10. Such a solution would be the one most likely to bring to an end the present economic boycotts, to the benefit of the economic life of the country.
11. Future peace and order in Palestine and the Near East generally will be vitally affected by the nature of the solution decided upon for the Palestine question. In this regard, it is important to avoid an acceleration of the separatism which now characterizes the relations of Arabs and Jews in the Near East, and to avoid laying the foundations of a dangerous irredentism there, which would be the inevitable consequences of partition in whatever form. A federal-State solution, therefore, which in the very nature of the case must emphasize unity and co-operation, will best serve the interests of peace.
12. It is a fact of great significance that very few, if any, Arabs, are in favour of partition as a solution. On the other hand, a substantial number of Jews, backed by influential Jewish leaders and organizations, are strongly opposed to partition. Partition both in principle and in substance can only be regarded as an anti-Arab solution. The federal State, however, cannot be described as an anti-Jewish solution. To the contrary, it will best serve the interests of both Arabs and Jews.
13. A federal State would provide the greatest opportunity for ameliorating the present dangerous racial and religious divisions in the population, while permitting the development of a more normal social structure.
14. The federal State is the most constructive and dynamic solution in that it eschews an attitude of resignation towards the question of the ability of Arabs and Jews to co-operate in their common interest, in favour of a realistic and dynamic attitude, namely, that under changed conditions the will to co-operate can be cultivated.
15. A basis for the assumption that co-operation between the Arab and Jewish communities is not impossible is found in the fact that, even under the existing highly unfavourable conditions, the Committee did observe in Palestine instances of effective and fruitful co-operation between the two communities.
16. While it may be doubted whether the will to co-operate is to be found in the two groups under present conditions, it is entirely possible that if a federal solution were firmly and definitively imposed, the two groups, in their own self-interest, would gradually develop a spirit of co-operation in their common State. There is no basis for an assumption that these two peoples cannot live and work together for common purposes once they realize that there is no alternative. Since, under any solution, large groups of them would have to do so, it must either be taken for granted that cooperation between them is possible or it must be accepted that there is no workable solution at all.
17. Taking into account the limited area available and the vital importance of maintaining Palestine as an economic and social unity, the federal-State solution seems to provide the only practical and workable approach.

Recommendations

The undersigned representatives of India, Iran and Yugoslavia, not being in agreement with the recommendation for partition formulated by the other members of the Committee, and for the reasons, among others, stated above, present to the General Assembly the following recommendations which, in their view, constitute the most suitable solution to the problem of Palestine.

I. The Independent State of Palestine

It is recommended that

1. The peoples of Palestine are entitled to recognition of their right to independence, and an independent federal State of Palestine shall be created following a transitional period not exceeding three years.
2. With regard to the transitional period, responsibility for administering Palestine and preparing it for independence under the conditions herein prescribed shall be entrusted to such authority as may be decided upon by the General Assembly.
3. The independent federal State of Palestine shall comprise an Arab state and a Jewish state.
4. In delimiting the boundaries of the Arab and Jewish states, respectively, consideration shall be given to anticipated population growth.
5. During the transitional period, a constituent assembly shall be elected by the population of Palestine and shall formulate the constitution of the independent federal State of Palestine. The author-

ity entrusted by the General Assembly with responsibility for administering Palestine during the transitional period shall convene the constituent assembly on the basis of electoral provisions which shall ensure the fullest possible representation of the population, providing that all adult persons who have acquired Palestinian citizenship as well as all Arabs and Jews who, though non-citizens, may be resident in Palestine and who shall have applied for citizenship in Palestine not less than three months before the date of the election, shall be entitled to vote therein.

6. The attainment of independence by the independent federal State of Palestine shall be declared by the General Assembly of the United Nations as soon as the authority administering the territory shall have certified to the General Assembly that the constituent assembly referred to in the preceding paragraph has adopted a constitution incorporating the provisions set forth in 11 immediately following.

II. Outline of the structure and required provisions in the constitution of Palestine

(The provisions set forth in this section are not designed to be the constitution of the new independent federal State of Palestine. The intent is that the constitution of the new State, as a condition for independence, shall be required to include, *inter alia*, the substance of these provisions.)

It is recommended that

As a condition prior to the grant of independence, the constitution of the proposed independent federal State of Palestine shall include, in substance, the following provisions:

1. The governmental structure of the independent federal State of Palestine shall be federal and shall comprise a federal Government and the governments of the Arab and Jewish states respectively.
2. Among the organs of government there shall be a head of State and an executive body, a representative federal legislative body, a federal court and such other subsidiary bodies as may be deemed necessary.
3. The federal legislative body shall be composed of two chambers.
4. Election to one chamber of the federal legislative body shall be on the basis of proportional representation of the population as a whole.
5. Election of members to the other chamber of the federal legislative body shall be on the basis of equal representation of the Arab and Jewish citizens of Palestine.
6. The federal legislative body shall be empowered to legislate on all matters entrusted to the federal Government.
7. Legislation shall be enacted when approved by majority votes in both chambers of the federal legislative body.
8. In the event of disagreement between the two chambers with regard to any proposed legislation, the issue shall be submitted to an arbitral body. That body shall be composed of one representative from each chamber of the federal legislative body, the head of State, and two members, other than members of the federal court, designated by that court for this purpose; these members shall be so designated by the court with regard to Arabs and Jews as to ensure that neither the Arab nor the Jewish community shall have less than two members on the arbitral body. This arbitral body shall first attempt to resolve the disagreement by mediation, but in the event mediation fails, the arbitral body shall be empowered to make a final decision which shall have the force of law and shall be binding.
9. The head of the independent federal State of Palestine shall be elected by a majority vote of the members of both chambers of the federal legislative body sitting in a joint meeting convened for this purpose, and shall serve for such term as the constitution may determine.
10. The powers and functions of the head of the independent federal State of Palestine shall be as determined by the constitution of that State.
11. A deputy head of State shall be similarly elected, who shall be a representative of the community other than that with which the head of State provided for in paragraph 9 above is identified. The deputy head of State in his regular activities and during the absence of the head of State, for whom he shall act, shall exercise such powers as may be delegated to him by the head of State. He shall also act with full powers for the head of State in case of his incapacity, or following his death, pending the election of a new head of State.
12. The executive branch of the federal Government shall be responsible to the federal legislative body.

13. A federal court shall be established which shall be the final court of appeal with regard to constitutional matters.
14. The federal court shall have a minimum membership of four Arabs and three Jews.
15. The members of the federal court shall be elected at a joint session of both chambers of the federal legislative body for such terms and subject to such qualifications as the constitution may prescribe.
16. The federal court shall be empowered to decide (a) whether laws and regulations of the federal and state governments are in conformity with the constitution; (b) cases involving conflict between the laws and regulations of the federal government and laws and regulations of the state governments; (c) all other questions involving an interpretation of the constitution; and (d) such other matters as may be placed within its competence by the constitution.
17. All decisions of the federal court shall be final.
18. Full authority shall be vested in the federal government with regard to national defense, foreign relations, immigration, currency, taxation for federal purposes, foreign and interstate waterways, transport and communications, copyrights and patents.
19. The constitution shall forbid any discriminatory legislation, whether by federal or state governments, against Arabs, Jews or other population groups, or against either of the states; and shall guarantee equal rights and privileges for all minorities, irrespective of race or religion.
20. The constitution, having regard for the customs of the people, shall be based on the principle of the full equality of all citizens of Palestine with regard to the political, civil and religious rights of the individual, and shall make specific provision for the protection of linguistic, religious, and ethnic rights of the peoples and respect for their cultures.
21. The constitution shall include specific guarantees respecting freedom of conscience, speech, press and assemblage, the rights of organized labour, freedom of movement, freedom from arbitrary searches and seizures, and rights of personal property.
22. The constitution shall guarantee free access to Holy Places, protect religious interests, and ensure freedom of worship and of conscience to all, provided that the traditional customs of the several religions shall be respected.
23. Arabic and Hebrew shall be official languages in both the federal and state governments.
24. The constitution shall include provisions which shall (a) undertake to settle all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered; and (b) accept the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the purposes of the United Nations.
25. There shall be a single Palestinian nationality and citizenship, which shall be granted to Arabs, Jews and others on the basis of such qualifications and conditions as the constitution and laws of the federal State may determine and equally apply.
26. The Arab state and the Jewish state shall enjoy full powers of local selfgovernment, and may institute such representative forms of government, adopt such local constitutions and issue such local laws and regulations as they may deem desirable, subject only to the provisions of the federal constitution.
27. Each state government shall have authority, within its borders, over education, taxation for local purposes, the right of residence, commercial licenses, land permits, grazing rights, interstate migration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries, and such aspects of economic activities and such other authority as may be entrusted to the states by the constitution.
28. Each state shall be entitled to organize a police force for the maintenance of law and order.
29. The constitution shall provide for equitable participation of the representatives of both communities in delegations to international organizations and conferences, and on all boards, agencies, bureaux or *ad hoc* bodies established under the authority of the State.
30. The independent federal State of Palestine shall accept as binding all international agreements and conventions, both general and specific, to which the territory of Palestine has previously become a party by action of the mandatory Power acting on its behalf. Subject to such right of denunciation as may be provided therein, all such agreements and conventions shall be respected by the independent federal State of Palestine.

31. The constitution shall make provision for its method of amendment, provided that it shall be accepted as a solemn obligation undertaken by the independent federal State of Palestine to the United Nations not to alter the provisions of any part of the constitution or the constitution as a whole in such manner as to nullify the provisions herein stated as a prior condition to independence, except by the assent of a majority of both the Arab and Jewish members of the federal legislative body.

III. Boundaries of the Arab and Jewish states in the independent Federal State of Palestine

It is recommended that

The boundaries of the respective Arab and Jewish states in the independent federal State of Palestine shall be as indicated on the map attached to this report.

IV. Capitulations

It is recommended that

The General Assembly of the United Nations shall invite all States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by capitulations or usage in the Ottoman Empire, to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the independent federal State of Palestine.

V. The Holy Places, religious interests and Jerusalem

A. Religious interests and Holy Places

It is recommended that

Since the Holy Places, buildings and sites appertaining to whatever religions, and wherever located in Palestine, must be recognized as of special and unique interest and concern to the international community, the following principles and measures should be fully safeguarded as a condition for the establishment of the independent federal State of Palestine.

1. Millions of Christians, Jews and Moslems abroad, as well as the inhabitants of Palestine, have a proper and recognized interest in the preservation and care of sites and buildings associated with the origin and history of their respective faiths. The sacred character of the Holy Places shall therefore be preserved, and access to them for purposes of worship and pilgrimage shall be ensured in accordance with existing rights.
2. In the interests both of the followers of various faiths and of the maintenance of peace, existing rights in Palestine enjoyed by the several religious communities shall be neither impaired nor denied.
3. The incorporation in the constitution of the independent federal State of Palestine of provisions of the nature proposed in the preceding paragraph are designed substantially to allay the anxiety which is manifested in many quarters concerning the future status of the Holy Places, religious buildings and sites and the preservation of the rights of the communities in Palestine following the establishment of an independent State of Palestine.
4. The establishment of an adequate and impartial system for the settlement of disputes regarding religious rights is essential to the preservation of religious peace in replacement of the Palestinian administration which exercised such authority under the mandate. Specific stipulations designed to preserve and protect the Holy Places, religious buildings and sites and the rights of religious communities shall be inserted in the constitution of the independent federal State of Palestine and shall be in substance as follows:
 - a. Existing rights in respect of Holy Places, religious buildings and sites shall not be denied or impaired.
 - b. Free access to the Holy Places, religious buildings and sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.
 - c. Holy Places, religious buildings and sites shall be preserved and no action shall be permitted which may in any way impair their sacred character.

- d. If at any time it should appear to the Government of the independent federal State of Palestine, or representations to that effect should be made to it by any interested party, that any particular Holy Place, religious building or site is in need of urgent repair, the Government shall call upon the religious community or communities concerned to carry out such repair, and in the event no action is taken within a reasonable time, the Government itself may carry out the necessary repairs.
 - e. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation under the law in force on the date on which independence shall be granted to the State of Palestine.
5. In the interest of preserving, protecting and caring for Holy Places, buildings and sites in Jerusalem, Bethlehem, Nazareth and elsewhere in Palestine, a permanent international body for the supervision and protection of the Holy Places in Palestine shall be created by the appropriate organ of the United Nations. A list of such Holy Places, buildings and sites shall be prepared by that organ.
 6. The membership of the permanent international body for the supervision of Holy Places in Palestine shall consist of three representatives designated by the appropriate organ of the United Nations, and one representative from each of the recognized faiths having an interest in the matter, as may be determined by the United Nations.
 7. The permanent international body referred to in paragraphs 5 and 6 above shall be responsible, subject to existing rights, for the supervision and protection of all such Places, buildings and sites in Palestine, and shall be empowered to make representations to the Government of the independent federal State of Palestine respecting any matters affecting the Holy Places, buildings and sites or the protection of religious interests in Palestine, and to report on all such matters to the General Assembly of the United Nations.

B. Jerusalem

1. Jerusalem, which shall be the capital of the independent federal State of Palestine, shall comprise, for purposes of local administration, two separate municipalities, one of which shall include the Arab sections of the city, including that part of the city within the walls, and the other the areas which are predominantly Jewish.
2. The Arab and Jewish municipalities of Jerusalem, which shall jointly comprise the City and capital of Jerusalem, shall, under the constitution and laws of the federal Government, enjoy powers of local administration within their respective areas, and shall participate in such joint local self-governing institutions as the federal Government may prescribe or permit, provided that equitable representation in such bodies is ensured to followers of such faiths as may be represented in the community.
3. The Arab and Jewish municipalities of Jerusalem shall jointly provide for, maintain and support such common public services as sewage, garbage collection and disposal, fire protection, water supply, local transport, telephones and telegraph.

C. Irrevocability of provisions

The independent federal State of Palestine, irrespective of the provision made in paragraph 31 of section 11 of these recommendations for amendment of the constitution, shall undertake to accept as irrevocable the above provisions affecting Holy Places, buildings and sites and religious interests.

VI. International responsibility for Jewish displaced persons

1. The Jews in the displaced persons camps and the distressed European Jews outside them, like the other homeless persons of Europe, constitute a residue of the Second World War. As such, they are all an international responsibility. But the Jews amongst them have a direct bearing on the solution of the Palestine problem, in view of the insistent demands that they be permitted freely to enter that country, and the Arab fears that this permission will be granted.
2. Although the Committee's terms of reference would not justify it in devoting its attention to the problem of the displaced and homeless persons as a whole, it is entirely justified in recommending to the General Assembly a prompt amelioration of the plight of the Jewish segments of these groups as a vital prerequisite to the settlement of the difficult conditions in Palestine.

3. *Therefore, it is recommended that*

The General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews in and outside the camps for displaced persons, of whom approximately 250,000 are in assembly centers, would be accepted as a special concern of extreme urgency for the alleviation of the Palestine problem, and by means of which a number of those Members of the United Nations not already over-populated would accept within their borders a proportionate number of Jewish refugees, with Palestine accepting its share in accordance with the recommendation on Jewish immigration set forth in VII immediately below.

VII. Jewish immigration into Palestine

1. Jewish immigration into Palestine continues to be one of the central political questions of that country.
2. The solution of the problem of Palestine is rendered more difficult by the fact that large numbers of Jews, and especially the displaced and homeless Jews of Europe, insistently demand the right to settle in Palestine, on the basis of the historical association of the Jewish people with that country, and are strongly supported in this demand by all of the Jews encountered by the Committee in Palestine.
3. It is a fact, also, that many of the Jews in Palestine have relatives among the displaced Jews of Europe who are eager to emigrate to Palestine.
4. While the problem of Jewish immigration is thus closely related to the solution of the Palestine question, it cannot be contemplated that Palestine is to be considered in any sense as a means of solving the problem of world Jewry. In direct and effective opposition to any such suggestion are the twin factors of limited area and resources and vigorous and persistent opposition of the Arab people, who constitute the majority population of the country.
5. For these reasons, no claim to a right of unlimited immigration of Jews into Palestine, irrespective of time, can be entertained. It follows, therefore, that no basis could exist for any anticipation that the Jews now in Palestine might increase their numbers by means of free mass immigration to such extent that they would become the majority population in Palestine.
6. With these considerations in mind,

It is recommended that

The problem of Jewish immigration into Palestine be dealt with in the following manner:

- a. For a period of three years from the effective date of the beginning of the transitional period provided for in the solution to be applied to Palestine, even if the transitional period should be less, Jewish immigration shall be permitted into the borders of the Jewish state in the proposed independent federal State of Palestine, in such numbers as not to exceed the absorptive capacity of that Jewish state, having due regard for the rights of the population then present within that state and for their anticipated natural rate of increase. The authority responsible for executing the transitional arrangements on behalf of the United Nations shall take all measures necessary to safeguard these principles.
- b. For the purpose of appraising objectively the absorptive capacity of the Jewish state in the independent State of Palestine, an international commission shall be established. Its membership shall consist of three representatives designated by the Arabs of Palestine, three representatives designated by the Jews of Palestine, and three representatives designated by the appropriate organ of the United Nations.
- c. The international commission shall be empowered to estimate the absorptive capacity of the Jewish state, and in discharging this responsibility may call upon the assistance of such experts as it may consider necessary.
- d. The estimates of the international commission, made in accordance with subparagraphs 6(a) and 6(c) above shall be binding on the authority entrusted with the administration of Palestine during the period referred to in sub-paragraph 6(a).
- e. The international commission shall exist only during the period of three years provided for in sub-paragraph 6(a); and its functions and activities, other than those relating to its liquidation, shall automatically cease at the end of that period.
- f. Responsibility for organizing and caring for Jewish immigrants during the transitional period shall be placed in such representative local organization as the Jewish community of Palestine shall decide upon.

- g. Priority in the granting of Jewish immigration certificates during the transitional period shall be accorded to orphans, survivors who are of the same family, close relatives of persons already in Palestine, and persons having useful scientific and technical qualifications.

Reservations and Observations

1. Some representatives have reserved their position on a number of specific points or have wished to express particular points of view. These reservations and observations will be found in the appendix to this report.
2. The representatives making such reservations and observations, and the subjects on which they are recorded, are as follows:
 - The representative of Australia:
 - (i) Statement on attitude towards proposals in Chapters VI and VII.
 - The representative of Guatemala:
 - (i) Reservation on recommendation XII of Chapter V.
 - The representative of India:
 - (i) Declaration on independence.
 - (ii) Observations on the Mandate in its historical setting.
 - (iii) Declaration on form of government.
 - (iv) Declaration of reasons why partition cannot be accepted.
 - The representative of Uruguay:
 - (i) Reservation on recommendation XII of Chapter V.
 - (ii) Declaration on boundaries.
 - (iii) Declaration on immigration.
 - (iv) Declaration on religious interests.
 - The representative of Yugoslavia:
 - (i) Observations on historical background.
 - (ii) Appraisal of the Mandate.
 - (iii) Observation on the present situation.
3. The reservations and observations referred to above were not communicated to all the other members of the Special Committee before the signing of the report.



**ABBA S. EBAN, UNSCOP LIAISON OFFICER, NOTE OF A CONVERSATION
WITH ARAB LEAGUE SECRETARY-GENERAL ABDUL RAHMAN AZZAM PASHA,
LONDON, 15 SEPTEMBER 1947**

After complimentary exchanges we began a discussion on the effect of the UNSCOP Report on Arab-Jewish relations. Mr. Eban said that the majority report defined the correct conditions in which Arab-Jewish co-operation could be built up. These conditions were finality and equality. Once agreement had been reached on a practical compromise such as that suggested by UNSCOP, it should not be difficult to convince the Arab world that it had nothing to fear from Jewish development, and that not threat of Jewish expansion would exist.

Mr. Horowitz said that we would be prepared to offer a Jewish guarantee, and to accept the guarantees of the Arab League and the United Nations, against any encroachment by the Jews upon the boundaries of other States.

Mr. Eban suggested ways of integrating the Jewish State into processes of regional development, and Mr. Horowitz added that in certain conditions we would not be averse to joining with the Arab States in a single League.

At this point Azzam Pasha reacted very strongly, saying that no Middle Eastern League based on diversity could in any way be considered. There were only two historic or cultural ideas which could unify the Arab peoples. The one was the idea of the Arab nation; the other was the idea of Islam. [...] He said that the Arabs were not afraid of our expansion. They resented our very presence as an alien organism, which had come without their consent, and which refused to be assimilated to their way of life.

Mr. Horowitz suggested that the existence of Palestine Jewry was not a fruitful subject for discussion since it was an established fact. Mr. Eban added that the refusal of Palestine Jewry to become Arabised could equally be taken as an established fact. Whether the Arabs liked these facts or not, they must surely be realistic enough to face them and to make them the starting point of their political thinking.

Azzam Pasha replied that he was surprised to hear us ascribing realism to the Arab peoples which, like all other peoples, were animated by strong historic emotions. "For me you may be a fact, but for them you are not a fact at all - you are a temporary phenomenon. Centuries ago, the Crusaders established themselves in our midst against our will, and in 200 years we ejected them. This was because we never made the mistake of accepting them as a fact."

Mr. Horowitz said that without disputing the [point?] of historic memory, a modern people must apply realistic criteria as well. In concrete terms, the existence of Palestine Jewry, and its refusal to assimilate, must be accepted as facts. Mr. Eban said that though these were recent facts it did not make them less historic. Arab statesmanship had to consider, from the viewpoint of its own interests, whether more was to be gained by envisaging its relationship with the Jews in terms of harmony or in terms of conflict.

Mr. Horowitz dealt in some detail with the mutual advantage that would redound to both parties from active policies of co-operation and development. Mr. Eban added that the very existence of conflict seemed to be against the Arab interest. The Palestine conflict was uselessly absorbing the best energies of the Arab League, diverting it from the constructive purpose to which it might otherwise address itself.

At this point Assam Pasha nodded vigorous assent, and went over to a long digression on the Egyptian question which, he said, illustrated the pre-dominance of historic and emotional factors in politics. [...] He apologised for the vigour of his tones, but added that out of sheer respect for us he wished to be candid, and to put out of our minds any idea that the United Nations Report had created a basis for an Arab-Jewish agreement.

"You may easily convince me that the Arabs now have an interest in allowing you to develop your State, and to live at peace with them [sic], but having convinced me of this, you will have achieved nothing, for you have nothing at all to offer which I can take back to my people tomorrow. Up to the very last moment, and beyond, they will fight to prevent you from establishing your State. In no circumstances will they agree to it."

We asked what would happen if, nevertheless, despite Arab opposition, the State was created. Azzam Pasha said that if we took this view-point, without assuming Arab agreement, we were on a more realistic plane. "Politics were not a matter for sentimental agreements; they were resultants of contending forces. The question is whether you can bring more force for the creation of a Jewish State than we can muster to prevent it. If you want your State, however, you must come and get it. It is useless asking me for the Negev on the grounds that it is empty. You can only get your Negev by taking it. If you are yourselves strong enough to do this, or if you enlist strong partners - Britain, America, Russia, the United Nations - you may well succeed. If you cannot, then you will fail. But, in no circumstances, will you obtain Arab consent in the process."

Mr. Horowitz asked what the situation would be if the "*fait accompli*" was created. So much of impartial world opinion had now rejected the case of a completely Arab Palestine that this contingency could not be ruled out.

Azzam Pasha said that he could not predict future history. He had already mentioned the Crusades as an example of Arab irredentism. “On the other hand, we once had Spain, and then we lost Spain, and we have become accustomed to not having Spain. We once had Persia, and then lost Persia, and now we have become accustomed to not having Persia. Whether at any point we shall become accustomed to not having a part of Palestine, I cannot say. The chances are against it, since 400,000 of our brethren will be unwilling citizens of your State. They will never recognize it, and they will never make peace.” [...]

Mr. Horowitz remarked that it was pessimistic to think of history in terms of biological predestination. Surely there was an element of choice in politics which allowed people to operate along the line of their greatest interests?

Azzam Pasha insisted that no such considerations were valid here. He could imagine the emotional forces which had driven the Zionist into their position, and he knew of the forces which lay at the root of Arab feeling. There was nothing for it but to see which of these forces would prevail and conquer. He repeated that we had no common interest which he could take back to his people. “I can no longer say that we should give the Jews their State, and then enlist them as a world force to banish imperialism from the East. Imperialism is in any case banished, and we stand in no need of Jewish aid. At one time we might have said that the Jews should be allowed to develop their State in order to contribute to movements of development and unity in a unified Arab world.”

Mr. Eban said that that was how we had started, and it was on this basis that we saw a mutual interest now. Azzam Pasha said that it was very probable that if Arab unity had been realised on the 20s this conception might have been accepted, but the opportunity had been missed and would not recur. Today the Jews might secure an Arab agreement by abandoning their present conceptions, and going in with the Arabs and creating Jewish autonomous units within the framework of Arab society. Eventually these units might grow and develop until something like a Zionist conception emerged. But this would mean for the present a relationship of trust, in which the present Zionist programs, and such conceptions as the UNSCOP Majority Report, would have no place. We could either take this way, or the other way of endeavouring to enlist as much force as possible and suppress Arab resistance. We could only obtain Arab agreements by abandoning Zionism. If we did not abandon it, our only hope lay in the enlistment of predominant political power. We could not tread the second road and have Arab agreement as well.

Despite this candour and vigour of expression, the conversation was cordial in tone, and Azzam Pasha expressed his readiness, at all suitable occasions, to have private discussions of this kind.



**ARAB HIGHER COMMITTEE MEMBER JAMAL BEY HUSSEINI, STATEMENT
BEFORE THE *AD HOC* COMMITTEE ON THE PALESTINE QUESTION ON ARAB
REACTIONS TO THE UNSCOP PROPOSALS, 29 SEPTEMBER 1947**

The case of the Arabs of Palestine was based on the principles of international justice; it was that of a people which desired to live in undisturbed possession of the country where Providence and history had placed it. The Arabs of Palestine could not understand why their right to live in freedom and peace, and to develop their country in accordance with their traditions, should be questioned and constantly submitted to investigation.

One thing was clear; it was the sacred duty of the Arabs of Palestine to defend their country against all aggression. The Zionists were conducting an aggressive campaign with the object of securing by force a country which was not theirs by birthright. Thus there was self-defense on one side and, on the other, aggression. The *raison d'être* of the United Nations was to assist self-defense against aggression.

The rights and patrimony of the Arab in Palestine had been the subject of no less than eighteen investigations with twenty-five years, and all to no purpose. Such commissions of inquiry had made recommendations that had either reduced the national and legal rights of the Palestine Arabs or glossed

them over. The few recommendations favorable to the Arabs had been ignored by the Mandatory Power. It was hardly strange, therefore, that they should have been unwilling to take part in a nineteenth investigation. It was for that, and for other reasons already communicated to the United Nations, that they had refused to appear before the United Nations Special Committee on Palestine. Mr. Husseini assured the Committee, however, of the respect felt by the Arab Higher Committee for the United Nations and emphasized that his Committee looked to it for justice and equity.

The struggle of the Arabs in Palestine had nothing in common with anti-Semitism. The Arab world had been one of the rare havens of refuge for the Jews until the atmosphere of neighborliness had been poisoned by the Balfour Declaration and the aggressive spirit the latter had engendered in the Jewish community.

The claims of the Zionists had no legal or moral basis. The case was based on the association of the Jews with Palestine over two thousand years before. On that basis, the Arab would have better claims to those territories in other parts of the world such as Spain or parts of France, Turkey, Russia or Afghanistan, which they had inhabited in the past.

Mr. Husseini disputed three claims of world Jewry. The claim to Palestine based on historical association was a movement on the part of the Ashkenazim, whose forefathers had no connection with Palestine. The Sephardim, the main descendants of Israel, had mostly denounced Zionism. Secondly the religious connection of the Zionists with Palestine, which he noted was shared by Moslems and Christians, gave them no secular claim to the country. Freedom of access to the Holy Places was universally accepted. Thirdly, the Zionists claimed the establishment of a Jewish National Home by virtue of the Balfour Declaration. But the British Government had had no right to dispose of Palestine, which it had occupied in the name of the Allies as a liberator and not as a conqueror. The Balfour Declaration was in contradiction with the Covenant of the League of Nations and was an immoral, unjust and illegal promise.

The solution lay in the Charter of the United Nations, in accordance with which the Arabs of Palestine, who constituted the majority, were entitled to a free and independent State. Mr. Husseini welcomed the recent declaration of the representative of the United Kingdom that the Mandate should be terminated and its termination followed by independence and expressed the hope that the British Government would not on that occasion, as in the past, reverse its decision under Zionist pressure.

Regarding the manner and form of independence of Palestine, it was the view of the Arab Higher Committee that that was a matter for the rightful owners of Palestine to decide. Once Palestine was found to be entitled to independence, the United Nations was not legally competent to decide or to impose the constitutional organization of Palestine, since such action would amount to interference with an internal matter of an independent nation.

The future constitutional organization of Palestine should be based on the following principles: first, establishment on democratic lines of an Arab State comprising all Palestine; secondly, observance of the said Arab State of Palestine of human rights, fundamental freedoms and equality of all persons before the law; thirdly, protection by the Arab State of the legitimate rights and interests of all the minorities; fourthly, guarantee to all of freedom of worship and access to the Holy Places.

In conclusion, Mr. Husseini said that he had not commented on the Special Committee's report because the Arab Higher Committee considered that it could not be a basis for discussion. Both schemes proposed in the report were inconsistent with the United Nations Charter and with the Covenant (sic) League of Nations. The Arabs of Palestine were solidly determined to oppose with all the means at their command any scheme which provided for the dissection, segregation or partition of their country or which gave to a minority special and preferential rights or status. Although they fully realized that big Powers could crush such opposition by brute force, the Arabs nevertheless would not be deterred, but would lawfully defend with their life-blood every inch of the soil of their beloved country.



**US DEPARTMENT OF STATE, MEMORANDUM ON US POLICY
AT THE UNITED NATIONS, 30 SEPTEMBER 1947**

Basic Considerations

The Position taken by the United States Delegation in the General Assembly on the Palestine question should take full account of the following principal factors:

- (1) The Near Eastern area is of high strategic significance in over-all American policy. Consequently the maintenance of good will toward the United States on the part of the Moslem world is one of the primary goals of American foreign policy.
- (2) The policy of the United States toward Palestine over the span of the years since the First World War shows a consistent interest in the establishment of a Jewish National Home. The United States has frequently stated its support of large-scale Jewish immigration into Palestine and has indicated that it might look with favor upon some arrangement providing for a partition of Palestine, provided that such an arrangement gave promise of being workable.
- (3) The position taken by the United States with regard to the report of the Special Committee on Palestine must indicate the confidence of this Government in the United Nations and United States support of the procedures for which, in this case, it assumed a large initiative.
- (4) The plan for Palestine ultimately recommended by the General Assembly should be a *United Nations* solution and not a *United States* solution. It is essential that the basic position to be taken by the United States Delegation to the General Assembly with regard to the Palestine report and the specific tactics followed by the Delegation be such that the final recommendation of the General Assembly cannot be labeled "the American plan."
- (5) It is a matter of urgency that the General Assembly should agree at this session upon a definitive solution of the Palestine problem. The only immediate hope of restoring order in Palestine and thus promoting stability in the whole Near East lies in agreement by the United Nations upon a solution which the interested parties cannot expect by agitation and violence to alter.
- (6) It is essential that any plan for Palestine adopted by the General Assembly be able to command the maximum cooperation of all elements in Palestine.



**CHAIRMAN OF THE JEWISH AGENCY DAVID BEN-GURION, STATEMENT
TO THE ELECTED ASSEMBLY OF PALESTINE JEWRY, 2 OCTOBER 1947**

Political developments have swept us on to a momentous parting of the ways - from Mandate to independence. Today, beyond our ceaseless work in immigration, settlement and campaign, we are set three blazing tasks, whereof fulfillment will condition our perpetuity: defense, a Jewish State and Arab-Jewish Cupertino, in that order of importance and urgency.

Security is our chief problem. I do not minimize the virtue of statehood even within something less than all the territory of the Land of Israel on either bank of the Jordan; but security comes unarguably first. It dominated our concerns since the Yishuv [Jewish community in Palestine] began from the start of colonization we knew we must, in the main, guarantee it ourselves. But recent upsets and upheavals in Palestine, in the Middle East and in the wide world, and in British and international politics as well, magnify it from a local problem of current safety into Zionism's hinge of destiny. In scope, in intensity, in purport, it is entirely different now. Just think of the new factors that invest the problem with a political significance of unprecedented gravity - and I could add a dozen others: the anti-Zionist policy pursued by the Mandatory Government during the past ten years, the obliteration of European Jewry with the willing aid of the acknowledged leader of the Palestine Arabs, the establishment of an Arab League active and united only in combating Zionism, Bevin's ugly war against the Jews, the crisis in Britain and its political and economic aftermath, the creation of armed forces in the neighboring States, the intrusion of the Arab Legion. And not a single Jewish unit exists.

We can stand up to any aggression launched from Palestine or its border, but more in potential than yet in fact. The conversion from potential to actual is now our major, blinding headache. It will mean the swiftest, widest mobilization, here and abroad, of capacity to organize, of our resources in economics and manpower, our science and technology, our civic sense. It must be an all-out effort, sparing no man.

It is the duty of this Assembly to decide upon a defense scheme that will gear our economy, our public life and our education to instant needs.

There is the possibility, how near in time I cannot say, but very real, that we may be sucked into a political vacuum. Politics, predominantly, abhor a vacuum. If we do not fill it, others will. Let us, once for all, slough the fancy that others may run our errand, as Britain promised twenty-seven years ago. The polemics which agitated our Movement this last decade - the 'to be or not to be' of the Mandate - are meaningless now. You had to be purblind ten years ago not to see that the Mandate was disintegrating, the Mandate as we came specifically to interpret it in Palestine: a form of administration deputed by the nations to facilitate Jewish entry and settlement for so long as the Jews themselves could not stand alone in their Homeland and conduct the work of government by right of majority. Some, doubtless with the best of Zionist intentions, wanted to turn their backs on the truth, although it had been proclaimed long since and unequivocally by Britain and recognized by the Mandates Commission ... that the Mandate had become impracticable once the Mandatory itself was persuaded that it was...

Now final judgment is passed by the United Nations and the Mandatory. The Mandate is to end. That is the common denominator uniting majority and minority at Lake Success and in Whitehall, and dispelling the friction between the Council of the United Nations and the British Government. No one can predict how things will go in the General Assembly. It may not decide at all, but one thing is certain: the Mandate is doomed, not just the British Mandate, but the principle. There is neither prospect nor proposal that Britain be replaced as Mandatory by another Power or an international body - in either event pledged to Zionism and the principles and aims which shaped the British Mandate a quarter of a century ago.

Whether we like it or not, there is one vivid conclusion we must draw - if governance has to be in Palestine, for the sake of the immigration and settlement which are unthinkable in a void, it will be our very own, or not at all. That, for good or ill, is the significance of recent political developments, external, world-wide, mightier than any will or influence of ours.

Specifically, now, as to the recommendations of the United Nations investigators.

There were eleven unanimous recommendations, of which only the first four need concern us here, for their carrying out - and the British Government has said it accepts them - entails our taking new and difficult steps, which we would not take so long as we thought that others might manage Palestine for our benefit.

The findings are these:

- termination of the Mandate at the earliest practicable date;
- the soonest feasible grant of independence in Palestine, on the ground that the Arabs and the Jews, after a tutelage of over twenty-five years, wish to translate their national aspirations into fact, and assuredly no arrangement will be Accepted by either with the slightest willingness which does not imply swift independence;
- a brief interregnum to create the prerequisites of full sovereignty;
- the transitional administration to be responsible to the United Nations, a link representing the indispensable element of compulsion where any scheme is bound to be unpopular with Jew and Arab alike.

We may dismiss the idea of a successor Mandatory. After not more than three years, Palestine is to be independent. The British Secretary of State for the Colonies announced that his Government would prepare a speedy evacuation of the army and Administration. Should there be, in the end, an

unagreed adjustment, it would suggest that someone else give effect to it. In other words, British control would cease immediately a new entrepreneur came forward.

There are two proposals before the United Nations - the majority proposal to set up two States, the minority to set up a federal, or, in Zionist jargon, a 'bi-national' State.

The minority proposal indulges in sonorous theory concerning the assurance of equality between the two nations and their historical link with a common Homeland, but warrants no solid inference. Behind it, instead, is denial of our age-long connection with Palestine. For equality between Arabs and ourselves it substitutes Arab precedence in all things, even in immigration, and, in short, produces an Arab State in the false feathers of bi-nationalism.

The federal State embraces a Jewish district to which the name of 'Jewish State' is given. As to its area, to my regret I did not see the map that ought to have been annexed, but it looks to be about that of the Jewish province under the Morrison-Grady plan, though I would not vouch for it.

There will be two Chambers: one elected proportionately and therefore ruled by the Arab majority, the other based on equal representation. To pass into law a measure must get a majority of votes in each Chamber; if not, an arbitral committee of three Arabs and two Jews would decide and the decision become law. The President of the State would be elected by the Arab majority of both Chambers in joint session.

Over and above this, a Supreme Court with wide jurisdiction was invented, to interpret the Constitution, and we know what interpretation can lead to. It would adjudicate whether a federal or 'State' law was compatible with the Constitution, and pronounce in cases of conflict between local and federal laws. Its judgment would not be subject to appeal. It would, under the Constitution, have an assured Arab majority of at least four to three. This majority could interpret and veto Jewish 'State' laws as it pleased. The federal Government, with an Arab majority, would wield full authority in national defense, foreign affairs, currency, federal taxes, waterways, communications transport and immigration.

At any moment, therefore, Jewish immigration might come under ban. Only in the three transitional years would it be guaranteed, and then into the Jewish district alone, in numbers not exceeding its economic capacity and not necessarily to the full absorptive extent; the rights of the citizens of the Jewish district would have to be considered, and the rate of natural increase. And all as determined by a committee of nine, three Jews, three Arabs, and three of the United Nations representatives.

Liability for the immigrants during the triennium would fall on the Yishuv. The Jewish Agency disappears. Thereafter - immigration is in the hands of the federal Government, as I have explained, and that is as much as to say in the hands of an Arab majority. The Arabs have lost no time in declaring that not another Jew will be let in....[not clear if this is missing text in the original]

The status quo cannot go on: it has been condemned on all hands. It is hard to guess when the British will actually leave - three months, three years, or thirty, there is no telling. We know of 'provisional' occupations that lasted sixty. So let us be neither over-sanguine nor cast down. We are vitally concerned that Britain should not, under any pretence whatever, keep on implementing the policy of the White Paper. What we want is mass immigration. The majority proposal provides for 6,250 persons monthly to enter during the transition period beginning on 1 September 1947. There is an account to settle with Britain for shutting out thousands of Jews since the White Paper appeared, and we may let history make that settlement. But a new chapter is opening - the instant chapter of what is to befall in immigration now: this month, this year, next year. For us, now, there is no countenancing the White Paper's policy one moment after the Assembly of the United Nations ends, for is it not shorn of all international sanction, constitutionally and morally indefensible?

Moreover, we must at all costs prevent chaos and anarchy ensuing.

To sum up, it is all a question of effectuation, for both the United Nations and ourselves. Perhaps the whole design of Mr. Creech-Jones' statement was to stampede the United Nations, and make the decision harder. Very well, let us provide the catalyst. Britain assures us she will not carry out any United Nations' decision, but neither will she resist any, so be it she is rid of the concomitant task. We, therefore, tell the world that we will ourselves discharge it, that we are willing, fit and ready to gather up the reins of government instantaneously.

We are twain - the elect of the Jewish people and the elect of the Yishuv. Alone, neither can perform the task. The Yishuv, indeed, is also a part of the people, but is so nearly concerned that it must here be a vanguard as well, as it was before in reconstructing Israel and vindicating Zionism. But this is no personal issue of us who live in Palestine. The majority on the Committee sees it as a problem of world Jewry, and so, we think, does public opinion generally.

The majority framed its conclusions under the impact of two compelling revelations. First, it found here not just one more Kehillah [congregation], but the nucleus of a Jewish nation, a Jewish State in embryo. Second, words exchanged with an unknown Jew in an unnamed camp in Europe, words that should be broadcast in every spoken tongue, a simple story of past sufferings, and of why he wants to come here and nowhere else. Thus the Committee learned that Aliyah [immigration to Israel] is not shallow submission to Zionist propaganda, but a deep compulsion, elemental, mocking death. This the members saw again with their own eyes in ships that bore to Palestine the exiled and the slain, in camps that shelter those who ran the gauntlet.

There was, however, a *tertium quid* - and careful study of the report brings it out: the existence of an international commitment to the Jewish people, the flickering still of a spark of conscience in the world, the widespread recognition that the commitment must be honored, even if only in part, even if only a helpless, homeless, stateless folk was its object.

All of Jewry was that object, not the Yishuv alone, all of Jewry broke into the Land, all of Jewry seeks independence. So, too, let all of Jewry demand that an interim Jewish Government be set up to execute an interim policy under United Nations supervision and with aid thence, and primarily an interim policy of large-scale immigration and withdrawal of the White Paper. If a final policy we could accept were propounded meanwhile, we should start on that likewise.

No more protests and clamor, not another day of a vacuum in theory, jurisdiction and ethics. We shall bear the grave responsibility ourselves, untried though we have been in the arts and burdens of sovereignty for the last eighteen hundred years. The strain will be terrific. There is a local pretender to the throne, backed by millions of common creed and speech. But between acquiescing in the White Paper, with its locked gates and racial discrimination, and the assumption of sovereign power, there can, in truth, only be one choice. Perhaps we are unready, immature - but events will not wait on us. The international calendar will not synchronize itself to ours. We are set the problem and must solve it. I have told you how: supervised by the United Nations, helped by the United Nations, but in our own name, answerable to ourselves, with our own resources.

One more thing. If we have reached the parting of the ways, let us at least part with dignity, and not in the estrangement of recent years. Bevin's is not the only Britain; there is the Britain of Balfour, of Wedgwood, of Wingate. We expect no help from Bevin's Britain, we ask only that it keep its word and not interfere.

We have not absolved the Labor Party of its pledges, nor will we, but we shall not entreat it to carry out a new policy against both inclination and ability. Well and good - the British wash their hands of us and depart! Go in peace, we say: we can manage and at once - if you will just let us be.

To establish a Jewish Government will not be enough. Defense incalculably stronger and more up-to-date than anything improvised in the past seventy years even that, be it never so vital, and succeed in it as I am sure we will, even that will not be enough.

The British episode was important, but transient: intrinsically, and from the outset, short-lived. The Mandate was a temporary thing, and so were its obligations. The Cupertino it promised was fleeting, we may hope the quarrel it provoked will be as evanescent. But we cannot look upon dealings with the Arabs in that way.

This is our native land; it is not as birds of passage that we return to it. But it is situated in an area engulfed by Arabic-speaking peoples, mainly followers of Islam. Now, if ever, we must do more than make peace with them; we must achieve collaboration and alliance on equal terms. Remembering what Arab delegations from Palestine and its neighbors say in the General Assembly and in other places, talk of Arab-Jewish amity sounds fantastic, for the Arabs do not wish it, they will not sit at the same table with us, they want to treat us as they do the Jews of Baghdad, Cairo and Damascus.

That is the attitude officially proclaimed, and it is not to be scoffed at; considerable forces in the Arab realm, and beyond, are behind it. Neither should we overrate it, or be panicked by it. As Jews, and more so as Zionists, we must forego facile optimism and barren despondency. Basic facts are our allies and no concatenation of events can shake or alter them: the tragedy of the Jews, the desolation of the Land, our unbreakable bond with it, our creativity - they have brought us thus far, whether other things helped or hindered.

There are basic facts in the Arab realm also, not only transient ones, and understanding of them should blow away our pessimism. They are the historical needs of the Arabs and of their States. A people's needs are not always articulate, its spokesmen may not always be concerned for them, but they cannot be stifled for long, eventually they force their swelling way out into expression and satisfaction.

History has been harsh to us, perhaps, setting burdensome conditions which complicate our homecoming; but it has set conditions too which, in the final accounting, will not only allow but will compel Arab and Jew to work together, because they need and complement each other. Just two examples. Egypt is the biggest country in the Arab world and in the Arab League. More than three-quarters of its population are fellahin with an average monthly income of a pound sterling; nine-tenths of the fellahin are disease-ridden, all but five percent illiterate. You cannot go on forever feeding this people on anti-Jewish incitement.

Iraq is thrice as large as Britain; of its 450,000 square kilometers only 67,000 are tilled; after twenty-five years of independence, 85 percent of the population are illiterate, half are infected and there is one doctor for every 8,500 persons. And this is among the richest countries in the world, watered by two rivers - and what rivers! An anti-Jewish diet will not do indefinitely in Iraq either.

I will not discuss ostensibly independent Trans-Jordan, its poverty and neglect many of us have visited it and know.

A final fact. From our work in Palestine, from the society we are constructing, our economy and science, our culture and humanity, our social and fiscal order, and from no other source, must enlightenment come to our neighbors, for if they do not learn from us and labor with us, it is with strangers, potent and tyrannous, that they will find themselves partnered.

They in turn have much to give us, they are blessed with what we lack. Great territories, ample for themselves and their children's children, even if they are far more prolific than they are today. We do not covet their expanses nor will we penetrate them - for we shall fight to end Diaspora in Arab lands as fiercely as we fought to end it in Europe, we want to be assembled wholly in our own Land. But if this region is to expand to the full, there must be reciprocity, there can be mutual aid - economic, political and cultural - between Jew and Arab. That is the necessity which will prevail, and the daily fulminations of their leaders should not alarm us unduly - they do not echo the real interests of the Arab peoples.

Come what may, we will not surrender our right to free Aliyah, to rebuild our shattered Homeland, to claim statehood. If we are attacked, we will fight back. But we will do everything in our power to

maintain peace, and establish a Cupertino gainful to both. It is now, here and now, from Jerusalem itself, that a call must go out to the Arab nations to join forces with Jewry and the destined Jewish State and work shoulder to shoulder for our common good, for the peace and progress of sovereign equals.



**US DEPUTY REPRESENTATIVE TO THE UN HERSCHEL V. JOHNSON,
STATEMENT ON THE US POSITION REGRADING THE PALESTINE QUESTION (1)²⁰,
11 OCTOBER 1947 (2)²¹**

1. The problem of the future government of Palestine confronts the General Assembly of the United Nations with a heavy and complex responsibility. The General Assembly, having assumed responsibility for making recommendations to the United Kingdom on the subject, must do everything within its power to evolve a practical solution consistent with the principles laid down in the United Nations Charter.
2. The United States Delegation feels that the urgency of the problem is so great that the General Assembly must recommend a solution at this session. The degree of urgency has been brought to our attention by continued violence in Palestine, by the context of the Special Committee's report (3)²² and by the statement of the delegate from the United Kingdom regarding the recommendations of the Committee and future British responsibilities in Palestine.
3. During the past weeks this Committee has had the benefit of the views of several members of this Committee, and has heard statements by the representatives of the Arab Higher Committee and the Jewish Agency for Palestine on behalf of the peoples primarily concerned. The United States Delegation believes that this discussion has been of material assistance and hopes that it will continue on the broadest basis.
4. It may be recalled that as a result of the First World War, a large area of the Near East, including Palestine, was liberated and a number of states gained their independence. The United States, having contributed its blood and resources to the winning of that war, felt that it could not divest itself of a certain responsibility for the manner in which the freed territories were disposed of, or for the fate of the peoples liberated at that time. It took the position that, these peoples should be prepared for self-government and also that a national home for the Jews should be established in Palestine. The United States Government has subsequently had long and friendly relations with the independent states which were created in the Near East and is happy to note that most of them are members of the United Nations and have representatives present at this meeting.
5. It may be recalled, with regard to Palestine, that in 1917 the Government of the United Kingdom, in the statement known as the Balfour Declaration, announced that it viewed with favor the establishment in Palestine of a national home for the Jewish people and that it would use its best endeavors to facilitate the achievement of that object, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country. In 1923 the objectives stated in this Declaration were embodied in the League of Nations Mandate for Palestine which was entrusted to the Government of the United Kingdom as mandatory. As the United States was not a member of the League of Nations, a Convention was concluded between the United States and the United Kingdom in 1924 with regard to American rights in Palestine. The Palestine Mandate is embodied in the Preamble to this Convention. The United States

²⁰ (1) Department of State Bulletin of October 19, 1947, pp. 761-762. The question of Palestine was brought before the United Nations by the Government of the United Kingdom in a letter to the Secretary-General dated April 2, 1947, which requested the Secretary-General to place the question of Palestine on the agenda of the General Assembly at its next regular session.

²¹ (2) Statement made at meeting of the ad hoc Committee on Palestine of the General Assembly on October 11, 1947, and released to the press by the United States Mission to the United Nations on the same date. Herschel V. Johnson was the United States Deputy Representative to the United Nations.

²² (3) For recommendations of this report (UN Doc. A/364, Sept. 3, 1947), see Department of State Bulletin of September 21, 1947, p. 546.

consented to this Mandate. Members of this Committee are aware of the situation which subsequently developed in Palestine and of the many efforts which have been made to achieve a settlement. We now have before us a report of the Special Committee of the United Nations with regard to the Palestine Question.

6. The United States Delegation supports the basic principles of the unanimous recommendations and the majority plan which provides for partition and immigration. It is of the opinion, however, that certain amendments and modifications would have to be made in the majority plan in order more accurately to give effect to the principles on which that plan is based. My delegation believes that certain geographical modifications must be made. For example, Jaffa should be included in the Arab State because it is predominantly an Arab city.
My delegation suggests that the General Assembly may wish to provide that all the inhabitants of Palestine, regardless of citizenship or place of residence, be guaranteed access to ports and to water and power facilities on a non-discriminatory basis; that constitutional guarantees, including guarantees regarding equal economic opportunity, be provided for Arabs and Jews alike, and that the powers of the Joint Economic Board be strengthened. Any solution which this Committee recommends should not only be just, but also workable and of a nature to command the approval of world opinion.
7. The United States Delegation desires to make certain observations on the carrying out of such recommendations as the General Assembly may make regarding the future government of Palestine. The General Assembly did not, by admitting this item to its agenda, undertake to assume responsibility for the administration of Palestine during the process of transition to independence. Responsibility for the government of Palestine now rests with the mandatory power. The General Assembly, however, would not fully discharge its obligation if it did not take carefully into account the problem of implementation.
8. Both the majority report and the statement of the United Kingdom representative in this Committee raise the problem of carrying into effect the recommendations of the General Assembly. We note, for example, that the majority report indicates several points at which the majority thought the United Nations could be of assistance. It was suggested that the General Assembly approve certain steps involved in the transitional period, that the United Nations guarantee certain aspects of the settlement concerning Holy Places and minority rights, that the Economic and Social Council appoint three members of the Joint Economic Board, and that the United Nations accept responsibility as administering authority of the City of Jerusalem under an international trusteeship.
9. The United States is willing to participate in a U. N. program to assist the parties involved in the establishment of a workable political settlement in Palestine. We refer to assistance through the U. N. in meeting economic and financial problems and the problem of internal law and order during the transition period. The latter problem might require the establishment of a special constabulary or police force recruited on a volunteer basis by the U.N. We do not refer to the possibility of violation by any member of its obligations to refrain in its international relations from the threat or use of force. We assume that there will be Charter observance.
10. In the final analysis the problem of making any solution work rests with the people of Palestine. If new political institutions are to endure, they must provide for early assumption by the people themselves of the responsibility for their own domestic order. Acts of Violence against constituted authority and against rival elements of the local population have appeared in Palestine over a period of many years and have greatly increased the difficulties of finding a workable solution to this complex problem. Certain elements have resorted to force and terror to obtain their own particular aims. Obviously, this violence must cease if independence is to be more than an empty phrase in the Holy Land.
11. Mr. Chairman, we must now consider how this committee is to take the next step in dealing with this question. If the committee favors the principles of the majority plan, we should establish a subcommittee to work out the details of a program which we could recommend to the GA [General Assembly].
12. The recommendations reached by the GA will represent the collective opinion of the world. The problem has thus far defied solution because the parties primarily at interest have been unable to reach a basis of agreement. This is a problem in the solution of which world opinion can be most helpful.



EZRA DANIN, REPORT OF A SECRET MEETING BETWEEN GOLDA MEYERSON, ACTING HEAD OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY, AND KING ABDULLAH OF JORDAN, NAHARAYIM, 17 NOVEMBER 1947 [EXCERPTS]

[Danin – Head of the Arab Department of the Haganah’s Information Service “Shai” - served as interpreter in the meeting, in which it was agreed that Abdullah would invade Palestine and take control of the Arab part of the country. In exchange, the King promised not to attack the State of Israel.]

[...] The conversation lasted about fifty minutes. The Mayir [code-name for Abdallah] was anxious to return and did not sit calmly. He was glad to meet Golda, even though he was surprised [to be meeting a woman?]. It was explained to him that, owing to the importance which we attached to this meeting, we asked the person in charge to come with us. He greatly appreciated that Shertok’s replacement had come to visit him, and invited her for an official visit to his capital.

He got right to the point. He stressed that our conversation would be like thinking aloud. “At one time we talked about partition, and now I would like to know your opinion. [...] For the past thirty years you have grown in numbers and strength, and your achievements are many. It is impossible to ignore you and it is a duty to come to terms with you. [...] Now I am convinced that the British are leaving, and we shall remain, you and we, face to face. Any clash between us will be harmful to both of us.

“At one point we talked about partition. I would agree to a partition which would not humiliate me before the Arab world at a time when I am appearing as its defender. Let me take this opportunity to throw out an idea for the future consideration of a Jewish Republic: independence in part of Palestine, within a Transjordanian state which will include both sides of the Jordan under my leadership, in which the economy, the army and the legislative houses would be shared.”

The emphasis was on the assumption that it would not be under the Transjordanian regime, but within a Transjordanian monarchy. He didn’t press for an answer, but only explained that, in the event of the creation of such a state, he would be to expand the territory of his state and annex it to G[reater] S[yria] and even to Saudia.

We explained to him that our case was now being discussed at the United Nations, and that we were hoping that they would decide there on the creation of two states, one Jewish and the other Arab. We wanted to talk to him now about an agreement based on those decisions.

He said that he understood this, and it would be desirable for us to meet again immediately after the adoption of the UN resolution, to discuss ways of co-operation in the light of the decision.

Here he went to ask what our attitude would be to his attempt to seize the Arab part of the country. We replied that we would look favorably on it, especially if it did not hinder us in the establishment of our state, if it did not lead to clashes between us and his forces, and particularly if this action were taken under a declaration that the seizure was only to ensure order and keep the peace until the UN could establish a government in that part.

To this he answered: “But I want that part for me, in order to annex it to my state, and I do not wish to create a new Arab state which will interfere with my plans and allow the Arabs to ‘ride on my back’. I want to be the rider, not the horse.” He did not accept our suggestion that he arrange for this in a different manner, namely, by a plebiscite over which he would have decisive control.

[...] As for the Arab-Jewish border in Palestine, he was prepared to take the matter into his hands and guard against any clash between Jews and Arabs. He advised us to respond with hard blows should the Mufti dare to try to harm us [...].

From here, the conversation turned to the Arab world’s preparations for intervention in the Palestine affair. He said that he had informed all the states, even Iraq, that he would not permit their armies to cross his country [...] and would not support any plan unless it concentrated the arms, ammunition, vehicles, repair

workshops, etc. in his country, under his command! They would be in his hands on condition that everything would be put into motion for the sake of keeping order and for creating a common language with the Jews. The situation and the conditions did not justify and did not call for war, but for compromise. [...]

We explained to him that there were many anti-Mufti Arabs in Palestine who wanted to be organized by him and to take to the public stage as his supporters and as supporters of his views. But they were waiting for his invitation to do so, and were surprised of his views. But they were waiting for his invitation to do so, and were surprised that this had not yet come. He answered that he knew about this; he had even received letters on this subject from several of them. If he was hesitating to invite them, it was only out of fear that they would not stand the test in the moment of crisis, and hence he preferred them to come to him without any invitation on his part. He allowed us to direct them to him en masse.

He appreciated our help to his personal emissary in the United States, and said that the emissary would soon be coming for advice and a mandate.

When we tried to find out the attitude of the British to his various plans, mainly his stand on the Palestine question, he replied that the British did not ask him about anything. Even for him the situation was unclear. There had been no discussions on the subject, and he was having a hard time interpreting the reason for their silence.

Unlike our previous conversations, he seemed optimistic and unwavering. He has become stronger and seems to be on top of the situation. He dismissed out of hand the talk of the Arab states [mounting] an armed invasion and also of he plotting by the Mufti which we had mentioned. We asked him at the end of the conversation: should there be a common basis - whether political, economic, or security - would he be prepared to sign a written agreement? He answered yes, and asked us to furnish him with a draft.

Finally, he repeated and stressed that it would be possible to discuss practical matters only after the UN decision, and agreed that we should meet immediately [afterwards]. He requested us to lessen, if we could, the pressure of the newspapers on him. [...] In particular, he asked whether it was possible for the Palestine Post, which was ready by Arabs, to somewhat reduce its interests in him. [...]

He commented, in this regard, that we should not pay too much heed to his stinging declarations, since they were being made under duress and not willingly.



**UN SPECIAL COMMITTEE ON PALESTINE (UNSCOP),
REPORT TO THE UN GENERAL ASSEMBLY, NOVEMBER 1947 [EXCERPTS]**

[UNSCOP was formed by the UNGA in May 1947 to examine two alternative plans: one for partition with economic union, and the other for a federal state. In Sept. 1947, UNGA established itself as an Ad Hoc Committee with two sub-committees: one was to study the partition plan, and the other alternative proposals. The following report was submitted by the latter committee].

I. LEGAL ISSUES CONNECTED WITH THE PALESTINE PROBLEM

1. The problem of Palestine involves certain legal issues which it is essential to decide authoritatively before any solution consistent with international law and justice can be reached. The problem of Palestine necessitates a proper interpretation of the claims of Arabs and Jews to Palestine. The solution of the problem also raises various legal points as to the legality of any proposal for the future of Palestine, as well as the competence of the General Assembly to make and enforce recommendations in this regard.

Failure of the Special Committee to Consider Certain Legal Issues

2. The claims of Arabs and Jews to Palestine are examined in paragraphs 125 to 180 of chapter II of the report of the Special Committee. That Committee, however, failed to consider and determine some issues and juridical aspects of the Palestine question, and came to wrong and unjustified conclusions in relation to other matters which it did consider. The Special Committee did not consider the validity of the Balfour Declaration, nor the meaning of the term "Jewish National Home", nor the validity and scope of the provisions of the Mandate for Palestine relating thereto. It also evaded the issue of the pledges made to the Arabs. It is apparent from the report of the Special Committee that the basic premise underlying the partition plan proposed by the majority of the Committee, and set forth in chapter VI of its report, is that the claims to Palestine of the Arabs and the Jews both possess validity. This pronouncement is not supported by any cogent reasons and is demonstrably against the weight of all available evidence. These facts take away a good deal from the reliability and authoritativeness of the Special Committee's report, and vitiate some of its most important findings.
3. A number of speakers who took part in the general debate in the *Ad Hoc* Committee laid stress on the legal and constitutional issues connected with the problem of Palestine and on the powers and competence of the General Assembly to deal with the problem and to recommend and enforce any specific solution. Proposals were also submitted by three delegations suggesting that the advisory opinion of the International Court of Justice should be sought regarding some of the legal issues connected with the problem of Palestine. The Sub-Committee has therefore considered it necessary to review the main legal issues involved, and to state the points on which the opinion of the International Court of Justice should be obtained before a solution just to all parties can be evolved.

Pledges Made to the Arabs During the First World War

4. The claim of the Arabs to Palestine rests upon their centuries' old possession and occupation of the country and their natural right to determine their own future. This claim is further supported by the pledges given to the Arabs by the British Government during the First World War. These pledges were set out in the correspondence between Sir Henry McMahon and Sherif Hussein of Mecca, followed and explained by the Hogarth Message, the Bassett Letter, the Declaration to the Seven, General Allenby's communication to Prince Faisal and the Anglo-French Declaration of 1918. Palestine was included within the territories which Sherif Hussein claimed should become independent at the end of the war. It has subsequently been alleged, however, on behalf of the British Government, that the Government intended that Palestine should be excluded from those territories and that that intention was made known to Sherif Hussein. But that contention is negated both by the wording of the McMahon-Hussein correspondence and by the subsequent communications and assurances communicated to Sherif Hussein on behalf of the British Government. There is a passing reference to this question in the report of the Special Committee, but the Committee failed to examine it in detail or to record its considered views on it. This Sub-Committee feels that the controversy regarding the interpretation of the McMahon-Hussein correspondence and the subsequent declarations can be satisfactorily settled only by obtaining the opinion of an authoritative and impartial judicial tribunal such as the International Court of Justice.

Validity and Scope of the Balfour Declaration and the Mandate

5. The Jews, on the other hand, rest their claims regarding Palestine on the Balfour Declaration, which was subsequently embodied in the Mandate for Palestine. The Balfour Declaration has been attacked by the Arabs as being invalid on several grounds, *inter alia*, that it was made without their consent or knowledge, that it was contrary to the principles of national self-determination and democracy and that it was inconsistent with the pledges given to the Arabs before and after the date it was made. Although the question at issue regarding the legality, validity and ethics of the Balfour Declaration was specifically raised by the Arab Higher Committee at the special session of the General Assembly as the first issue to be inquired into, the Special Committee neither inquired into it nor expressed any opinion on it. It did not even mention it as being part of the Arab case. It is therefore essential that the question of the validity of the Balfour Declaration should be referred to the International Court of Justice for an opinion.

6. The next question that arises is the proper connotation of the term "Jewish National Home", as used in the Balfour Declaration and subsequently in the Mandate. No definition of that term was contained in either of those documents. It is, however, clear that the Mandatory Power has never interpreted this expression as meaning the setting up of a Jewish State. If the term "Jewish National Home" means no more than a cultural center which does not affect or diminish the rights and position of the indigenous population of Palestine, then no insurmountable difficulties arise regarding the interpretation of the Mandate. On the other hand, if the term "Jewish National Home" is to receive a retrospective interpretation which would derogate from the rights and position of the indigenous population, or result in the establishment of a Jewish State in Palestine, various questions regarding the validity and legal interpretation of the Mandate would have to be resolved. These issues may be summarized as follows:

- The incompatibility of the two main objectives of the Mandate as expressed in article 2, as well as the inconsistency between the provisions of the Mandate regarding the establishment of a Jewish National Home in Palestine and those of the Covenant of the League of Nations regarding the preservation of the rights and the advancement of the indigenous population of the country;
- The effect of the dissolution of the League of Nations on the Mandate;
- The extent to which the undertaking regarding the establishment of a Jewish National Home in Palestine may be said to have been carried out;
- The legal consequences arising from the declared intention of the Mandatory Power to withdraw from Palestine at an early date.

Views of the Sub-Committee on the Legal Issues

7. The Sub-Committee carefully considered the issues enumerated above and its conclusions are set out below.

(a) Article 2 of the Mandate required the Mandatory Power to ensure the establishment of a Jewish National Home in Palestine and at the same time to safeguard the civil and religious rights of all the inhabitants and to develop self-governing institutions in that country. Article 6 required the Mandatory to facilitate Jewish immigration under suitable conditions and to encourage Jewish settlement on the land while ensuring that the rights and position of the other sections of the population were not prejudiced. The experience of the working of the Mandate for twenty-five years has shown that these objectives are incompatible, and the Mandatory Power has reached the conclusion that it is not possible to give effect to the conflicting obligations imposed by the Mandate. That was made clear by the representative of the United Kingdom at the 15th meeting of the *Ad Hoc* Committee held on 16 October 1947.

Moreover, the Mandate must be considered in the light of and subject to the provisions of the Covenant of the League of Nations. According to Article 22 of the Covenant, the people of Palestine were one of the communities formerly belonging to the Turkish Empire whose existence as an independent nation was provisionally recognized by the League of Nations, subject only to the rendering of administrative advice and assistance by the Mandatory Power until such time as it was able to stand alone. The Covenant emphasized that the well-being and the development of the indigenous population of the country formed a sacred trust of civilization and the primary responsibility of the Mandatory Power. *In other words, the only limitation upon the sovereignty of the people of Palestine was the imposition of a temporary tutelage under the Mandatory Power.* It cannot be suggested that the entry of an unlimited number of Jewish immigrants into Palestine, or the creation of a Jewish State against the wishes of the majority of the people of that country, was in accordance with the aims and objectives of the Mandate and the principles embodied in Article 22 of the Covenant.

(b) In accordance with the preamble of the Mandate, Great Britain undertook "to exercise it on behalf of the League of Nations". The provision was also in accordance with the principles embodied in paragraph 2 of Article 22 of the Covenant. The operation of the Mandate was further made subject to a periodical review by the Permanent Mandates Commission. With the dissolution of the League, the principal party of the transaction has ceased to exist, and with it has disappeared the legal basis for the Mandate. The fate of Palestine must therefore be settled by the people of Palestine.

(c) The possible interpretations of the term "Jewish National Home" have already been mentioned in a preceding paragraph. In the view of this Sub-Committee, the only interpretation consistent with the objectives of the Mandate and the principles of the Covenant is that the Jewish National Home is a cultural home for a limited number of Jews and that it cannot imply any grant of sovereignty to them over any part of Palestine, or a derogation from the civil, economic, political and religious rights of the indigenous population of the country. This is borne out by several statements of the Mandatory Power, which itself issued the Balfour Declaration. In this connection, reference should be made to paragraph 15 of the statement of policy issued by the British Government in 1939, in which it declared:

"His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population".

The *Ad Hoc* Committee will also recall the statement made by Mr. Creech-Jones, the representative of the United Kingdom, at its 15th meeting on 16 October 1947, in which he declared that, in spite of various difficulties, a National Home for the Jews had been established in Palestine.

(d) It has already been pointed out above that, with the dissolution of the League of Nations, the legal basis for the Mandate has disappeared, and that the United Kingdom is exercising *only a de facto authority in Palestine*. With the recent declaration of the Mandatory Power, reaffirmed by its representative at the meetings of the *Ad Hoc* Committee, that it intends, in the very near future, to withdraw from Palestine and relinquish the Mandate, there is no further obstacle to the conversion of Palestine into an independent State. In effect, this would be the logical culmination of the objectives of the Mandate and the scheme for the development of non-self-governing territories embodied in Article 22 of the Covenant.

8. In the preceding paragraphs, an indication has been given the views of the Sub-Committee on the principal legal issues connected with the interpretation of the Mandate and the Covenant of the League of Nations but, having regard to the fundamental importance of this question and to the fact that the Sub-Committee has already recommended that the advisory opinion of the International Court of Justice should be obtained regarding the pledges made to the Arabs during the First World War and the validity and scope of the Balfour Declaration, it is suggested that the International Court of Justice should also be requested to advise on the interpretation, the scope and the validity of the Mandate.

Mode of Termination of the Mandate

9. The next question which arises is the constitutional method for the termination of the Mandate. This might be viewed from three angles:

- The termination of the Mandate in accordance with its own provision as read with the principles of the Covenant, assuming that the League of Nations had continued to exist;
- The termination of the Mandate having regard to the dissolution of the League of Nations; and
- The termination of the Mandate in the light of the provisions of the Charter of the United Nations.

10. The Sub-Committee considered all three aspects of this important question and its views are given below.

a) It will be recalled that the object of the establishment of Class A Mandates, such as that for Palestine, under Article 22 of the Covenant, was to provide for a temporary tutelage under the Mandatory Power, and one of the primary responsibilities of the Mandatory was to assist the peoples of the mandated territories to achieve full self-government and independence at the earliest opportunity. It is generally agreed that that stage has now been reached in Palestine, and not only the United Nations Special Committee on Palestine but the Mandatory Power itself agree that the Mandate should be terminated and the independence of Palestine recognized. The only proviso deserving mention is that, under article 28 of the Mandate, the League of Nations was empowered to make such arrangements as might be deemed necessary for safeguarding the rights secured by articles 13 and 14 regarding the Holy Places in Palestine, and for using its influence to ensure that the government of Palestine would fully honor the financial obligations legitimately incurred by the administration of Palestine during the period of the Mandate.

The Mandate for Iraq was terminated in 1932 when the League of Nations was still in existence. The procedure followed was for the Mandatory Power to negotiate a treaty with a government representing the people of Iraq, and to secure the formal confirmation of the Council of the League of Nations, and the subsequent admission of Iraq as a Member of the League. This precedent, however, is not applicable to the case of Palestine, as the League of Nations and its Council are no longer in existence and there is no international body which has inherited its powers and functions.

- (b) It has been explained that, with the dissolution of the League of Nations, the legal basis for the Palestine Mandate, has also disappeared, and that the Mandate must be considered to have come *ipso facto* to an end. But even if it is assumed that the Mandate is still technically in force, the appropriate manner of its formal termination would be by way of transfer of power from the Mandatory Power to a government representing the people of Palestine. The Mandatory Power would thus be following the recent precedents of Syria, Lebanon and Transjordan.
- (c) Before considering the effect of the provisions of the United Nations Charter on the Mandate, it should be pointed out that the United Nations Organization has not inherited the constitutional and political powers and functions of the League of Nations, that it cannot be treated in any way as the successor of the League of Nations in so far as the administration of mandates is concerned, and that such powers as the United Nations may exercise with respect to mandated territories are strictly limited and defined by the specific provisions of the Charter in this regard.

Competence of the United Nations

11. A study of Chapter XII of the United Nations Charter leaves no room for doubt that unless and until the Mandatory Power negotiates a trusteeship agreement in accordance with Article 79 and presents it to the General Assembly for approval, neither the General Assembly nor any other organ of the United Nations is competent to entertain, still less to recommend or enforce, any solution with regard to a mandated territory. Paragraph 1 of Article 80 is quite clear on this point, and runs as follows:
"Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any States or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties".
12. This view is further confirmed by resolution 9 (1), adopted by the General Assembly on 9 February 1946, and by the fact that the General Assembly is not able to take any action or to give any directions with regard to the Mandate for South West Africa unless and until the Government of the Union of South Africa submits a trusteeship agreement for that territory.
13. In the case of Palestine, the Mandatory Power has not negotiated or presented a trusteeship agreement for the approval of the General Assembly. The question, therefore, of replacing the Mandate by trusteeship does not arise, quite apart from the obvious fact alluded to above that the people of Palestine are ripe for self-government and that it has been agreed on all hand that they should be made independent at the earliest possible date. It also follows, from what has been said above, that the General Assembly is not competent to recommend, still less to enforce, any solution other than the recognition of the independence of Palestine, and that the settlement of the future government of Palestine is a matter solely for the people of Palestine.
14. The Palestine question was brought on the agenda of the General Assembly as a result of a reference from the Mandatory Power asking the Assembly to make recommendations, under Article 10 of the Charter, concerning the future government of Palestine. Article 10 provides as follows:
"The General Assembly may discuss any questions or any matters within the scope of the present Charter... and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters." Mandated territories are within the scope of the Charter but, as explained above, the United Nations can assume jurisdiction with regard to them only when the provisions of Chapter XII of the Charter are applicable and the formalities laid down therein have been observed. These limitations apply to the powers of the Security Council as well as to those of the General Assembly.

15. The position with respect to the consideration of the Palestine question by the General Assembly has changed radically since the receipt of the original request of the United Kingdom. The representative of the United Kingdom informed the *Ad Hoc* Committee, at its second meeting held on 26 September 1947, that in the absence of a settlement between the Arabs and Jews of Palestine, the Mandatory Power had decided to terminate the British administration in Palestine and to withdraw its officials and forces from the country. Mr. Creech-Jones also emphasized, and this was re-affirmed in his statement to the *Ad Hoc* Committee at its 15th meeting on 16 October 1947, that the British Government was not prepared to assume responsibility or even to take a major part in the enforcement of any solution for Palestine which had not been accepted by the Arabs and Jews and which required the use of force for its implementation. In these circumstances, this Sub-Committee is of the opinion that no further action is required of the General Assembly on the original request of the United Kingdom. To sum up, the dissolution of the League of Nations, and the consequent removal of the legal basis for the Mandate, and the more recent declarations by the Mandatory of its intention to withdraw from Palestine, open the way for the establishment of an independent government in Palestine by the people of the country, without the intervention either of the United Nations or of any other party.
16. In view of the opinion expressed above, no further discussion of the Palestine problem seems to be necessary or appropriate, and this item should be struck off the agenda of the General Assembly. In case, however, the *Ad Hoc* Committee or the General Assembly take a different view of the matter and in view of the serious doubts entertained by this subcommittee regarding the legal competence of the General Assembly to make any recommendations or to enforce any scheme in Palestine not acceptable to the majority of its population, it would be essential to obtain the advisory opinion of the International Court of Justice on this issue. The opinion of that Court would also have to be sought as to the powers which may be exercised under the Charter by the General Assembly, or by any other organ of the United Nations with respect to the future government and administration of Palestine, with particular reference to some of the recommendations of the majority of the Special Committee.

Legal Implications of the Plan Recommended by the Majority of the Special Committee

17. During the general debate in the *Ad Hoc* Committee, grave doubts were expressed by several representatives regarding the legality of a number of the steps recommended by the majority of the Special Committee and the competence of the General Assembly to recommend or enforce them. Those steps include, *inter alia*:
- The partition of Palestine
 - The creation of an Arab and a Jewish State;
 - The establishment of a permanent international trusteeship for the City of Jerusalem
 - The establishment of an international economic trusteeship for a period of ten years, in the first instance, for the whole of Palestine, in the guise of an economic union.
18. The Sub-Committee considered the legal implications of the plan recommended by the majority of the Special Committee as enumerated above, and its views are summarized below. The question of the partition of Palestine has to be considered in the light both of the provisions of the Mandate for Palestine, as read with the general principles embodied in the Covenant of the League of Nations, and of the provisions of the Charter. The United Kingdom took over Palestine as a single unit. Under article 5 of the Mandate, the Mandatory Power was responsible "for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of the government of any foreign Power". Article 28 of the Mandate further contemplated that at the termination of the Mandate, the territory of Palestine would pass to the control of "the Government of Palestine". So also by virtue of Article 22 of the Covenant, the people of Palestine were to emerge as a fully independent nation as soon as the temporary limitation on their sovereignty imposed by the Mandate had ended. The above conclusion is by no means vitiated by the provisions for the establishment of a Jewish National Home in Palestine. It was not, and could not have been, the intention of the framers of the Mandate that the Jewish immigration to Palestine should result in breaking up the political, geographic and administrative economy of the country. Any other interpretation would amount to a violation of the principles of the Covenant and would nullify one of the main objectives of the Mandate.

19. Consequently the proposal of the majority of the Special Committee that Palestine should be partitioned is, apart from other weighty political, economic and moral objections, contrary to the specific provisions of the Mandate and in direct violation of the principles and objectives of the Covenant. The proposal is also contrary to the principles of the Charter, and the United Nations has no power to give effect to it. The United Nations is bound by Article I of the Charter to act "in conformity with the principles of justice and international law" and to respect "the principle of equal rights and self-determination of peoples". Under Article 73, concerning non-self-governing territories and mandated areas, the United Nations undertakes to "promote to the utmost... the well-being of the inhabitants of these territories" and to "take due account of the political aspirations of the peoples". The imposition of partition on Palestine against the express wishes of the majority of its population can in no way be considered as respect for or compliance with any of the above-mentioned principles of the Charter.

Moreover, partition involves the alienation of territory and the destruction of the integrity of the State of Palestine. The United Nations cannot make a disposition or alienation of territory, nor can it deprive the majority of the people of Palestine of their territory and transfer it to the exclusive use of a minority in the country.

20. The proposal of the majority of the Special Committee that separate Arab and Jewish States should be created is as invalid as its proposal for partition. The United Nations Organization has no power to create a new State. Such a decision can be taken only by the free will of the people of the territories in question. That condition is not fulfilled in the case of the majority proposal, as it involves the establishment of a Jewish State in complete disregard of the wishes and interests of the Arabs of Palestine.

21. The proposal for the establishment of a permanent international trusteeship for the City of Jerusalem cannot be justified under any provision of the Charter. The trusteeship contemplated under Chapter XII of the Charter is, by its very nature, temporary in character, and is intended to assist the people of non-self-governing areas to develop progressively towards self-government or independence as speedily as possible. There is no justification for departing from the original intention of the Mandate for Palestine and of the Covenant, that the whole of Palestine, including the City of Jerusalem, should in the course of time become fully self-governing. The only qualification imposed by the Mandate was that under article 28, the independent government of Palestine was required to agree to certain arrangements providing for the protection and maintenance of the Holy Places in Palestine, but it was never intended that that proviso should be used to limit or impair in any way the authority of the government of Palestine over the capital of its country.

22. The same objection attaches to the proposal for an economic union between the Arab and Jewish States and the City of Jerusalem, to be administered by a joint economic board consisting of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The net effect of this proposal is not only to give the Jewish State a considerable say in the affairs of the Arab State against the wishes of the people of that State, but also to authorize the United Nations to take a direct part in the administration of the economic life of the country. In the absence of any trusteeship agreement duly negotiated, there is no provision in the Charter enabling or empowering the United Nations to exercise such authority in any territory.

23. The plan of the majority also provides that the Arab and the Jewish States shall be granted independence only after they have adopted the constitution proposed by the majority, in particular only after they have signed the treaty of economic union. Apart from the intrinsic defects and impracticability of the constitutional proposals of the majority, which have been mentioned in the preceding paragraphs, the Special Committee did not possess nor does the General Assembly possess the power to grant to or to withhold from the people of Palestine their right to complete independence, or to subject such independence to any conditions or limitations. Even the Mandate and the Covenant of the League of Nations contained no such reservations or permanent limitations on the ultimate sovereignty of the people of Palestine. The object of the Mandate, as read with Article 22 of the Covenant, was to render administrative advice and assistance to the people of Palestine until they were able to stand alone. There was no question of imposing any conditions on them when they were able to stand alone or to take away from them any part of their territory.

Views of the Sub-Committee on the Enforcement of the Plan Recommended by the Special Committee

24. The Special Committee assumed that its proposals for the future government of Palestine would be put into effect by the Mandatory Power. It is quite clear, from the statements issued by the leaders of the Arabs of Palestine, as well as by the representatives of the Arab States at the meetings of the *Ad Hoc* Committee, that the Arabs of Palestine will not be a willing party to this scheme and will oppose its introduction with all the means at their disposal. It follows, therefore, that the proposals can be put into effect only by using force on a large scale and for a considerable period of time. The Mandatory Power declared as far back as 1939 that it could not contemplate a policy such as that of further expansion of the Jewish National Home by Jewish immigration against the strongly expressed will of the Arabs of Palestine, since such policy meant nothing less than rule by force. It was further pointed out in paragraph 13 of the White Paper of 1939 that such a policy seemed to the British Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to the specific obligations to the Arabs in the Mandate for Palestine. That view was reiterated by the United Kingdom delegation before the Special Committee as well as before the *Ad Hoc* Committee.
25. If the Mandatory Power found it illegal and impractical to use force to give effect to a policy contrary to the rights and against the wishes of the great majority of the people of Palestine, still less is there any justification for the United Nations to embark on such a program. It must not be forgotten that the primary purposes of the United Nations, under Article 1 of the Charter, are "to maintain international peace and security", to "develop friendly relations among nations" and "to be a center for harmonizing the actions of nations in the attainment of these common ends". Having regard to the publicly declared views of the various interested parties, the enforcement of the proposals of the majority of the Special Committee can have no other result than to embitter relations between the Arabs and the Jews and to give rise to serious conflict in Palestine. Far from solving the Palestine problem, the solution proposed by the majority would merely tend to create another problem of greater gravity and dimensions.
26. There is another aspect of this case which needs to be emphasized. The forcible creation of a Jewish State within the heart of the Arab world, would not only constitute a serious factor of disturbance within the boundaries of Palestine, but would also jeopardize peace and international security throughout the Middle East. The Jewish State would come into being against the bitter opposition of the Arabs of Palestine and of the inhabitants of the adjoining countries, and would thus create and give rise to an outbreak of hostilities which it may become extremely difficult to check and bring under control. The United Nations would not be promoting the interests of peace and international security by assisting in the creation of a Jewish State, however small.
27. Even were it permissible under the Mandate and the Covenant, or under the Charter, to enforce any particular solution on the people of Palestine, there is no provision in the Charter which could enable the United Nations Organization itself, or some of its Members, to assume power to maintain law and order within Palestine. There is therefore no legal basis for the proposal of some representatives that a voluntary constabulary or police force should be established for the avowed object of maintaining peace and order within Palestine during the transitional period pending the formal establishment of the Arab and Jewish States. Presumably this force would also be utilized for putting down the opposition that is bound to arise to the imposition of the scheme proposed by the majority of the Special Committee. Neither the General Assembly nor even the Security Council can raise a police force of this type for the purpose of enforcing a constitutional settlement, or for maintaining internal law and order, and any such arrangement, by whomsoever it might be sponsored or administered, would be a usurpation of authority and would have no validity in international law.
28. The same remarks apply to the use of regular forces of Members of the United Nations. The General Assembly is not competent to make any recommendations as to the use of such forces, and cannot embark on a program which would lead inevitably to the use of military force. As regards the Security Council, while it possesses certain powers for the use of force to maintain international peace or to settle disputes between sovereign States, there is no provision in the Charter to enable it to use its own forces or those of Members of the United Nations with a view to enforcing a particular policy of the United Nations, or to intervene in the internal affairs of any country, whether on the plea of maintaining internal law and order or for any other reason.

29. Before the Sub-Committee concludes the consideration of the legal issues connected with the solution of the Palestine problem, it is necessary to examine, in somewhat greater detail than has been done hitherto, the draft resolutions submitted by the delegations of Iraq, Syria and Egypt providing that some of the legal issues should be referred to the International Court of Justice for an advisory opinion. The draft resolution submitted by the delegation of Iraq (A/AC. 14/21) asks for the advisory opinion of the International Court of Justice as to whether or not Palestine was included in the Arab territories which were to become independent at the end of the First World War, and were to be recognized as such by Great Britain. This question has been put in the forefront of the Arab case all through the Palestinian controversy, and was prominently raised in the discussions of the Ad Hoc Committee. It is imperative that before that Committee proceeds to record any recommendations on the Palestine question, it should arrive at a satisfactory reply with regard to this claim. If the British pledges did include Palestine - and on the available evidence there appears little doubt that they did - the United Nations must respect the pledges, more particularly as the British pledges were repeated in the Anglo-French declaration after the fall of Damascus and Aleppo.
- This is a question which involves investigation, both of fact and of law. So far, it has not been pronounced upon by any impartial tribunal. The Iraq draft resolution is eminently fair. During the general debate in the Ad Hoc Committee, no cogent reasons were given to contest the Arab interpretation of these pledges, though it is possible that some members of the Committee might feel some doubt concerning it. The only way of resolving this doubt authoritatively would be to obtain upon this question the opinion of the International Court of Justice. If the Ad Hoc Committee and the General Assembly were to proceed to make recommendations on the merits of the Palestine question, disregarding or brushing aside the Arab claim regarding the pledges, it would give the impression that the United Nations was anxious to record recommendations in accordance with the preconceived notions of a majority of the representatives, and was not anxious to arrive at a just and fair decision.
30. The Sub-Committee, while lending its support to the draft resolution of the delegation of Iraq, would further recommend that the advisory opinion of the International Court of Justice should also be obtained on the validity, the interpretation and the precise scope of the Balfour Declaration.
31. The draft resolution submitted by the delegation of Syria (A/AC. 14/25) raises four distinct issues which may be summarized as follows:
- (a) Whether the provision in the Mandate for Palestine for the creation of a Jewish National Home by means of admission of immigrants into Palestine against the wishes of the indigenous population is or is not consistent with the Covenant of the League of Nations, particularly with paragraph 4 of Article 22 of the Covenant, and with the fundamental right of the people of Palestine to self-determination;
 - (b) Whether the majority plan for the partition of Palestine is consistent with the objectives and provisions of the Mandate;
 - (c) Whether that plan is consistent with the principles of the Charter;
 - (d) Whether the adoption and forcible execution of the plan is within the competence and jurisdiction of the United Nations.
32. The draft resolution submitted by the delegation of Egypt (A/AC. 14/24) deals with more or less the same issues and provides that the opinion of the International Court of Justice should be sought on the question whether the General Assembly is competent to recommend either of the solutions proposed by the majority and by the minority respectively of the Special Committee, and whether it lies within the power of any Member or group of Members of the United Nations to implement any of the proposed solutions without the consent of the people of Palestine.
33. The Sub-Committee examined in detail the legal issues raised by the delegations of Syria and Egypt, and its considered views are recorded in this report. There is, however, no doubt that it would be advantageous and more satisfactory from all points of view if an advisory opinion on these difficult and complex legal and constitutional issues were obtained from the highest international judicial tribunal.
34. In amplification of the issues mentioned by the delegations of Syria and Egypt, the General Assembly might, with advantage, seek the advisory opinion of the International Court of Justice on whether the United Nations is competent to partition Palestine with the object of setting up two States; to impose certain conditions in connexion with the attainment of the independence of the

proposed Arab and Jewish States; to set up a permanent international trusteeship for the City of Jerusalem; and to administer an international economic trusteeship for the whole of Palestine by means of the proposed joint economic board.

35. It is a well known dictum that justice must not only be done, but must also appear to be done. One of the surest means of securing acceptance of a decision on the part of the parties to a controversy is to create confidence in the minds of both sides that the decision has been arrived at impartially after full investigation of all relevant matters. That the legal issues summarized in the preceding paragraphs are very relevant to the settlement of the Palestine problem will not be denied. An impartial and authoritative decision upon this matter is therefore a necessary and essential preliminary before the Ad Hoc Committee and the General Assembly proceed to make any recommendations on the merits of the Palestine problem. A refusal to submit this question for the opinion of the International Court of Justice would amount to a confession that the General Assembly is determined to make recommendations in a certain direction, not because those recommendations are in accord with principles of international justice and fairness, but because the majority of the representatives desire to settle the problem in a certain manner, irrespective of what the merits of the question or the legal obligations of the parties might be. Such an attitude will not serve to enhance the prestige of the United Nations, and this Sub-Committee earnestly hopes that the Ad Hoc Committee, as well as the General Assembly, will agree to refer all the legal and constitutional issues connected with the problem of Palestine to the International Court of Justice for an advisory opinion.

[...] [Part II, paragraphs 36-48, deals with the issue of relief of Jewish Refugees and Displaced Persons; see UN Draft Resolution II below].

III. PROPOSALS FOR THE CONSTITUTION AND FUTURE GOVERNMENT OF PALESTINE

49. The Sub-Committee was requested to draw up a detailed plan for the future government of Palestine in accordance with the basic principles expressed in the proposals submitted to the General Assembly by the delegations of Saudi Arabia (A/317) and Iraq (A/328), and the draft resolution submitted to the Ad Hoc Committee by the delegation of Syria (A/AC. 14/22). The Sub-Committee, however, considers that it would also be necessary to review some aspects to the plan recommended by the majority of the Special Committee and to take into consideration some of the salient points brought out in the general debate in the Ad Hoc Committee relating to the basic principles applicable to the constitution and future government of Palestine.

Analysis of the Proposal of Saudi Arabia and Iraq and of the Syrian Draft Resolution

50. The proposals submitted by the Governments of Saudi Arabia and Iraq to the General Assembly on 9 and 16 July 1947 respectively are couched in identical terms and read as follows: "Termination of the Mandate over Palestine and recognition of its independence as one State." The proposal of Saudi Arabia and Iraq raise three distinct issues:
- (a) The termination of the Mandate;
 - (b) The recognition of the independence of Palestine, and
 - (c) The preservation of Palestine as one State.

The Sub-Committee considered all three issues and its conclusions thereon are set forth below. In the first place, in chapter I of this report, concerning the legal issues connected with the Mandate, it is pointed out that the Mandate was invalid *ab initio*, that on the dissolution of the League of Nations the Mandate lost its legal basis, that, with the declaration of the British Government of its intention to withdraw, the *de facto* basis of the British administration in Palestine is also on the point of disappearing, and that the only action now outstanding is the manner of the transfer of power to the government of the people of Palestine. The last matter will be considered in a later part of the Sub-Committee's report together with the Sub-Committee's proposals regarding the constitution and future government of Palestine. All that need be said at this stage is that even on the assumption that the Mandate continues to have some legal basis or validity, it has been agreed by all concerned, including the Mandatory Power, that the Mandate should be terminated as early as possible.

Secondly, there is also general agreement as to the recognition of the independence of Palestine. The Sub-Committee would recommend further that for the reasons adduced in chapter I of this report, the recognition of the independence of Palestine should not be qualified or retarded by the imposition of any conditions.

Thirdly, the Sub-Committee is in entire agreement with the proposal of Saudi Arabia and Iraq that Palestine should continue as a single, undivided State. This is in accord with the wishes and aspirations of the overwhelming majority of the people of Palestine, the objectives of the Covenant and the provisions of the Mandate, and is essential for the orderly political evolution of the country and maintenance of its economic life and prosperity.

51. The draft resolution submitted to the Ad Hoc Committee by the delegation of Syria was also considered by the subcommittee. It is unnecessary, however, to examine it in detail here, as on the one hand some of its aspects are dealt with in chapter I of this report, and on the other hand its remaining aspects are taken into account in the formulation by the subcommittee of its own recommendations regarding the future constitution and government of Palestine.

Examination of the Partition Plan Recommended by the Majority of the Special Committee

52. Before indicating the basic principles underlying the constitution of a unitary State in Palestine and formulating proposals regarding the future government, the Sub-Committee considers it necessary to examine critically the recommendations of the majority of the Special Committee for the partition of Palestine and the establishment of an Arab and a Jewish State and of a special administration for the City of Jerusalem.

During the general debate in the *Ad Hoc* Committee, conflicting views were expressed regarding the plan of the majority of the Special Committee. Its legal implications are pointed out in chapter I of this report, and it has been mentioned that the Mandate, as well as the Covenant, definitely contemplated the retention of Palestine as a single unit under one government. It has been stressed that the United Nations has no authority under the Charter to partition Palestine or in any way to impair its integrity against the wishes of the majority of its people. It might also be pointed out that the proposal for the partition of Palestine is contrary to the repeated assurances given to the Arabs during the last thirty years by the Mandatory Power. As late as May 1939 the British Government stated in paragraph 4 of its White Paper on Palestine that:

"His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will".

Political Objections to Partition

53. The political objections to the partition of Palestine are no less important than the legal and constitutional objections referred to in the preceding paragraph. Palestine has been administered during the last thirty years as one political, administrative and economic unit. All the measures taken by the Mandatory Power for the government and administration of the country and for the provision of essential services have proceeded on the basis of that unity. The partition of the country would, in the opinion of the Sub-Committee, render the establishment of an efficient administrative machinery in either of the two States impossible.
54. The partition scheme proposed by the majority of the Special Committee must also be rejected on grounds of security, since it divides each of the two States into three separate parts connected by points of intersection, and makes it impossible for either State to defend its frontiers or to develop a workable defense plan.
55. This question must also be considered from the wider angle of the peace and security of the Middle East as a whole. Palestine is the center of communications of the Arab world and it has common frontiers with four Arab States. There is no doubt that the forcible creation of a Jewish State in the heart of the Arab world would introduce a new, highly disturbing threat to peace and security in the Middle East. The proposed Jewish State, if it were set up at all, would come into being

against the unyielding opposition, not only of its own considerable Arab population and of the proposed Arab State of Palestine, but also of the inhabitants of the surrounding Arab countries.

Objections to Partition on Grounds of Distribution of Population

56. The next important consideration relating to the partition scheme is the distribution of the population in Palestine as a whole and in the two proposed States. According to the report of the Special Committee, the total population of Palestine on 31 December 1946 was 1,845,559 consisting of 1,237,332 Arabs and 608,225 Jews (see chapter II, paragraph 19). These figures are not based on census returns, as no census was held in 1946. The last census took place in 1931. The population figures quoted by the Special Committee are in fact based on estimates made by the Palestine administration, and do not necessarily represent the exact position with regard to the Arab and Jewish population of Palestine.
57. A more serious omission relates to the total exclusion from these figures of Arab Bedouin. According to the footnote to paragraph 12 of chapter II of the Special Committee's report the estimated number of Bedouin in Palestine is 90,000 and, under the majority the plan, most of these would be included in the proposed Jewish State (see chapter VI, part II, section 5). That estimate of the Bedouin population is, however, inaccurate and it will be seen from the note submitted to the Sub-Committee by the representative of the United Kingdom on 1 November 1947 (see appendix C to this report) that, on the basis of the latest investigation carried out in the Beersheba sub-district by the Palestine administration, the Bedouin population of Palestine is now estimated at approximately 127,000.
58. In formulating its proposals, the majority of the Special Committee left out the Bedouin population on the assumption that the Bedouin were nomads and should not be counted among the settled population. This assumption is unwarranted. It is generally true to say that the Bedouin of Palestine are settled on the land, some of them living in houses and others in tents. The bulk of them live in the northern and north-western parts of the Beersheba sub-district, where they are responsible for the cultivation of the greater part of the 2 million dunums of cereal land. Aerial photographs of this area taken recently by the Royal Air Force show the existence of 3,389 houses and 8,722 tents (see appendix C, paragraph 4). A certain proportion of the Bedouin tribes, consisting mostly of shepherds, do move with their flocks to adjacent districts in order to obtain better grazing for their sheep, but this practice is not different from that of shepherds in other parts of the world, and does not justify their exclusion from the settled population of Palestine. These Bedouin have lived in Palestine for centuries and have as much right to be taken into account as any of the other original inhabitants of the country. While they still maintain some of their special customs and usages, they are settled on the land and derive their livelihood from agriculture and grazing. This view is confirmed by the concluding paragraph of the note presented to the Sub-Committee by the representative of the United Kingdom which reads as follows:
- "It should be noted that the term 'Beersheba Bedouin' has a meaning more definite than one would expect in the case of a nomad population. These tribes, wherever they are found in Palestine, will always describe themselves as Beersheba tribes. Their attachment to the area arises from their land rights there and their historic association with it."
59. According to the plan of the majority of the Special Committee, the distribution of the settled population in the proposed Jewish and Arab States and in the City of Jerusalem would be approximately as follows (see chapter VI, part II, section 5 of the report):

	<i>Jews</i>	<i>Arab and others</i>	<i>Total</i>
Jewish State	498,000	407,000	905,000
Arab State	10,000	725,000	735,000
City of Jerusalem	100,000	105,000	205,000

These estimates must, however, be corrected in the light of the information furnished in the note submitted to the Sub-Committee by the representative of the United Kingdom regarding the Bedouin population. According to paragraph 5 of that note, 22,000 Bedouin "may be taken as normally resident in - the areas allocated to the Arab State under the plan proposed by the majority of the Special Committee", and the balance of 105,000 as resident in the proposed Jewish State. It will thus be seen that the proposed Jewish State will contain a total population of 1,008,800, consisting of 509,780 Arabs and 499,020 Jews. In other words, at the outset, the Arabs will have a majority in the proposed Jewish State.

60. It is even more instructive to consider the relative proportion of Arabs and Jews in the three regions comprising the area of the proposed Jewish State. In its southern section -the Beersheba area - there are 1,020 Jews as against an Arab population of 103,820. In order words, the Jewish population is less than 1 per cent of the total. It is surprising that the majority of an international committee such as the Special Committee should have recommended the transfer of a completely Arab territory and population to the control of the Jews, who form less than 1 per cent of the population, against the wishes and interests of the Arabs, who form 99 per cent of the population. Similarly in the northern section of the proposed Jewish State - Eastern Galilee - the Arab population is three times as great as the Jewish population (86,200 as against 28,750). Only in the central section of the proposed Jewish State - the plains of Sharon and Esdraelon - have the Jews a majority, the respective population figures being 469,259 Jews and 306,760 Arabs (these figures do not include Bedouins, as separate estimates are not available for this area). Even in this region, the majority is more apparent than real because almost half the Jewish population is located in the Jewish towns of Tel Aviv and Petah Tiqva. (For further details, see appendix A to this report).
61. It is also interesting to examine the distribution of Arab and Jewish populations in the proposed Jewish State according to the administrative sub-divisions shown in appendix B. Ten sub-districts, in whole or in part, are incorporated in the proposed Jewish State. In nine of these sub-districts, the Arabs have a clear majority over the Jews. Only in one sub-district, namely, Jaffa, have the Jews a majority over the Arabs. This is due to the heavy concentration of Jews in the urban area of Tel Aviv. This is further reinforced by statistics furnished to the subcommittee by the United Kingdom representative, showing the percentage of Arabs and Jews in the population of the various sub-districts of Palestine. The statistics are reproduced below:

<i>Percentage of total population</i>			<i>Percentage of total population</i>		
<i>Sub-district</i>	<i>Arabs and others</i>	<i>Jews</i>	<i>Sub-district</i>	<i>Arabs and others</i>	<i>Jews</i>
Safad	87	13	Tulkarm	83	17
Acre	96	4	Ramallah	100	--
Tiberias	67	33	Jerusalem	62	38
Beisan	70	30	Hebron	99	less than 1
Nazareth	84	16	Jaffa	29	71
Haifa	53	47	Ramle	78	22
Jenin	100	--	Gaza	98	2
Nablus	100	--	Beersheba	99	less than 1

Distribution of Land

62. Closely connected with the distribution of population is the factor of land ownership in the proposed Jewish State. The bulk of the land in the Arab State, as well as in the proposed Jewish State, is owned and possessed by Arabs. This is clear from the following statistics furnished to the Sub-Committee by the United Kingdom representative, showing the respective percentage of Arab and Jewish ownership of land in the various sub-districts of Palestine.

<i>Percentage of ownership</i>			<i>Percentage of ownership</i>		
<i>Sub-district</i>	<i>Arabs and others</i>	<i>Jews</i>	<i>Sub-district</i>	<i>Arabs and others</i>	<i>Jews</i>
Safad	68	18	Tulkarm	78	17
Acre	87	3	Ramallah	99	less than 1
Tiberias	51	38	Jerusalem	84	2
Beisan	44	34	Hebron	96	less than 1
Nazareth	52	28	Jaffa	47	39
Haifa	42	35	Ramle	77	14
Jenin	84	less than 1	Gaza	75	4
Nablus	76	less than 1	Beersheba	14	less than 1

Note: The balance represents waste land and lands under public ownership, consisting mainly of grazing lands attached to villages. It will be seen that there is not a single sub-district in

which the percentage of Jewish land ownership exceeds 39%, and that in nine of the sixteen sub-districts the percentage of Jewish ownership is less than 5%.

63. The village statistics for 1945 prepared by the Palestine administration and showing the position as at 1 April 1945 furnish interesting data regarding land ownership in Palestine. The total Arab land ownership is given in dunums (4 dunums equal approximately 1 acre), as being 12,574,774, as against a total Jewish ownership of 1,491,699. This statement also gives details of the land ownership of Arabs and Jews according to the various categories. The following figures are of particular interest:

<i>Category of crops</i>	<i>Ownership by dunums</i>	
	<i>Arabs</i>	<i>Jews</i>
Citrus	135,368	139,728
Bananas	1,843	1,079
Plantations	1,052,222	94,167
Taxable cereals (categories 9- 13)	5,653,346	869,109
Taxable cereals (categories 14-15)	823,046	67,839

64. The above statistics of population and of land ownership prove conclusively that the Arabs constitute a majority of the population of the proposed Jewish State, and own the bulk of the land.

Expedients for Reducing or Disguising the Injustice of Partition

65. It might be suggested that the injustice to the Arabs might be reduced and the proposal for partition rendered less open to objection by excluding from the Jewish State the predominantly Arab populated areas; or that such injustice might be disguised by increasing the Jewish population of that State by means of fresh immigration.

With regard to the latter expedient, it has already been explained that Palestine has taken more than its due share of immigrants and that it cannot take in any more without serious detriment to the interests and position of the existing population. In any case, it would be unfair to the Arabs of Palestine if, in an area in which they have a clear majority and in which they own the major portion of the land, they were to be artificially reduced to a minority and subjected to the rule of the Jews by means of the introduction of a large number of fresh immigrants.

Such a proposal would be utterly undemocratic and would amount to a complete denial of the rights of the Arab majority. The United Nations cannot, without doing violence to the principles of the Charter, and without serious damage to its prestige, be a party to such manipulation and juggling with the fate of a whole people. This artificial "processing" must be condemned as arbitrary and unjust.

66. The other expedient suggested, namely, the revision of the boundaries of the proposed Jewish State so as to exclude predominantly Arab populated areas, is entirely impracticable. It has been explained, in nine of the ten sub-districts, or parts thereof, proposed for inclusion in the Jewish State, the Arabs have a clear majority, and it is only in the tenth sub-district, which includes the town of Tel Aviv, that the Jews have a majority.

Inextricable Intermingling of Population

67. There is an additional difficulty, arising from the fact that throughout Palestine the Arab and Jewish population is inextricably interwoven. There are no territorial frontiers between Arabs and Jews. The bulk of the Jewish population in Palestine is located in towns and only a small proportion, about one-fifth, is settled in rural areas. Apart from Tel Aviv, which is a totally Jewish town, in practically all the other towns such as Haifa, Tiberias and Safad, the Jewish population is completely intermixed with the Arab population and it would be impossible to draw boundaries separating them from each other. The unity of the country and of its population cannot be broken up by any scheme of partition without entailing grave and disastrous consequences. Partition, in the case of Palestine, would amount not to the setting up of two self-contained entities, but to the dismemberment and mutilation of a living body.

Partition no Solution for Minority Problem

68. It has been argued that the establishment of a Jewish State would solve the problem of the Jewish minority now existing in Palestine. In the whole of Palestine, the Jews are less than 31 per cent of the total population, whereas in the proposed Jewish State the Arab population will, at the outset, be in excess of the Jewish population. The proposal of the majority of the Special Committee would therefore solve the problem of the Jewish minority only by creating in its place the graver problem the proportionately larger Arab population in the Jewish State. If minority status is an evil, it would not be fair to cure one evil by the creation of another, and a greater, evil.

Result of Detailed Study of Partition Scheme by the Mandatory

69. The intermingling of the population in Palestine is such that it would be impossible to devise a partition scheme which would overcome the objections mentioned in the preceding paragraphs. This is fully confirmed by the detailed inquiries carried out on the spot by the Woodhead Commission in 1938. The Commission was charged with the duty of making concrete recommendations for the implementation of the proposal of the Royal Commission of 1937 for the partition of Palestine. The Woodhead Commission, after detailed investigation, arrived at the conclusion that no partition scheme could be evolved which did not leave a very substantial Arab minority in the territory to be allotted to any possible Jewish State. The British Government upheld the findings of the Commission, and the proposal for partition was abandoned as impracticable. There is nothing in the report of the Special Committee to invalidate this conclusion, and the proposal of the majority of the Special Committee is more impracticable and unjust to the Arabs than any of the various partition schemes considered by the Woodhead Commission.

Minority Status of Jews does not Justify Partition

70. The existence of a Jewish minority does not invalidate the establishment of a unitary State in Palestine. There have been, and there still are, minorities in many countries. Some minorities existed originally as part of the indigenous population, while other minorities were created by immigration. The United Nations cannot subscribe to the principle that a racial or religious minority, whether arising from natural development or created as a result of immigration, can insist upon the breaking up of a homeland or shatter the political, geographical and economic unity of a country without the consent and against the wishes of the majority. The acceptance of such a principle would constitute a dangerous precedent which might be adopted by dissident elements in many States and thus become a source both of internal conflict and international disorder.

71. The Jews who have migrated into Palestine have done so with the knowledge that they were going to live in one country, where they would intermingle with the existing population. At no time were they led to believe by the Mandatory or by the Arabs that a part of Palestine would be set aside for their exclusive occupation. On the contrary, all Jewish immigration was made on the basis of the Mandate which provided in very clear terms for its termination and replacement by a single government of Palestine. The most that the Jewish minority in Palestine can ask for is to be safeguarded against discrimination and unfair treatment. The Arabs of Palestine have repeatedly expressed their willingness to co-operate in devising a practicable scheme for the safeguarding of the legitimate rights and interests of all minorities, and to respect human rights and fundamental freedoms. Any other demand by the Jewish minority would be undemocratic and untenable.

Main Reason Underlying Partition Proposal

72. It would appear from the plan of the majority of the Special Committee that the main reason for recommending partition and the creation of a Jewish State was to facilitate Jewish immigration into Palestine. Paragraph 8 of chapter VI, part I, of the Special Committee's report reads as follows:

"Jewish immigration is the central issue in Palestine today and is the one factor, above all others, that rules out the necessary co-operation between the Arab and Jew-

ish communities in a single State. The creation of a Jewish State under a partition scheme is the only hope of removing this issue from the arena of conflict".

No argument could be more fallacious. It is quite true that the Arabs are firmly opposed to further Jewish immigration into Palestine, but there is nothing to show that the opposition would diminish with the establishment of a Jewish State. On the contrary, the removal of the restrictions on immigration hitherto imposed by the Mandatory Power in the interest of the indigenous population and the economic and political welfare of the country would tend to intensify such opposition. It is a matter for regret that the Special Committee, instead of finding ways and means to ensure greater co-operation between Arabs and Jews in a single State, should have evolved a scheme which would, in fact, destroy whatever prospects still exist of friendly co-operation between the two communities and lead to most tragic consequences.

Economic Objections to Partition: Indivisibility of Palestinian Economy

73. It has been shown that partition is neither legally justifiable nor politically defensible or expedient. Consideration of the economic aspects of the scheme of partition shows that it is even less worthy of acceptance. There are two vital points involved in the economic aspect of partition that establish its basic impossibility.

As has been observed, Palestine has hitherto been administered as one political and administrative unit. Economic factors also make it one indissoluble unit. The economy of all parts of Palestine is interdependent. Roads, railways and communications and public services have been provided on the basis of a unitary Palestine. Large funds have been spent on the development of the port of Haifa to serve the commercial needs of the whole of Palestine. An example of the common and indivisible services is the fact that the source of the water supply of the City of Jerusalem is located in the proposed Jewish State and the water will have to pass through the Arab State before it reaches the City. Similarly, the electric supply of almost all the main towns of the proposed Arab State will have to be obtained from electric installations situated within the proposed Jewish State.

74. The Special Committee fully realized the interdependence of the economy of Palestine and observed that under the Mandate there had been internal freedom of trade, a common transport system and a single currency. Its report lays great stress on the economic unity of the country and its unanimous recommendation IX reads:

"In appraising the various proposals for the solution of the Palestine question, it shall be accepted as a cardinal principle that the preservation of the economic unity of Palestine as a whole is indispensable to the life and development of the country and its peoples."

The plan of the majority of the Special Committee accordingly recommends the establishment of an economic union and its operation through a joint economic board. The majority failed, however, to realize that it is impossible to combine economic union with political division. Economic unity implies consent and cannot be imposed; in fact, it necessitates a treaty and involves a joint administration. In view of the unwavering opposition of the Arabs, that arrangement would be impossible. The emphasis laid by the Special Committee on tie economic unity and interdependence of all sections of the population in Palestine leads inevitably to the conclusion that economic unity must necessarily be preserved. This can be achieved only by maintaining political unity.

Viability of the Proposed States

75. The next economic consideration which equally rules out partition is the essential requisite of viability. The proposed wish State is to be allotted the best part of the country and might therefore be viable. The Arab State, however, would be so lacking in resources as to be definitely not viable. The facts set forth below establish these contentions:

(a) It is recognized that citriculture is the most important industry in Palestine and that citrus constitutes the main item of export. According to chapter II, paragraph 28 of the Special Committee's report, "citrus is the main export crop; before the trade was interrupted during the war, it accounted for 80 per cent of the total value of exports". Again, paragraph 27 of chapter II contains the following statement: "Palestine is still mainly an agricultural country since about 65 per cent

of the population gain a living directly from agriculture. Nevertheless, country is not self-sufficient in food and is especially deficient in cereal production, about 50 per cent of its cereal being supplied by imports." In paragraph 29 of chapter II it is stated that citrus production "is approximately equally shared between Jewish and Arab cultivators". Paragraph 53 of chapter II contains the following statement: "During the war, the virtual cessation of citrus exports had a great effect on the structure of exports. This, however, was a purely temporary phenomenon, and it is evident that citrus exports will again become a dominant element in total exports."

In part I, paragraph 13 of the plan of partition, set forth in chapter VI of the Special Committee's report, it is stated that "the Jews will have the more economically developed part of the country, embracing practically the whole of the citrus producing area, which includes a large number of Arab producers." It is thus an undisputed fact that the basic industry in Palestine, which largely pays for imports of food, especially heat, meat and cattle fodder (see chapter II, paragraph 54 the Special Committee's report), and of which the Arabs own approximately 50 percent, would be almost entirely included the proposed Jewish State.

- (b) In addition to the citrus industry, the proposed Jewish State is allotted under the partition plan the best agricultural lands in Palestine, while the Arab State is left certain mountainous regions, largely uncultivable. The maritime plain running from Gaza to Acre, the plain of Esdraelon and the valley of Jezreel, which together comprise the best agricultural areas are all included within the proposed Jewish State. To quote again from the Special Committee's report (see chapter II paragraph 3): "Apart from these inland plains in the north and portions of the desert area in the south, the interior of the country is very mountainous, with the hills of Judea and Samaria in the center and the hills of Galilee in the north."

Thus in addition to citrus, the plan of the majority of the Special Committee would endow the Jewish State with the most substantial agricultural resources of the country.

- (c) Under the partition plan, the two ports of Palestine, Haifa and Jaffa, which are both predominantly Arab, are included in the Jewish State. The Haifa port was developed with public funds at considerable cost. The partition plan includes it, with all its possibilities of future development, within the Jewish State, despite the fact that the port serves as the terminal of the Iraq oil pipeline and is the point of entry of international trade into Palestine, Transjordan and other parts of the Arab world.

76. Attention may now be drawn to some other aspects of the future economy of the proposed Arab State as disclosed in the plan of the majority of the Special Committee. In the first place, in chapter VI, part I, paragraph 12, it is observed "that, at any rate during the early years of its existence, a partitioned Arab State in Palestine would have some difficulty in raising sufficient revenue to keep up its present standards of public services."

Secondly, the Arab State would, in effect, have to subsist on international charity. Thus paragraph 14 of part I of chapter VI reads:

"As the Arab State will not be in a position to undertake considerable development expenditure, sympathetic consideration should be given to its claim for assistance from international institutions in the way of loans for expansion of education, public health and other vital social services of a non-self-supporting nature."

77. The majority of the Special Committee recognized that ability is an essential prerequisite to any scheme of partition, made no attempt to consider it or study it. This important matter was apparently left to the Secretariat, and the note prepared by the Secretariat was incorporated in the report. This note shows that the Arab State can be made viable only on the basis of a subsidy from the Jewish State. To sum up, it is certain that the proposed Arab State cannot be viable. It would have no cultivable lands of any importance. Such cultivable lands as it would have would not supply a small fraction of the cereal requirements of its population. It would have no other economic resources, no raw materials, no industries, no trade, and would have to subsist on subsidies or loans.

78. It would thus appear that the partition proposal is legally objectionable, politically unjust, and economically disastrous; in short, it is utterly unworkable. The Sub-Committee is therefore compelled to reject partition as a solution of the Palestine problem, and considers that the constitution and future Government of Palestine must be based on the fundamental principle of a unitary State.

Principles Underlying the Constitution of a Unitary State in Palestine

79. The Sub-Committee examined the proposals of the Arab States regarding the future constitution of Palestine made by the British Government in 1946 and early in 1947, and took into account the statements made during the general debate in the *Ad Hoc* Committee. The basic idea underlying those proposals, and which is in accord with the principles of the United Nations Charter, is that the future constitution and government of Palestine must be based on the free consent of the people of that country and must be shaped along democratic lines. In other words, the constitution of Palestine should be framed by a representative body, namely, an elected constituent assembly. The basis and conditions of franchise, the qualifications of electors and numerous other complex questions connected with the setting up and working of the constituent assembly would have to be decided before the constituent assembly could convene.
80. While the task of framing a constitution must naturally be left to the constituent assembly, the Sub-Committee feels that it should indicate in general terms the main principles on which the future constitution should be based. These are summarized below:
- (a) Palestine shall be a unitary and sovereign State.
 - (b) It shall have a democratic constitution with an elected legislature and an executive responsible to the legislature.
 - (c) The constitution shall provide guarantees for the sanctity of the Holy Places covering inviolability, maintenance, freedom of access and freedom of worship in accordance with the *status quo*.
 - (d) The constitution shall guarantee respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion, and freedom of religious belief and practice in accordance with the *status quo* (including the maintenance of separate religious courts to deal with matters of personal status).
 - (e) The constitution shall guarantee the right of religious bodies or other societies and individuals to maintain, in addition to educational establishments administered by public authority, educational institutions of their own, subject to normal government supervision and inspection.
 - (f) The constitution shall recognize the right of Jews to employ Hebrew as a second official language in areas in which they are in a majority.
 - (g) The law of naturalization and citizenship shall provide, among other conditions, that the applicant should be a legal resident of Palestine for a continuous period to be determined by the constituent assembly.
 - (h) The constitution shall ensure adequate representation in the legislature for all important sections of the citizenry in proportion to their numerical strength.
 - (i) The constitution shall also provide for adequate reflection in the executive and the administration of the distribution of representation in the legislature.
 - (j) The constitution shall authorize the legislature to invest local authorities with wide discretion in matters connected with education, health and other social services.
 - (k) The constitution shall provide for the setting up of a supreme court, the jurisdiction of which shall include, *inter alia* the power to pronounce upon the constitutional validity of all legislation, and it shall be open to any aggrieved party to have recourse to that tribunal.
 - (l) The guarantees contained in the constitution concerning the rights and safeguards of the minorities shall not be subject to amendment or modification without the consent of the minority concerned expressed through a majority of its representatives in the legislature.

Establishment of a Provisional Government and Mode of Transfer of Power

81. The next matter that calls for consideration is the setting up of a provisional government and the manner of transfer of power from the Mandatory to the provisional government. The Sub-Committee recommends that a provisional government shall be set up without further delay and that it shall be representative of all important sections of the citizenry in Palestine in proportion to their numerical strength. The representation of Arabs and Jews in the provisional government shall be without prejudice to their representation in the future government of Palestine.

82. The legislative, executive and administrative powers and functions of the present administration of Palestine shall be vested in the provisional government as soon as the latter is constituted and thereupon the Mandatory Power shall begin the withdrawal of its forces and services from Palestine. The plan of withdrawal shall be settled by the Mandatory Power in consultation with the provisional government, and the withdrawal shall be completed within one year. This would ensure an orderly transfer of power, and would at the same time enable the provisional government to organize its police and security forces and to build up a sound administrative system on national lines.
83. The provisional government shall as soon as practicable enact an electoral law for the setting up of the constituent assembly, and take steps to complete without delay an electoral register on the basis of that law. The electoral law shall provide for the adequate representation in the constituent assembly of all the important sections of the citizenry in accordance with their numerical strength. This shall be without prejudice to their representation in the future legislature.
84. As soon as the electoral register is completed, elections shall be held for the constituent assembly. The constituent assembly shall then be convened and shall proceed to draw up the constitution of the independent unitary State of Palestine in the light of the basic provisions outlined in the preceding paragraphs. The constituent assembly shall also act as a legislature until the first elections under the new constitution have been held, and during the interval the provisional government shall be responsible to the constituent assembly.
85. It is essential to add that until the independent State of Palestine legislates otherwise, immigration into Palestine shall be suspended, and the existing land transfer restrictions shall remain in force.
86. The Sub-Committee is persuaded that a constitution evolved on the lines mentioned above is the only practicable solution of a difficult and complex problem, consistent with the principles of justice and democracy and in accord with the best interests of all communities in Palestine.

CONCLUSIONS

87. The conclusions of the Sub-Committee are embodied in the following three draft resolutions, which the subcommittee recommends for the acceptance of the General Assembly.

I

DRAFT RESOLUTION REFERRING CERTAIN LEGAL QUESTIONS TO THE INTERNATIONAL COURT OF JUSTICE

The General Assembly

Considering that the Palestine question raises certain legal issues connected, *inter alia*, with the inherent right of the indigenous population of Palestine to their country and to determine its future, the pledges and assurances given to the Arabs in the First World War regarding the independence of Arab countries, including Palestine, the validity and scope of the Balfour Declaration and the Mandate, the effect on the Mandate of the dissolution of the League of Nations and of the declaration by the Mandatory Power of its intention to withdraw from Palestine,

Considering that the Palestine question also raises other legal issues connected with the competence of the United Nations to recommend any solution contrary to the Covenant of the League of Nations or the Charter of the United Nations, or to the wishes of the majority of the people of Palestine,

Considering that doubts have been expressed by several Member States concerning the legality under the Charter of any action by the United Nations, or by any Member State or group of Member States, to enforce any proposal which is contrary to the wishes, or is made without the consent, of the majority of the inhabitants of Palestine,

Considering that these questions involve legal issues which so far have not been pronounced upon by any impartial or competent tribunal, and that it is essential that such questions be authoritatively determined before the United Nations can recommend a solution of the Palestine question in conformity with the principles of justice and international law,

Resolves to request the International Court of Justice to give an advisory opinion under Article 96 of the Charter and Chapter IV of the Statute of the Court on the following questions:

1. Whether the indigenous population of Palestine has not an inherent right to Palestine and to determine its future constitution and government;
2. Whether the pledges and assurances given by Great Britain to the Arabs during the First World War (including the Anglo-French Declaration of 1918) concerning the independence and future of Arab countries at the end of the war did not include Palestine;
3. Whether the Balfour Declaration, which was made without the knowledge or consent of the indigenous population of Palestine, was valid and binding on the people of Palestine, or consistent with the earlier and subsequent pledges and assurances given to the Arabs;
4. Whether the provisions of the Mandate for Palestine regarding the establishment of a Jewish National Home in Palestine are in conformity or consistent with the objectives and provisions of the Covenant of the League of Nations (in particular Article 22), or are compatible with the provisions of the Mandate relating to the development of self-government and the preservation of the rights and position of the Arabs of Palestine;
5. Whether the legal basis for the Mandate for Palestine has not disappeared with the dissolution of the League of Nations, and whether it is not the duty of the Mandatory Power to hand over power and administration to a government of Palestine representing the rightful people of Palestine;
6. Whether a plan to partition Palestine without the consent of the majority of its people is consistent with the objectives of the Covenant of the League of Nations, and with the provisions of the Mandate for Palestine;
7. Whether the United Nations is competent to recommend either of the two plans and recommendations of the majority or minority of the United Nations Special Committee on Palestine, or any other solution involving partition of the territory of Palestine, or a permanent trusteeship over any city or part of Palestine, without the consent of the majority of the people of Palestine;
8. Whether the United Nations, or any of its Member States, is competent to enforce or recommend the enforcement of any proposal concerning the constitution and future government of Palestine, in particular, any plan of partition which is contrary to the wishes, or adopted without the consent of, the inhabitants of Palestine,

Instructs the Secretary-General to transmit this resolution to the International Court of Justice, accompanied by all documents likely to throw light upon the questions under reference.

II

DRAFT RESOLUTION ON JEWISH REFUGEES AND DISPLACED PERSONS

The General Assembly,

Having regard to the unanimous recommendations of the United Nations Special Committee on Palestine, that the General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem,

Bearing in mind that genuine refugees and displaced persons constitute a problem which is international in scope and character,

Considering that the question of refugees and displaced persons is indivisible in character as regards its possible solution,

Considering that it is the duty of the Governments concerned to make provision for the return of refugees and displaced persons to the countries of which they are nationals,

Being further of the opinion that where repatriation proves impossible, solution should be sought by way of resettlement in the territories of the Members of the United Nations which are willing and in a position to absorb these refugees and displaced persons,

Considering that Palestine, despite its very small area and limited resources, has absorbed a disproportionately large number of Jewish immigrants and cannot take any more without serious injury to the economy of the country and the rights and position of the indigenous population,

Considering that many other countries with much greater area and larger resources have not taken their due share of Jewish refugees and displaced persons,

Having adopted its resolution 62 (I) of 15 December 1946 calling for the creation of an International Refugee Organization with a view to the solution of the refugee problem through the combined efforts of the United Nations, and

Taking note of the assumption on 1 July 1947 by the Preparatory Commission of the International Refugee Organization of operational responsibility for displaced persons and refugees,

Recommends

1. The countries of origin should be requested to take back the Jewish refugees and displaced persons belonging to them, and to render them all possible assistance to resettle in life;
2. That those Jewish refugees and displaced persons who cannot be repatriated should be absorbed in the territories of Members of the United Nations in proportion to their area, economic resources, *per capita* income population and other relevant factors;
3. That a special committee of the General Assembly should be set up to recommend for acceptance of the Members of the United Nations a scheme of quotas of Jewish refugees and displaced persons to be resettled in their respective territories, and that the special committee should, as far as possible, work in consultation with the International Refugee Organization or its Preparatory Commission.

III

DRAFT RESOLUTION ON THE CONSTITUTION AND FUTURE GOVERNMENT OF PALESTINE

The General Assembly,

Taking note of the declaration by the Mandatory Power of its intention to withdraw from Palestine,

Considering that Palestine is a mandated territory whose independence was provisionally recognized by virtue of paragraph 4 of Article 22 of the Covenant of the League of Nations,

Recognizing that the only solution in consonance with the objectives of the Covenant of the League of Nations and the principles of the Charter of the United Nations is one that is acceptable to the majority of the people of Palestine,

Being satisfied that the partition of Palestine is unjust, illegal and impracticable and that the only just and workable solution is the immediate establishment of a unitary, democratic, and independent State, with adequate safeguards for minorities,

Believing that peaceful and orderly transfer of power from the Mandatory to the government of the people of Palestine is necessary in the interest of all concerned,

Recommends

1. That a provisional government, representative of all important sections of the citizenry in proportion to their numerical strength, should be set up as early as possible in Palestine;
2. That the powers and functions of the present administration of Palestine should be vested in the provisional government as soon as the latter is constituted;
3. That the Mandatory Power should begin the withdrawal of its forces and services from Palestine as soon as the provisional government is installed, and should complete the withdrawal within one year;
4. That the provisional government should, as soon as practicable, enact an electoral law for the setting up of a constituent assembly, prepare an electoral register, and hold elections for the constituent assembly;
5. That the constituent assembly should also function as a legislature and that the provisional government should be responsible to it until elections for a legislature are held under the new constitution;
6. That while the task of framing a constitution for Palestine must be left to the constituent assembly, the following basic principles shall be strictly adhered to:
 - (a) Palestine shall be a unitary and sovereign State;
 - (b) It shall have a democratic constitution, with an elected legislature and an executive responsible to the legislature;
 - (c) The constitution shall provide guarantees for the sanctity of the Holy Places covering inviolability, maintenance, freedom of access and freedom of worship in accordance with the *status quo*;

- (d) The constitution shall guarantee respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion, and freedom of religious belief and practice in accordance with the *status quo* (including the maintenance of separate religious courts to deal with matters of personal status);
- (e) The constitution shall guarantee the rights of religious bodies or other societies and individuals to maintain, in addition to educational establishments administered by public authority, educational institutions of their own, subject to normal government supervision and inspection;
- (f) The constitution shall recognize the right of Jews to employ Hebrew as a second official language in areas in which they are in a majority;
- (g) The law of naturalization and citizenship shall provide, amongst other conditions, that the applicant should be a legal resident of Palestine for a continuous period to be determined by the constituent assembly;
- (h) The constitution shall ensure adequate representation in the legislature for all important sections of the citizenry in proportion to their numerical strength;
- (i) The constitution shall also provide for adequate reflection in the executive and the administration of the distribution of representation in the legislature;
- (j) The constitution shall authorize the legislature to invest local authorities with wide discretion in matters connected with education, health and other social services;
- (k) The constitution shall provide for the setting up of a supreme court, the jurisdiction of which shall include, *inter alia*, the power to pronounce upon the constitutional validity of all legislation, and it shall be open to any aggrieved party to have recourse to that tribunal;
- (l) The guarantees contained in the constitution concerning the rights and safeguards of the minorities shall not be subject to amendment or modification without the consent of the minority concerned expressed through a majority of its representatives in the legislature.



UN GENERAL ASSEMBLY, RESOLUTION 181 ON THE FUTURE GOVERNMENT OF PALESTINE (PARTITION PLAN), 29 NOVEMBER 1947

[See also Map 8 in the Annex.]

The General Assembly,

Having met in special session at the request of the mandatory Power to constitute and instruct a special committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

Having constituted a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

Having received and examined the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of a Special Committee;

Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

Takes note of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

Recommends to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the Plan of Partition with Economic Union set out below:

Requests that:

- (a) The Security Council take the necessary measures as provided for in the plan for its implementation;
- (b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the

Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

- (c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;
- (d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;

Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations.

Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the Commission referred to in Part I, Section B, Paragraph I below, on such basis and in such form as he may determine most appropriate in the circumstances, and to provide the Commission with the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

The General Assembly,

Authorizes the Secretary-General to draw from the Working Capital Fund a sum not to exceed 2,000,000 dollars for the purposes set forth in the last paragraph of the resolution on the future government of Palestine.

PLAN OF PARTITION WITH ECONOMIC UNION

PART I. - FUTURE CONSTITUTION AND GOVERNMENT OF PALESTINE

A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.
2. The armed forces of the mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948. The mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the mandate and to evacuate each area. The mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.
3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in Part III of this Plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in Parts II and III below.
4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.
2. The administration of Palestine shall, as the mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council.

The mandatory Power shall to the fullest possible extent coordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated. In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine. Nevertheless, the boundaries as described in Part II of this Plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.
4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.
If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.
5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control including authority over matters of immigration and land regulation.
6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the State's independence.
7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.
8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.
This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.
9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.
The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are (a) Palestinian citizens residing in that State; and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.
Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively. Women may vote and be elected to the Constituent Assemblies. During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.
10. The Constituent Assembly of each State shall draft a democratic constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission. The Constitutions of the States shall embody Chapters 1 and 2 of the Declaration provided for in section C below and include, *inter alia*, provisions for:

- (a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature;
 - (b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered;
 - (c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purpose of the United Nations;
 - (d) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association;
 - (e) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.
11. The Commission shall appoint a preparatory economic commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in section D below.
 12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The Commission shall assist the mandatory Power in the carrying out of these functions. Similarly the mandatory Power shall co-operate with the Commission in the execution of its functions.
 13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the mandatory Power, the whole administration shall be in the charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the mandatory Power to the Commission, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the mandatory Power have been withdrawn.
 14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue. The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council. The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.
 15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C. DECLARATION

A declaration shall be made to the United Nations by the Provisional Government of each proposed State before independence. It shall contain, *inter alia*, the following clauses:

General Provision: The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter I: Holy Places, Religious Buildings and Sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.
2. In so far as Holy Places are concerned, the liberty of access, visit, and transit shall be guaranteed, in conformity with existing rights, to all residents and citizen of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum. Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious, building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or community concerned if no action is taken within a reasonable time.
4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State. No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favorable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.
5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2: Religious and Minority Rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.
2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.
3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.
4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.
5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.
6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions. The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.
7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.
8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State) shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be said previous to dispossession.

Chapter 3: Citizenship, International Conventions and Financial Obligations

1. Citizenship

Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt, within one year from the date of recognition of independence of the State in which they reside, for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jew residing in the proposed Jewish State shall

have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. International conventions

- (a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.
- (b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. Financial obligations

- (a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.
- (b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.
- (c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.
- (d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holders and the State.

Chapter 4. Miscellaneous Provisions

1. The provisions of chapters 1 and 2 of the declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.
2. Any dispute relating to the application or interpretation of this declaration shall be referred, at the request of either party, to the International Court of Justice, unless the parties agree to another mode of settlement.

D. ECONOMIC UNION AND TRANSIT

1. The Provisional Council of Government of each State shall enter into an undertaking with respect to Economic Union and Transit. This undertaking shall be drafted by the Commission provided for in section B, paragraph 1, utilizing to the greatest possible extent the advice and cooperation of representative organizations and bodies from each of the proposed States. It shall contain provisions to establish the Economic Union of Palestine and provide for other matters of common interest. If by 1 April 1948 the Provisional Councils of Government have not entered into the undertaking, the undertaking shall be put into force by the Commission.

The Economic Union of Palestine:

2. The objectives of the Economic Union of Palestine shall be:
 - (a) A customs union;
 - (b) A joint currency system providing for a single foreign exchange rate;
 - (c) Operation in the common interest on a non-discriminatory basis of railways inter-State highways; postal, telephone and telegraphic services and ports and airports involved in international trade and commerce;
 - (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation;
 - (e) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.
3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.
4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.
5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.
6. In the event of failure of a State to take the necessary action the Board may, by a vote of six members, decide to withhold an appropriate portion of the part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to cooperate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.
7. In relation to economic development, the functions of the Board shall be planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.
8. In regard to the joint currency system, the currencies circulating in the two States and the City of Jerusalem shall be issued under the authority of the Joint Economic Board, which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.
9. So far as is consistent with paragraph 2(b) above, each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licences, and may conduct international financial operations on its own faith and credit. During the first two years after the termination of the Mandate, the Joint Economic Board shall have the authority to take such measures as may be necessary to ensure that - to the extent that the total foreign exchange revenues of the two States from the export of goods and services permit, and provided that each State takes appropriate measures to conserve its own foreign exchange resources - each State shall have available, in any twelve months' period, foreign exchange sufficient to assure the supply of quantities of imported goods and services for consumption in its territory equivalent to the quantities of such goods and services consumed in that territory in the twelve months' period ending 31 December 1947.
10. All economic authority not specifically vested in the Joint Economic Board is reserved to each State.
11. There shall be a common customs tariff with complete freedom of trade between the States, and between the States and the City of Jerusalem.
12. The tariff schedules shall be drawn up by a Tariff Commission, consisting of representatives of each of the States in equal numbers, and shall be submitted to the Joint Economic Board for approval by a majority vote. In case of disagreement in the Tariff Commission, the Joint Economic Board shall arbitrate the points of difference. In the event that the Tariff Commission fails to draw up any schedule by a date to be fixed, the Joint Economic Board shall determine the tariff schedule.
13. The following items shall be a first charge on the customs and other common revenue of the Joint Economic Board:
 - (a) The expenses of the customs service and of the operation of the joint services;

- (b) The administrative expenses of the Joint Economic Board;
 - (c) The financial obligations of the Administration of Palestine, consisting of:
 - i. The service of the outstanding public debt;
 - ii. The cost of superannuation benefits, now being paid or falling due in the future, in accordance with the rules and to the extent established by paragraph 3 of chapter 3 above.
14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than 5 per cent and not more than 10 per cent to the City of Jerusalem; the residue shall be allocated to each State by the Joint Economic Board equitably, with the objective of maintaining a sufficient and suitable level of government and social services in each State, except that the share of either State shall not exceed the amount of that State's contribution to the revenues of the Economic Union by more than approximately four million pounds in any year. The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenue may be revised by the Joint Economic Board on a basis of equity.
 15. All international conventions and treaties affecting customs tariff rates, and those communications services under the jurisdiction of the Joint Economic Board, shall be entered into by both States. In these matters, the two States shall be bound to act in accordance with the majority of the Joint Economic Board.
 16. The Joint Economic Board shall endeavour to secure for Palestine's exports fair and equal access to world markets.
 17. All enterprises operated by the Joint Economic Board shall pay fair wages on a uniform basis.

Freedom of Transit and Visit

18. The undertaking shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within its borders.

Termination, Modification and Interpretation of the Undertaking

19. The undertaking and any treaty issuing therefrom shall remain in force for a period of ten years. It shall continue in force until notice of termination, to take effect two years thereafter, is given by either of the parties.
20. During the initial ten-year period, the undertaking and any treaty issuing therefrom may not be modified except by consent of both parties and with the approval of the General Assembly.
21. Any dispute relating to the application or the interpretation of the undertaking and any treaty issuing therefrom shall be referred, at the request of either party, to the International Court Of Justice, unless the parties agree to another mode of settlement.

E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Allocations should be made by the United Nations Commission referred to iii section B, paragraph 1, above. Immovable assets shall become the property of the government of the territory in which they are situated.
2. During the period between the appointment of the United Nations Commission and the termination of the Mandate, the mandatory Power shall, except in respect of ordinary operations, consult with the Commission on any measure which it may contemplate involving the liquidation, disposal or encumbering of the assets of the Palestine Government, such as the accumulated treasury surplus, the proceeds of Government bond issues, State lands or any other asset.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

When the independence of either the Arab or the Jewish State as envisaged in this plan has become effective and the declaration and undertaking, as envisaged in this plan, have been signed by either of

them, sympathetic consideration should be given to its application for admission to membership in the United Nations in accordance with article 4 of the Charter of the United Nations.

PART II. - BOUNDARIES

A. THE ARAB STATE

The area of the Arab State in Western Galilee is bounded on the west by the Mediterranean and on the north by the frontier of the Lebanon from Ras en Naqura to a point north of Saliha. From there the boundary proceeds southwards, leaving the built-up area of Saliha in the Arab State, to join the southernmost point of this village. There it follows the western boundary line of the villages of 'Alma, Rihaniya and Teitaba, thence following the northern boundary line of Meirun village to join the Acre-Safad Sub-District boundary line. It follows this line to a point west of Es Sammu'i village and joins it again at the northernmost point of Farradiya. Thence it follows the sub-district boundary line to the Acre-Safad main road. From here it follows the western boundary of Kafr-I'nan village until it reaches the Tiberias-Acre Sub-District boundary line, passing to the west of the junction of the Acre-Safad and Lubiya-Kafr-I'nan roads. From the south-west corner of Kafr-I'nan village the boundary line follows the western boundary of the Tiberias Sub-District to a point close to the boundary line between the villages of Maghar and 'Eilabun, thence bulging out to the west to include as much of the eastern part of the plain of Battuf as is necessary for the reservoir proposed by the Jewish Agency for the irrigation of lands to the south and east.

The boundary rejoins the Tiberias Sub-District boundary at a point on the Nazareth-Tiberias road south-east of the built-up area of Tur'an; thence it runs southwards, at first following the sub-district boundary and then passing between the Kadoorie Agricultural School and Mount Tabor, to a point due south at the base of Mount Tabor. From here it runs due west, parallel to the horizontal grid line 230, to the north-east corner of the village lands of Tel Adashim. It then runs to the northwest corner of these lands, whence it turns south and west so as to include in the Arab State the sources of the Nazareth water supply in Yafa village. On reaching Ginneiger it follows the eastern, northern and western boundaries of the lands of this village to their south-west corner, whence it proceeds in a straight line to a point on the Haifa-Afula railway on the boundary between the villages of Sarid and El-Mujeidil. This is the point of intersection. The south-western boundary of the area of the Arab State in Galilee takes a line from this point, passing northwards along the eastern boundaries of Sarid and Gevat to the north-eastern corner of Nahalal, proceeding thence across the land of Kefar ha Horesh to a central point on the southern boundary of the village of 'Ilut, thence westwards along that village boundary to the eastern boundary of Beit Lahm, thence northwards and north-eastwards along its western boundary to the north-eastern corner of Waldheim and thence north-westwards across the village lands of Shafa 'Amr to the southeastern corner of Ramat Yohanan. From here it runs due north-north-east to a point on the Shafa 'Amr-Haifa road, west of its junction with the road of I'billin. From there it proceeds north-east to a point on the southern boundary of I'billin situated to the west of the I'billin-Birwa road. Thence along that boundary to its westernmost point, whence it turns to the north, follows across the village land of Tamra to the north-westernmost corner and along the western boundary of Julis until it reaches the Acre-Safad road. It then runs westwards along the southern side of the Safad-Acre road to the Galilee-Haifa District boundary, from which point it follows that boundary to the sea.

The boundary of the hill country of Samaria and Judea starts on the Jordan River at the Wadi Malih south-east of Beisan and runs due west to meet the Beisan-Jericho road and then follows the western side of that road in a north-westerly direction to the junction of the boundaries of the Sub-Districts of Beisan, Nablus, and Jenin. From that point it follows the Nablus-Jenin sub-District boundary westwards for a distance of about three kilometres and then turns north-westwards, passing to the east of the built-up areas of the villages of Jalbun and Faqu'a, to the boundary of the Sub-Districts of Jenin and Beisan at a point northeast of Nuris. Thence it proceeds first north-westwards to a point due north of the built-up area of Zie'in and then westwards to the Afula-Jenin railway, thence north-westwards along the District boundary line to the point of intersection on the Hejaz railway. From here the boundary runs southwestwards, including the built-up area and some of the land of the village of Kh. Lid in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Haifa and Samaria west of El-

Mansi. It follows this boundary to the southernmost point of the village of El-Buteimat. From here it follows the northern and eastern boundaries of the village of Ar'ara rejoining the Haifa-Samaria district boundary at Wadi 'Ara, and thence proceeding south-south-westwards in an approximately straight line joining up with the western boundary of Qaqun to a point east of the railway line on the eastern boundary of Qaqun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line half-way between the railway and the Tulkarm-Qalqiliya-Jaljuliya and Ras El-Ein road to a point just east of Ras El-Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Lyddá and Beit Nabala lines, whence it proceeds along the southern border of Lydda airport to its south-west corner, thence in a south-westerly direction to a point just west of the built-up area of Sarafand El 'Amar, whence it turns south, passing just to the west of the built-up area of Abu El-Fadil to the north-east corner of the lands of Beer Ya'aqov. (The boundary line should be so demarcated as to allow direct access from the Arab State to the airport.) Thence the boundary line follows the western and southern boundaries of Ramle village, to the north-east corner of El Na'ana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of 'Innaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El-Qubab, whence it follows the road to the boundary of Abu-Shusha. It runs along the eastern boundaries of Abu Shusha, Seidun, Hulda to the southernmost point of Hulda, thence westwards in a straight line to the north-eastern corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qazaza and the northern and western boundaries of Mukhezín to the Gaza District boundary and thence runs across the village lands of El-Mismiya El-Kabira, and Yasur to the southern point of intersection, which is midway between the built-up areas of Yasur and Batani Sharqi.

From the southern point of intersection the boundary lines run north-westwards between the villages of Gan Yavne and Barqa to the sea at a point half way between Nabi Yunis and Minat El-Qila, and south-eastwards to a point west of Qastina, whence it turns in a south-westerly direction, passing to the east of the built-up areas of Es Sawafir Esh Sharqiya and 'Ibdís. From the south-east corner of 'Ibdís village it runs to a point southwest of the built-up area of Beit 'Affa, crossing the Hebron-El-Majdal road just to the west of the built-up area of 'Iraq Suweidan. Thence it proceeds southward along the western village boundary of El-Faluja to the Beersheba Sub-District boundary. It then runs across the tribal lands of 'Arab El-Jubarat to a point on the boundary between the Sub-Districts of Beersheba and Hebron north of Kh. Khuweilifa, whence it proceeds in a south-westerly direction to a point on the Beersheba-Gaza main road two kilometres to the north-west of the town. It then turns south-eastwards to reach Wadi Sab' at a point situated one kilometre to the west of it. From here it turns north-eastwards and proceeds along Wadi Sab' and along the Beersheba-Hebron road for a distance of one kilometre, whence it turns eastwards and runs in a straight line to Kh. Kuseifa to join the Beersheba-Hebron Sub-District boundary. It then follows the Beersheba-Hebron boundary eastwards to a point north of Ras Ez-Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160. About five kilometres north-east of Ras Ez-Zuweira it turns north, excluding from the Arab State a strip along the coast of the Dead Sea not more than seven kilometres in depth, as far as 'Ein Geddi, whence it turns due east to join the Transjordan frontier in the Dead Sea.

The northern boundary of the Arab section of the coastal plain runs from a point between Minat El-Qila and Nabi Yunis, passing between the built-up areas of Gan Yavne and Barqa to the point of intersection. From here it turns south-westwards, running across the lands of Batani Sharqi, along the eastern boundary of the lands of Beit Daras and across the lands of Julis, leaving the built-up areas of Batani Sharqi and Julis to the westwards, as far as the north-west corner of the lands of Beit-Tima. Thence it runs east of El-Jiya across the village lands of El-Barbara along the eastern boundaries of the villages of Beit Jirja, Deir Suneid and Dimra. From the south-east corner of Dimra the boundary passes across the lands of Beit Hanun, leaving the Jewish lands of Nir-Am to the eastwards. From the south-east corner of Beit Hanun the line runs south-west to a point south of the parallel grid line 100, then turns north-west for two kilometres, turning again in a south-westerly direction and continuing in an almost straight line to the north-west corner of the village lands of Kirbet Ikhza'a. From there it follows the boundary line of this village to its southernmost point. It then runs in a southerly direction along the vertical grid line 90 to its junction with the horizontal grid line 70. It then turns south-eastwards to Kh. El-Ruheiba and then pro-

ceeds in a southerly direction to a point known as El-Baha, beyond which it crosses the Beersheba-El 'Auja main road to the west of Kh. El-Mushrif. From there it joins Wadi El-Zaiyatin just to the west of El-Subeita. From there it turns to the north-east and then to the south-east following this Wadi and passes to the east of 'Abda to join Wadi Nafkh. It then bulges to the south-west along Wadi Nafkh, Wadi 'Ajrim and Wadi Lassan to the point where Wadi Lassan crosses the Egyptian frontier.

The area of the Arab enclave of Jaffa consists of that part of the town-planning area of Jaffa which lies to the west of the Jewish quarters lying south of Tel-Aviv, to the west of the continuation of Herzl street up to its junction with the Jaffa-Jerusalem road, to the south-west of the section of the Jaffa-Jerusalem road lying south-east of that junction, to the west of Miqve Yisrael lands, to the northwest of Holon local council area, to the north of the line linking up the north-west corner of Holon with the northeast corner of Bat Yam local council area and to the north of Bat Yam local council area. The question of Karton quarter will be decided by the Boundary Commission, bearing in mind among other considerations the desirability of including the smallest possible number of its Arab inhabitants and the largest possible number of its Jewish inhabitants in the Jewish State.

B. THE JEWISH STATE

The north-eastern sector of the Jewish State (Eastern Galilee) is bounded on the north and west by the Lebanese frontier and on the east by the frontiers of Syria and Transjordan. It includes the whole of the Huleh Basin, Lake Tiberias, the whole of the Beisan Sub-District, the boundary line being extended to the crest of the Gilboa mountains and the Wadi Malih. From there the Jewish State extends north-west, following the boundary described in respect of the Arab State. The Jewish section of the coastal plain extends from a point between Minat El-Qila and Nabi Yunis in the Gaza Sub-District and includes the towns of Haifa and Tel-Aviv, leaving Jaffa as an enclave of the Arab State. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State. The Beersheba area comprises the whole of the Beersheba Sub-District, including the Negeb and the eastern part of the Gaza Sub-District, but excluding the town of Beersheba and those areas described in respect of the Arab State. It includes also a strip of land along the Dead Sea stretching from the Beersheba-Hebron Sub-District boundary line to 'Ein Geddi, as described in respect of the Arab State.

C. THE CITY OF JERUSALEM

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem. (See Part III, section B, below).

PART III: CITY OF JERUSALEM

A. SPECIAL REGIME

The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority on behalf of the United Nations.

B. BOUNDARIES OF THE CITY

The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat.

C. STATUTE OF THE CITY

The Trusteeship Council shall, within five months of the approval of the present plan, elaborate and approve a detailed Statute of the City which shall contain *inter alia* the substance of the following provisions:

1. *Government machinery; special objectives.* The Administering Authority in discharging its administrative obligations shall pursue the following special objectives:

- (a) To protect and to preserve the unique spiritual and religious interests located in the city of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reign in Jerusalem;
 - (b) To foster co-operation among all the inhabitants of the city in their own interests as well as in order to encourage and support the peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of the various peoples and communities.
2. *Governor and administrative staff.* A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine. The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration, including the conduct of external affairs. He shall be assisted by an administrative staff classed as international officers in the meaning of Article 100 of the Charter and chosen whenever practicable from the residents of the city and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the city shall be submitted by the Governor to the Trusteeship Council and duly approved by it.
3. *Local autonomy.*
- (a) The existing local autonomous units in the territory of the City (villages, townships and municipalities) shall enjoy wide powers of local government and administration.
 - (b) The Governor shall study and submit for the consideration and decision of the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.
4. *Security measures.*
- (a) The City of Jerusalem shall be demilitarized; its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.
 - (b) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.
 - (c) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the city, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this force.
5. *Legislative organization.* A Legislative Council, elected by adult residents of the city irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall have powers of legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.
6. *Administration of justice.* The Statute shall provide for the establishment of an independent judiciary system, including a court of appeal. All the inhabitants of the City shall be subject to it.
7. *Economic union and economic regime.* The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8. *Freedom of transit and visit; control of residents.* Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be guaranteed for the residents of citizens of the Arab and Jewish States. Immigration into, and residence within, the borders of the city for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.
9. *Relations with the Arab and Jewish States.* Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connexion with the international administration of the City.
10. *Official languages.* Arabic and Hebrew shall be the official languages of the city. This will not preclude the adoption of one or more additional working languages, as may be required.
11. *Citizenship.* All the residents shall become *ipso facto* citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews, have filed notice of intention to become citizens of the Arab or Jewish State respectively, according to part I, section B, paragraph 9, of this plan. The Trusteeship Council shall make arrangements for consular protection of the citizens of the City outside its territory.
12. *Freedoms of citizens.*
 - (a) Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and Press, assembly and association, and petition.
 - (b) No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.
 - (c) All persons within the City shall be entitled to equal protection of the laws.
 - (d) The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.
 - (e) Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality. The City shall ensure adequate primary and secondary education for the Arab and Jewish communities respectively, in their own languages and in accordance with their cultural traditions.
 - (f) The right of each community to maintain its own schools for the education of its own members in its language, while conforming to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.
 - (g) No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.
13. *Holy Places.*
 - (a) Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.
 - (b) Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.
 - (c) Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may

call upon the community or communities concerned to carry out such repair. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

- (d) No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the City. No change in the incidence of such taxation shall be made which would either discriminate between the owners of occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favorable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

14. *Special powers of the Governor in respect of the Holy Places, religious buildings and sites in the City and in any part of Palestine.*

- (a) The protection of the Holy Places, religious buildings and sites located in the City of Jerusalem shall be a special concern of the Governor.
- (b) With relation to such places, buildings and sites in Palestine outside the city, the Governor shall determine, on the ground of powers granted to him by the Constitutions of both States, whether the provisions of the Constitutions of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected.
- (c) The Governor shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community in respect of the Holy Places, religious buildings and sites in any part of Palestine.

In this task he may be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.

D. DURATION OF THE SPECIAL REGIME

The Statute elaborated by the Trusteeship Council on the aforementioned principle shall come into force not later than 1 October 1948. It shall remain in force in the first instance for a period of ten years, unless the Trusteeship Council finds it necessary to undertake a re-examination of these provisions at an earlier date. After the expiration of this period the whole scheme shall be subject to re-examination by the Trusteeship Council in the light of the experience acquired with its functioning. The residents of the City shall be then free to express by means of a referendum their wishes as to possible modifications of the regime of the City.

PART IV: CAPITULATIONS

States whose nationals have in the past enjoyed in Palestine the privilege and immunities of foreigners, including the benefits of consular jurisdiction and protection, as formerly enjoyed by capitulation or usage in the Ottoman Empire, are invited to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the proposed Arab and Jewish States and the City of Jerusalem.

Adopted at the 128th plenary meeting:

33 in favor (*Australia, Belgium, Bolivia, Brazil, Belorussian S.S.R., Canada, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Iceland, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Sweden, Ukrainian S.S.R., Union of South Africa, USA, USSR, Uruguay, Venezuela*); 13 Against (*Afghanistan, Cuba, Egypt, Greece, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Turkey, Yemen*); 10 Abstained (*Argentina, Chile, China, Colombia, El Salvador, Ethiopia, Honduras, Mexico, United Kingdom, Yugoslavia*).



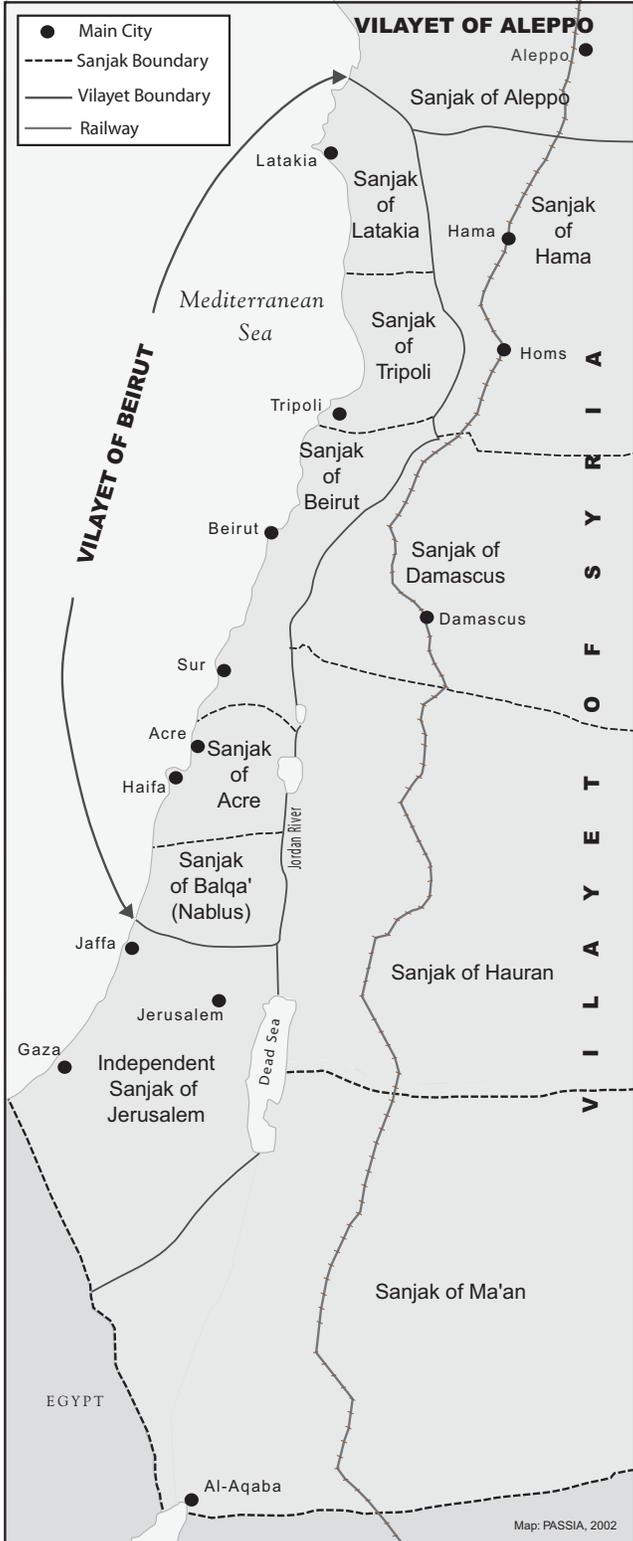
**SPEECH BY BRITISH COLONIAL SECRETARY ARTHUR CREECH JONES,
HOUSE OF COMMONS, 11 DECEMBER 1947 [EXCERPTS]**

[Address outlining the UK's primary objective to have an orderly withdrawal of the British forces from Palestine]

1. In order that the withdrawal may be conducted in the most orderly manner and with the least destruction of the ordinary life of the country, it is essential that the Mandatory Power should retain undivided control of the country until the evacuation is well under way. It will be appreciated that Mandatory responsibility for government in Palestine cannot be relinquished piecemeal. The whole complex of governmental responsibility must be relinquished by the Mandatory Government for the whole of Palestine on an appointed day. [...] And the date we have in mind for this, subject to negotiations with the United Nations Commission, is 15 May. [...]
2. As His Majesty's Government have made it clear that they cannot take part in the implementation of the United Nations plan, it will be undesirable for the Commission to arrive in Palestine until a short period before the termination of the Mandate. For reasons of Administrative efficiency, responsibility, and security, this overlap period should be comparatively brief. [...]
3. Other matters on which negotiations with the United Nations Commission will have to be made include the proposal in the partition plan that an area situated in the Jewish state, including a sea-port and hinterland, shall be evacuated by February 1, 1948. This presents considerable difficulty and must be studied further with the UN Commission in connection with the thorny problem of immigration. [...] If the traffic (immigration) is encouraged during the next few months a grave situation in Palestine will arise which will make an orderly withdrawal and transfer of authority extremely difficult. The camps in Cyprus also have to be emptied.
The Government are aware of the strong resentment already expressed by the Arab States in regard to what may appear to them as encouragement to immigration for strengthening the Jewish State. It is essential to maintaining orderly life in Palestine, while at the same time, preparing, in accordance with international decision, to transfer authority. [...]



Map 1
 Administrative Boundaries During The Ottoman Era



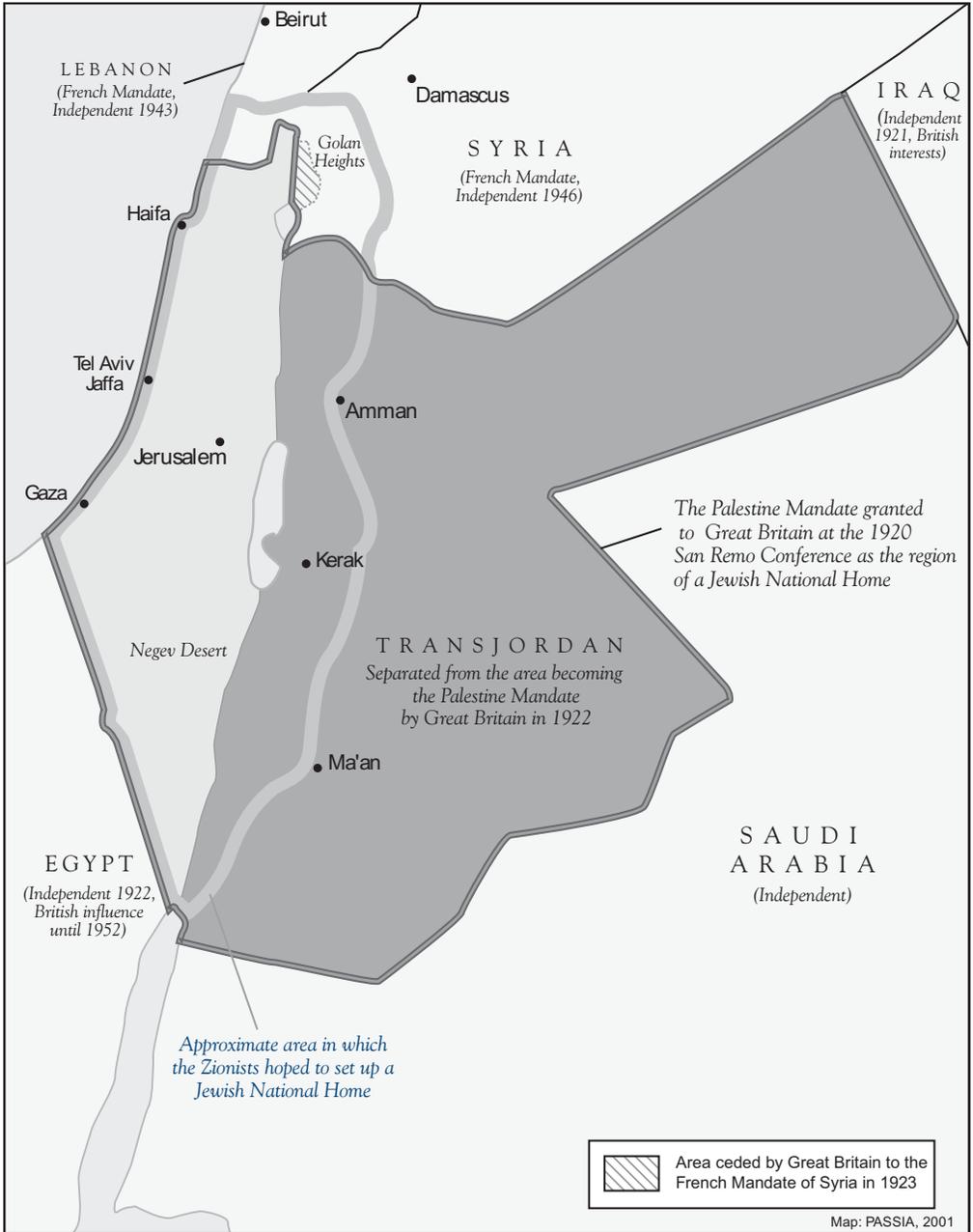
Map 2

The Sykes-Picot Agreement, 1916



Map 3

Palestine Under The British Mandate



Map 4

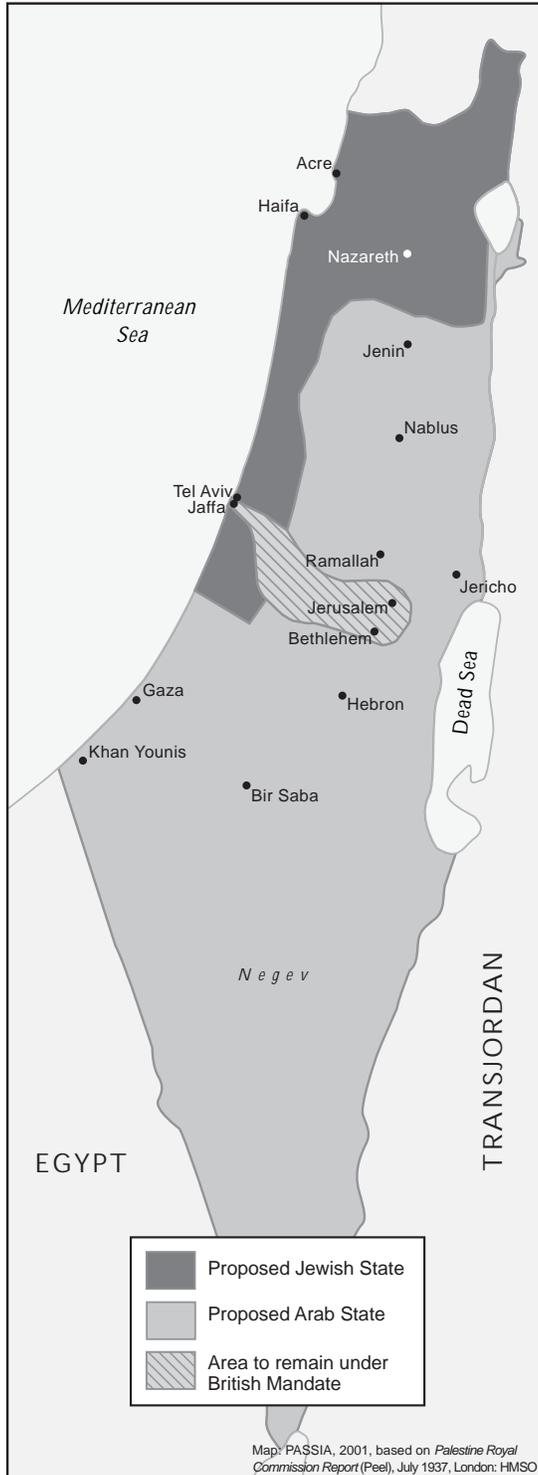
Administrative Boundaries Under The British Mandate, 1940s



Map: PASSIA, 2002

Map 5

The Peel Commission Partition Proposal, 1937



Map 6

The Woodhead Commission Partition Proposals, 1938

Recommended: Plan C



Plan B



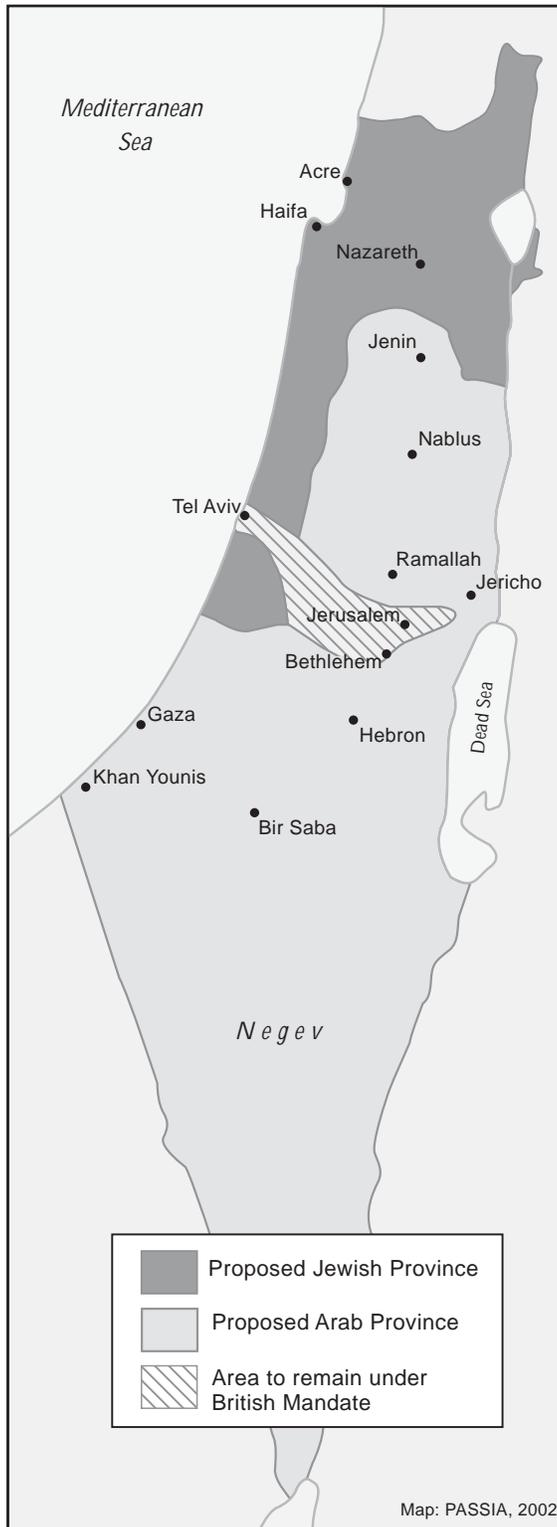
Plan A



Jewish Proposals to the Woodhead Commission



Map 7
The Morrison-Grady Partitioned Trusteeship Plan, 1946



Map 8

UNGA Partition Plan, 1947

