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BRITAIN AND THE ARAB STATES

A SURVEY OF ANGLO-ARAB RELATIONS, 1920-1948

By
M. V. SETON-WILLIAMS



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**TO THE MEMORY OF
MY MOTHER**

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P R E F A C E

A LARGE number of people have assisted in the preparation of this book and I owe particular thanks to Mr. G. Mackay for drawing the maps, Miss P. Lemon for typing and correcting the MSS and Miss du Plat Taylor for seeing the book through the press in my absence. I am indebted to Dr. R. B. Sergeant for advice on the chapter on the Yemen ; to Sir Edward Spears for permission to quote his articles, and to *The Times*, *The Daily Telegraph* and the *Manchester Guardian* for permission to reprint material which has appeared in their pages.

I also owe a debt to the journalists, both British and American, who first made me realize in the years 1943-1945 the necessity for such a book, and to my colleagues in the war-time Ministry of Information who must perforce remain nameless.

As far as the spelling of Arabic names is concerned I have used the usual English variant, rather than the form that is more literally correct.

London, *June*, 1946.

Newport News, Virginia, *March*, 1948

INTRODUCTION

IT was trading interests that first brought the British into the Levant. From their bases in Turkey, at Constantinople and Aleppo, the merchants of the Levant Company pushed southwards and eastwards down the Tigris and the Euphrates to the Persian Gulf. They were searching for the land route to India for at that time the sea route was still theoretically under Portuguese control. One of the earliest of these merchants was Ralph Fitch, who went to Ormuz via Aleppo and on to Goa in a voyage lasting from 1583-91.¹

Other English merchants followed this lead, and the growing interest of the East India Company in Persia led to requests for trading firmans from the Shah. The search for new and unexplored routes and the wish to trade in the Near and Far East was the incentive for the English merchants. The information supplied by their letters and journals has been of immense assistance in the understanding of the political life of the countries through which they passed.²

The Arabian States were all at that time subject to the Ottoman Empire, and it was therefore from the Ottoman Sultans that firmans had to be obtained. To quote but a few of the Englishmen who travelled in this area : John Sanderson, stationed at Constantinople and later at Aleppo for the Levant and Turkey Company, visited Palestine and Tripoli in 1601³; in 1620 and in the previous years, voyages were undertaken from Surat to Jask in the Persian Gulf by East India Company merchants.⁴ This led to the Persians and British combining to defeat the Portuguese off Ormuz and so break the Portuguese monopoly of the trade in the Persian Gulf.⁶

Further travellers followed during the seventeenth and eighteenth centuries, but during this period the Turks

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appeared to have a firm grasp of the land routes. With the practical disintegration of the Ottoman Empire, Great Britain became interested strategically as well as commercially in this area.

If Turkey could not dominate the land route to India, British interest was that no other power should. Palmerston is reported to have said : "Turkey is as good an occupier of the land route to India as an active Arabian sovereign would be."⁶

The Napoleonic expedition to Egypt and its defeat by the British fleet opened the eastern Mediterranean and the Middle East to Britain. Until 1869 the main sea route to India was round the Cape of Good Hope, but with the opening of the Suez Canal the Eastern Mediterranean became still more vital to Britain. Malta had already been acquired in 1800, in 1878 Cyprus was acquired from Turkey to use as a base,⁷ and four years later British forces moved into Egypt, again to secure the Empire sea routes.

In the nineteenth century Britain came up against the interests of other powers. France was traditionally interested in the Levant States, Russia was interested both in Turkey and Persia, both having access to ice-free ports. The story of power politics in the nineteenth century is largely the story of the eastern Mediterranean and the Straits question, with Russia striving for an outlet into the Mediterranean and Britain upholding the declining Turkish Empire in an effort to prevent this.

Towards the close of the century and the beginning of the nineteen hundreds Germany began her *Drang nach Osten* push from Berlin to Baghdad. The first phase of this ended in 1917, with the defeat of Turkey and the collapse of the Ottoman Empire.

From 1919 onwards new forces were evident in the Middle East. There was a strong reaction both for and against western ideas. The latter movement led to revolts against the Western Powers who were occupying the Arab States either temporarily or permanently. There were also those who advocated speedy westernization, but

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with the object of attaining the military and economic advantages of the west, though not under compulsion as subject states.

In all these questions Great Britain, as the state with the largest interests in the Middle East, was intimately concerned. Britain emerged from the 1914-18 war with the Mandates for Palestine, Transjordan and Iraq ; holding a Protectorate over Egypt ; with Aden as a colony ; and in close treaty relations with the Persian Gulf States, Nejd and the Hedjaz. Only with the Levant States and the Yemen were there few official contacts.

Great Britain has often been accused both of lack of policy with regard to the Arab States and of a Machiavellian policy aiming to benefit the British at the expense of the other states. Actually British policy has in the past in this area been largely opportunist. There have been few attempts to treat the problem as a whole, and when there have they have been handicapped by the number of different government departments dealing with the area. Thus up till after 1920 Aden was under the India Office, as were relations with the Persian Gulf States. Palestine, Transjordan and Iraq (the last two before their mandates terminated) came under the Colonial Office. Egypt, Iraq since 1931, and Transjordan since 1946, and the Levant States and Saudi Arabia are dealt with by the Foreign Office. The case of Palestine is particularly complicated as where it impinges on the international field it is answered for by the Foreign Secretary. The Sudan also has a somewhat anomalous position in Whitehall, belonging both to the Foreign Office, and the Colonial Office ; it has in addition a department of its own, the Sudan Government Office.

After the last war an attempt was made to co-ordinate policy in the Middle East. Following Cabinet decisions of December 31st, 1920, it was decided to set up a new department of the Colonial Office to deal with the administration of British mandated territories in the Middle East. The terms of reference of the Interdepartmental Committee

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set up to facilitate this, limited them to consider "in principle Mesopotamia, Aden and Palestine." Not unnaturally they found it impossible to ignore the intervening areas. They strongly recommended that all questions dealing with the Arab States should be under one department. Although this was agreed in principle by the Cabinet, the main recommendations of the Committee were not carried out. As a first step towards a unified programme a conference was called in Cairo and Jerusalem from March 12th to March 30th, 1921, under the Chairmanship of Mr. Winston Churchill, the Secretary of State for the Colonies. This arranged the immediate political, military and financial steps to be taken in the newly mandated territories.

This conference largely laid down the lines on which British policy in the Middle East proceeded for the next ten to fifteen years. There was, however, no permanent secretariat or organization to deal with this area, and so therefore policy was not reviewed, made or modified as a whole, but rather solely in connection with the individual countries concerned as need arose. The lack of a definite policy has contributed, according to Arab writers such as Hourani, to the Arab loss of faith in Britain.⁸

The years 1919-1939 were two decades of very rapid change in the Arab countries. They developed politically, economically and culturally. For the first time for centuries they were allowed to develop their own political constitutions. Naturally there were difficulties, western democracy is not by any means entirely suited to the Arab countries and when first introduced all these countries had a high percentage of illiterates. Education had to proceed and until the Universities at Cairo and Beirut raised their standards, Arab students were forced to attend Universities abroad.⁹ This rapid westernization has produced a discontented and dissatisfied intelligentsia in the more advanced countries, but in the last few years there has been a recrudescence of Islam.

The Arab writers of the last few years blame Britain for

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their own failures. They tend to forget that for a world power such as Great Britain the Middle East is only one of many regions in which she is vitally interested. They blame the British for lack of sympathy and understanding and for a negative attitude towards their desire for freedom and independence. They forget that, if it had not been for British interests, there would not be the number of independent Arab States that there are to-day, and that Britain has done much to train the Arabs for self-government in countries such as Iraq and Transjordan. It is true that Britain has made mistakes in dealing with the Arab States, the cardinal example of which is that of Palestine. It is also true that Britain has many financial and economic interests in this area and cannot, even if she will, walk out and leave the Middle East. The main British interest is, of course, oil. Without the Anglo-Iranian oil-fields and the interest in the Iraq Petroleum Company, British oil interests would be in a poor way, as little oil is produced within the Empire. In this Britain is in a very different position from both the United States and the Soviet Union, both of whom have major supplies within their own territories. It is, therefore, vital for her to have a friendly Power in these areas if she does not directly control them herself.

The first steps towards the establishment of normal relations between Great Britain and the Arab States were by means of treaties. These varied from the early treaties with paramount chiefs of local areas to those concluded with a modern state such as Egypt or Iraq. The Anglo-Iraqi Treaty, concluded in 1931, served as a model for the later Anglo-Egyptian Treaty signed in 1936, and the Anglo-Transjordanian Treaty of 1946. These treaties, however, had limitations. They recognized the Arab States as independent, but they restricted their independence by certain clauses giving Britain bases for air and military forces in the territories of the countries concerned. This was galling to the pride of the inhabitants, who felt that freedom was granted with one hand and removed with the

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other. They failed to see that in most cases they were not yet strong enough to stand alone and should Britain step out, another great Power would step in. The fact that in certain countries such as Egypt the British have overstayed their welcome is to be deplored, because they have achieved a lot for the material development of these countries, though not always in the most tactful manner

On the whole German propaganda did not have a very great success in this last war, except in Iraq and Persia. Even in Iraq the revolt was spasmodic and scarcely spread beyond the army, anxious to try its strength. There was more discontent with Britain in the later stages of the war than in the earlier. This was because the tide of war turned in the Middle East in 1943, not 1945, and from then onwards the British armies stationed in the Middle Eastern countries were regarded as armies of occupation, rather than as liberating forces.

The maintenance of large armed forces in the Middle East, combined with an absence of supplies, stimulated economic developments in this area. To consider the supply needs of the whole area the Middle East Supply Centre was set up in 1941, first as a British, but later as an Anglo-American organization. This body worked with the governments concerned to provide bulk supplies through whatever channels were most readily available. This temporarily affected agriculture in the countries concerned, e.g., the turnover of the Egyptian cotton growing areas to cereals, but on the relaxation of controls these tended to revert to cotton as the more paying crop. In industry the effect was more permanent, and many new local industries were established. The Allied forces in the Middle East employed large numbers of skilled and unskilled labour. On their withdrawal large numbers of workers became unemployed, and many will have found difficulty in returning to their previous employment.¹⁰ This has meant a vast uprooting of large sections of the rural population in these countries, but it is, as yet, too early to say whether it will have any permanent effect. Most

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of the Arab States realize that they have a long way to go with regard to economic development and improved social services and countries like Egypt and Saudi Arabia are moving towards carrying social reforms into effect.

In all this Great Britain could be of immense assistance. She could supply the advisers, experts and technicians, but she must take active steps to do so, or else she will find that America has usurped her position of friend and adviser in the Arabian Peninsula, while the Soviet Union is becoming more and more popular with the Northern Arabian States. This is due to the popularity of communism with certain sections of the intelligentsia, the rapid growth in Egypt and Iraq of an industrial proletariat and to the Soviet championing of the cause of the Levant States in the Security Council.

It is true that during the war an attempt was made to set up a training college in Jerusalem to train young Government officials in the elements of the tenets, culture and language of the peoples they were to work with. This was not, however, a wholly successful venture. Since its inception a bolder move has been made at Whitehall for a Middle Eastern department to be established. These are excellent signs ; the only difficulty is that while these moves take place Britain *vis-d-vis* the Arabs is steadily losing her position.

The urgency of the problem confronting the British was pointed out by Sir Edward Spears in a series of newspaper articles.¹¹ He points out that : " It is understood that we 'Stand for peace in the Middle East. As long as our influence is strong no one country will quarrel too seriously with another for fear of incurring Britain's displeasure • . . this power for good is threatened by one thing only, our own timidity and the deprecating attitude we adopt towards the perfectly legitimate influence we acquired in the past. It is not to interfere with the independence of Arab nations, to proffer advice when it is sought, nor is it undiluted imperialism to give help when that help is needed. . . . It should be evident to all that Britain has no

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desire to dominate the Middle East. The moderating influence she can so well exercise is a menace to no-one. Her vital interests must, however, compel her in the future as they did in the past, to oppose the attempt of any outside Power to control and rule the Middle East in its own interest. We cannot but ensure that this vital landbridge on the route to India, Australia, New Zealand and the Far East should always be in the hands of friendly people."

Sir Edward Spears sees the Arab League and the United Nations Organization as being the best means of achieving this end.

It is true that virtually since the end of the war in Europe the Arab League has matured ; it is yet to be seen whether moderate counsels will prevail or whether it will be used as an instrument of the more extreme nationalists. In its idea it has a vast potential for good in uniting economically, culturally and socially an area which is already contiguous.

On September 10th, 1946, Mr. Attlee summarized British policy in a speech he made at the opening of the Palestine Conference in London. He said in part :—

" For a quarter of a century now successive British Governments have watched with close and sympathetic interest the progress of the Arab national revival.

" I am sure you will agree that the revival must have proceeded far more slowly if Ottoman dominion in the Arab parts of Asia had not been broken by the British Armies during the war of 1914-18. At the end of that war Great Britain assumed responsibility for the political development of Iraq, Palestine and Transjordan. We interpreted that responsibility as obliging us first to see that the foundations of stable and progressive administration were firmly established and then to remove all restrictions on self-government as rapidly as seemed practicable. In accordance with this policy Iraq became a fully independent sovereign state in 1930 and Transjordan has now acquired the same status. . . .

" A national revival is not completed by the attainment of political independence. I believe that the Arab States

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now have the opportunity of inaugurating important economic developments from which the common people of their countries would greatly benefit and which would increase their strength and stability, I am happy to see that co-operation in such developments is one of the purposes of the Arab League. I can assure you that His Majesty's Government will in so far as you ask for help do everything in their power to help you in promoting economic expansion and social progress/¹²

Whether Britain can succeed in building up a new relationship with the independent Arab States remains to be seen. Whether, having withdrawn her troops, she can remain as friend and adviser to these countries it is too early to say, but if she does not act and does not help or advise when necessary, she is likely to lose even the small hold she has in this area.

NOTES

¹ *Purchas his Pilgrimes*, Hakluyt Society edition, Vol. X, Chapter VI.

² Unfortunately all these are not available, as many are **still unpublished** and in manuscript only.

³ *Purchas his Pilgrimes*, Hakluyt Society edition, Vol. IX, p. 456.

⁴ *Ibid*, Vol. V, p. 241.

⁵ This is clearly shown in Sir Arnold Wilson's *Persian Gulf*, but this reference is to Ruy Freyre de Andrada, *Commentaries*, edited by C. R. Boxer for the Broadway Travellers, Routledge, 1930-

⁶ This was when he was opposing Mehemet Ali in Syria.

⁷ It has, however, never been developed as one.

⁸ *Great Britain and the Arab World*, A. H. Hourani, Murray, 1946, p. 19.

⁹ As they still do in large numbers for technical training.

¹⁰ It was estimated that 350,000 were employed directly by the Army in 1944, while probably another 100,000 were indirectly employed.

¹¹ These appeared in the *Daily Telegraph* on January 3rd, 6th and 7th, 1947.

¹² 10, Downing Street, *Press Department Release*, 10th September, 1946.

CHAPTER I

THE RISE OF ARAB NATIONALISM

BEFORE considering the growth of Arab nationalism in recent years it is necessary to make certain definitions quite clear. Prior to 1939 the term "Near East" was used to define Turkey, Syria, Lebanon, Palestine and Trans-Jordan ; while "Middle East" was used for Persia, Iraq and Afghanistan. During the war the term "Middle East" was used for both areas, and included also Egypt, Tripolitania, Tunisia, Algeria and the eastern Mediterranean as well, and this has been so established in popular usage for this area that it is likely to remain in force. All these countries are not parts of the Arab world, Turkey and Persia lie on the fringes belonging to the Islamic world but not the Arab. The Arab world itself is divided into two portions : the African or western Arab world, consisting of Morocco, Algeria, Tunisia and Tripolitania, and an eastern portion, consisting of Egypt, Palestine, Syria, Lebanon, Iraq, Transjordan, Saudi Arabia, the Yemen and the Persian Gulf States. Both portions of the Arab world have much in common, their main bond being a common language, Arabic, a common culture and, to a large extent, a similar racial origin.

The population of this area is approximately 40 million and, with the exception of about 4 or 5 million, their native language is Arabic.¹

While North Africa is part of the Arab world, it is impossible to deal with it in the following chapters, partly because its history and associations are different from the eastern States, but chiefly because, not having achieved as yet its independence, its relations with Great Britain are on a different footing from those of the eastern Arab world*

In **the** years following the rise and expansion of Islam,

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the Arabs and the Arabic language spread through the surrounding countries. By a gradual process of Arabisation the conquered countries acquired Arabic as their natural tongue. It would be a mistake to suppose that the process of Arabisation only commenced with Islam. It is certain that for centuries before this, driven by economic necessity, the nomadic inhabitants of Arabia had pressed northwards into Syria, Iraq, Palestine and Egypt, mingling with the settled populations.

Commencing with the Amurru encroaching on Mesopotamia prior to the first millenium B.C., the process continued with the setting up of the Nabatean, Ghassanid and Lakhmid kingdoms in the years between 300 B.C and the sixth century A.D. on the borders of the Seleucid, Roman and Byzantine Empires. The rise of Mohammad and the expansion of Islam only added impetus to a movement which had been proceeding for centuries.

The fact that most Arabs are Moslems and possess a common outlook and a common historical background, including the remembrance of a period of world domination under the Ummayyids and Abbassids, should not be overlooked.

THE DEVELOPMENT OF NATIONALISM

In Europe nationalism developed rapidly in the 19th century and so it was in the Arab world. It was undoubtedly stimulated by contacts with Europe. Napoleon's Egyptian expedition may have started the process of opposition to the Ottoman overlords. It certainly stimulated Mehemet Ali in his opposition to the Porte, but it is generally recognized that Mehemet Ali's dream of an Arabian Empire was personal rather than nationalistic Arab, and that on the whole he met with little active response in the Arab world. In fact in Syria and Palestine Ibrahim, acting as his father's governor, met with active opposition and was in the end forced to withdraw because of the intervention of the Great Powers on the side of the Porte.

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The other new movement of the late 18th and early 19th centuries, Wahhabism, an attempt to restore Islam to its original purity, originating in the teachings of Muhammad ibn Abdul Wahhabi, a Nejdi, and sponsored by the House of Sa'ud, which spread through central Arabia and lapped the gates of Baghdad, was a religious rather than a national movement and was finally crushed by Turko-Egyptian action under Mehemet Ali's direction in 1818.

Egyptian intervention in Syria had made possible the growth of missionary enterprises in that country, notably the French and American missions, and this had led to a wider education during the latter part of the 19th century. Education stimulated dissatisfaction with the rule of the Ottoman Government and Antonius² traces the development of Arab nationalism to 1847 with the foundation in Beirut " of a modest literary society under American patronage.

This society was but the prelude to many others and led in turn to the secret political societies that in the pre-1914 era did so much to foster the growth of Arab nationalism. This movement was largely aided by the repressive policy of the Sultan Abdul Hamid.

The earliest of these societies was formed in Beirut in 1875, but after existing for several years it suspended its activities and its principal adherents removed into Egypt.³ This was the first time any form of Arab national programme had been put forward and their demands included : first, the grant of independence to Syria, including Lebanon ; second, the recognition of Arabic as an official language ; third, the removal of the censorship ; and fourth, restriction on the transfer of local militia to foreign service.⁴

In the years prior to 1908 various Arab parties were formed, but no extensive organization took place.⁵ In 1908 the grant of a constitution to the Ottoman Empire and the promises put forward by the Young Turk party through their association, the Committee of Union and Progress, opened to the Arabs what they hoped, to be a new era of freedom. In the first flush of enthusiasm, hopes

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were held out of genuine fraternisation between the two races and a society for Ottoman-Arab "fraternity" was founded. called Al Ikha al Arabi al Uthmani.

It was not long, however, before the Arabs realized that, as long as they remained members of the Ottoman Empire, they had little chance of competing successfully for positions with the Turks. For instance, although the Arabs outnumbered the Turks by three to two, in the elected Chamber of Deputies the Turks had 150 members against the Arab 60. With the deposition of Abdul Hamid and the proclamation of a new Sultan, Mehemed V, in his place, the power of the Young Turks became supreme, as the new Sultan was nothing more than a figure-head. One of the first acts of the Committee of Union and Progress was the banning of all societies formed by non-Turkish racial groups, and this naturally included those formed under Arab auspices.

This move, although understandable, in view of the somewhat precarious state of the Turkish Empire, due to revolts in the Balkans and the loss of Libya to Italy, was unwise, as it merely drove the Arab nationalist groups underground. Certain apparently non-political societies, such as Al Hizb al Lamiyya al Idariya al Uthmani (the Ottoman Decentralisation Party), were formed in 1912, and the Muntada al Adabi (a literary club) in 1909. It was, however, through the secret societies, such as Al Qahtawlya, that the ideals of Arab nationalism were spread. Al Qahtawlya, established in 1909 and led by Aziz Ali al Masri, an Arab officer in the Turkish army, aimed at a dual Arab-Turkish Kingdom with semi-autonomy for the Arab portion, but probably the most important was Jam 'Iyat al Arabiya al Fatah (the Young Arab, Society). formed in Paris in 1911 and usually "known as Al Fatah—

The object of this society was to work for Arab independence and the liberation of the Arab countries from Turkish and all other foreign domination. The leaders were young Arab army officers from all parts of the Arab

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world and various members, such as Jamil Mardam, later rose to high political positions in their own countries.

In 1914 Aziz Ali al Masri formed a new society whose members were confined to members of the armed forces. It was known as Al Ahd (the Covenant") and had a similar programme "to Al yahtawiya of which, however, it was independent. The new society contained a large number of Iraqi army officers and maintained branches in Constantinople, Mosul, Baghdad and Damascus. During the 1914-18 war, Al Fatat and Al Ahd combined in support of the Arab Revolt.

Already in 1913 a Pan-Arab Congress had been held in Paris. This demanded full rights for the Arabs and the consequent decentralization of the Ottoman administration, but to these demands the Turks made no substantial reply.

So it was that the Arab nationalists on the outbreak of the first world war were in a dilemma. There were two alternatives open to them : first, should they throw in their lot with the Turkish authorities and, by loyally supporting their fellow Moslems, wring self-government from the Turkish government, or, secondly, should they throw in their lot with the Western Powers and see what sort of freedom could be achieved with their aid.

On the outbreak of war with Turkey there were thus various groups who wished to see a change in the status of the Arab portions of the Ottoman Empire. These were partly the Arab intelligentsia of Syria and Iraq educated at the American College, Beirut, and St. Joseph's College, and partly the army officers, the majority of whom were Iraqis. There were also men, like Abdullah ibn Hussein, the Deputy for Mecca in the Ottoman Parliament, who saw the chance of possible independence for Arabia, but not without outside help.

The Turkish officials ruthlessly put down any signs of incipient Arab nationalism by executions and deportations during the war years. It was this harsh policy that drove many moderates on to the side of the Arab revolt.

It would be a mistake to over-simplify the movements

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underlying the growth of Arab nationalism. In addition to the main movement there have always been particular claims, such as those formulated by the Lebanese Christians for special recognition, and the fear often expressed that Arab Moslems, if independent, would use their new power to the detriment of the numerous racial and religious minorities.

Greater than the differences is, however, the underlying sense of unity possessed by the Arab world, and it is this that has led to such rapid Arab rapprochement during the last decade.

NOTES

¹ The chief minorities are Kurds, Jews and Armenians.

² G. Antonius, *The Arab Awakening*, p. 13. This gives the best account of the growth of Arab nationalism.

³ *Ibid*, p. 81. This society incited the Arab population against the Turks by means of revolutionary placards.

⁴ *Ibid*, p. 84.

⁵ Such as La Ligue de la Patrie Arabe formed in 1904 in Paris.

CHAPTER II

I R A Q

INTRODUCTION

MODERN Iraq was formed after the 1914-18 War out of three vilayets of the Ottoman Empire, those of Baghdad, Basra and Mosul. It has an area of 175,000 square miles,¹ The modern state does not occupy the same area as ancient Mesopotamia, but consists of the plains surrounding the lower Euphrates and Tigris rivers, Iraq includes the Jezira (the " island " between the two rivers and north of the Euphrates), the lower plains, the mountains fringing Kurdistan and the plains of the Syrian desert west of Karbala.

It has a low rainfall, and but for the two great rivers would be as arid as the Arabian and Syrian deserts. The Euphrates and the Tigris present difficulties for irrigation due to the rapid erosion in the upper reaches, causing them to be heavily charged with silt, and the fact that after the Mongol invasions of 1258 A.D. the elaborate irrigation systems fell into disuse. They were not restored under Turkish rule, and large areas suffer from excessive salinity making cultivation difficult.

The boundaries between Iraq and the neighbouring countries, Turkey, Persia, Kuwait, Saudi Arabia, Trans-jordan and Syria, most of them formerly portions of the Ottoman Empire, have been gradually settled by treaty between 1922 and 1937. The boundary with Persia is that agreed in the Treaty of Erzerum, between Turkey and Persia in 1847, demarcated by a Boundary Commission in 1913-14, and re-affirmed by an agreement between Iraq and Persia in June, 1937. The boundary with Kuwait was fixed in April, 1923, and with Saudi Arabia by the

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Treaty of Mohammerah and a subsequent protocol in 1922, but has not been demarcated. West of the Shaib Auja is a diamond-shaped area of neutral ground known as At Tawal ; in this area, which has important wells, both Iraq and Saudi Arabia enjoy equal rights. The boundary with Turkey was determined by the Treaty of Ankara in 1926, and demarcated in 1927. Large tracts of this area are desert, which can never be intensively cultivated.

The boundary lines of Iraq are almost impossible to describe as they do not follow natural features, and the boundaries are, in many cases, arbitrary lines drawn for administrative convenience.

The population of Iraq is approximately 4,000,000, according to the 1943 estimate, but there has been no census since that of 1934, which was only approximate and which gave a figure of 3,566,456. The majority of the population are Arabs ; the main division is between Sunni and Shi'ah.²

The Iraqi minorities offer very considerable problems, and the principal of these will be dealt with in a later section.

The importance of Iraq to Great Britain lies in its strategic position as the centre of the land bridge to India, its use as an air base both for commercial and air force planes and its oil fields.³

Iraq owes to Britain, not only its inception as a modern state, but also the British officials and technicians who have trained the present generation of Iraqi officials ; in addition, there are important trade connections between the two countries and, prior to 1939, the United Kingdom was Iraq's best customer.

THE FORMATION OF IRAQ

At the time when Iraq came under British control there was no settled policy for the area. This was partly due to the fact that there were two schools of thought in Britain with regard to the Near and Middle East and Arab affairs, and it was not until March, 1917, that the High Commissioner

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for Egypt assumed charge of His Majesty's Government's relations with Arab affairs, which had previously been under the control of the Government of India.

The Arab Bureau, situated in Cairo and representing the Foreign Office, considered matters from the Mediterranean angle; they were unconcerned with India, except indirectly, and therefore supported the Hashimi family as being the most suitable instrument for their purpose. The Anglo-Indian school considered Arabian politics from the viewpoint of India and the Persian Gulf, and would therefore have preferred to support Ibn Sa'ud, rather than Husain, Sharif of Mecca.

It was the unwillingness of the Government of India to incite the Arabs against the Turks for fear of repercussions in India, that led to so little use being made of Arab irregulars in Mesopotamia⁴.

The centres of Arab nationalism lay outside Iraq, but some of Faisal's leading officers were Iraqis who had been trained in the Turkish Army. These formed in 1917—18, while in the Sharifan army, a society called the Ahd al Iraq whose purpose was to secure independence for Iraq and possibly some connection with Syria. The members of this society, such as Nuri es Said, Jamil Madafai, Jafar al Askeri, all rose to high positions in the young state of Iraq.

As part of the Ottoman Empire, Iraq was conquered by British forces, and Baghdad fell on March 11th, 1917. Military Government was established, but in the areas outside the zone of operations was carried on by Civil Commissioners drawn from the Indian Political Service and subordinate to military authority. This, under the direction of Sir Percy Cox⁵, set to work establishing the beginning of civil administration. On the arrival of the British forces a series of British pronouncements⁶ encouraged the idea of Iraq independence.

The Armistice of Mudros, signed on October 30th, 1918, ended hostilities with Turkey, but it was all too apparent that the British Government had not a clearly

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defined policy for Iraq. The issue of conflicting Allied declarations did not assist matters and, in addition, difficulties arose as to what British Department should administer Iraq. The original plans had been drawn up by the Government of India and as many of the officials were Indian political officials, the administration took a strong Indian likeness. It was clearly set out in a despatch of March 29th, 1917, that His Majesty's Government and not the Government of India was to administer occupied enemy territory. This despatch was written, however, before the final decision with regard to independence had been taken, and when certain areas were visualised as remaining permanently under British control.⁷

In October, 1918, Wilson's Fourteen Points were published and the idea of independence began to take shape. The Twelfth Point stated that nationalities under the Turkish rule should be assured an undoubted security of life and unmolested opportunity of autonomous development.⁸ This was followed by an Anglo-French statement on November 8th, 1918,⁹ that they intended to establish in the subject areas of the Turkish Empire "national governments and administrations drawing their authority from the free choice of the indigenous populations."

There was one notable difference between the Baghdad Proclamation of General Maude and the Anglo-French declaration. The first had been issued while the war was still on ; the latter was issued after victory had stirred a population which had been previously willing, at least outwardly, to accept direct British control won by force of arms. That and the return to Baghdad of many pro-Turkish elements from Mosul, including members of the Committee of Union and Progress, who at once began anti-British propaganda, led to a revolt.

It was extremely difficult to discover what were the wishes of the indigenous population, as they were hopelessly divided. Out of the delays which followed the 1914—18 war, due to the time lag in the arranging of the Peace Treaties, the consequent lack of policy on behalf of the

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administering government, and Arab disappointment over Syria, there grew dissatisfaction with the British, which in turn developed into an anti-British agitation.

In April, 1920, the Mandate for Iraq was accepted by His Majesty's Government,¹⁰ following the San Remo Conference. This was announced in Iraq on May 3rd, but meanwhile nationalistic and religious impulses stirred the tribesmen into revolt. The main insurrection was confined to the Middle Euphrates¹¹ area and the lower Diyala. It did not spread to the desert tribes or the Tigris tribes, and was largely confined by the action of a handful of Political Officers who remained at their posts. By October the rebellion had been largely suppressed. At this point Sir Percy Cox arrived to be the first High Commissioner.

The aim of His Majesty's Government was " the establishment at the earliest possible date of a fully independent State of Iraq inspired with the spirit of the League of Nations, animated by a sincere desire to observe its international obligations . . . they have kept constantly in mind the principle embodied in Article XXII of the Covenant that the well being and development of the people of Iraq form a sacred trust of civilization, but they have never regarded the attainment of an ideal standard of administrative efficiency and stability as a necessary condition either of the termination of the Mandatory regime or of the admission of Iraq to the League of Nations. . . • What they have aimed at is the setting up, within fixed frontiers, of a self-governing state enjoying friendly relations with neighbouring States and equipped with stable legislative, judicial, and administrative systems and the working machinery of a civilized government."¹²

What follows is a summary of the establishment of formal relations between His Majesty's Government and the Iraqi government, and the successful developments and modifications which have been made in these relations. On the part of politically conscious Iraqis there has been from the first a marked impatience of mandatory control and a fervent

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desire for independence. This must be ascribed to a growing national consciousness, rather than lack of appreciation of the efforts of the Mandatory Power. It must be admitted that this spirit has led to difficulties of administration.

On November 11th, 1920, a Provisional Council of State was established, which was responsible under the supervision of the High Commissioner for the government of the country, with the exception of foreign relations¹³ and military matters, which remained under the direct guidance of the High Commissioner. In internal administration, with an appointed Council of State responsible, not to an elected Parliament, but to the High Commissioner, and in the absence of any instrument which defined either the obligations of His Majesty's Government to the League or the manner in which these obligations should be implemented, it was inevitable that the High Commissioner should in fact administer the country. With the recognition by His Majesty's Government of His Highness the Amir Faisal as King of Iraq, the juridical position of the High Commissioner still remained unchanged, although he ceased to be the titular head of the Iraqi Government. The Treaty of 1922, and its subsidiary agreements, first foreshadowed and ultimately legalized a system by which the High Commissioner definitely ceased to be constitutionally responsible for the government of the country. At the same time, the High Commissioner retained his responsibility to His Majesty's Government, and through them to the League, but exercised it in the form of advice to the King of Iraq, by which the latter undertook to be guided.

There were certain difficulties to overcome before Iraq could become independent. There was a lack of trained personnel for government service, as well as impatience with the mandatory control. Externally there were disputes with Turkey over the Mosul area and with Saudi Arabia over boundary questions.

To assist in the formation of the Iraqi Government

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departments a certain number of British officials were employed. At the termination of military government in 1920 these numbered 2,906, but by September, 1929, the number had fallen to 234.

THE IRAQ CONSTITUTION¹⁴

In March, 1921, at a conference held in Cairo from the 12th—30th, it was decided to create a hereditary kingship in Iraq and to offer it to the Amir Faisal. This suggestion was accepted by the Council of State with the proviso that the rule should be "a constitutional, representative and democratic government limited by law." A form of referendum was then held in which all the districts except the Kurdish areas voted for Faisal, and in August, 1921, he was declared King of Iraq.

The next constitutional step was the establishment of a Constituent Assembly. This Assembly passed the Organic Law in July, 1924, and the Electoral Law in August, 1924. Under the Organic Law the legislative power was vested in Parliament with the King. Parliament comprised the Senate and the Chamber of Deputies. The Senate was composed of not more than twenty members appointed by the King from men who had gained the confidence and trust of the people, and who had been in the public service. The Cabinet consisted of not fewer than six, or more than nine ministers, who could not hold office for a period longer than six months unless they were, or became, Senators or deputies.

The first Chamber of Deputies was elected on the basis of one Deputy to every twenty thousand male Iraqi subjects. The election of Deputies was carried out by the Turkish system of primary and secondary elections. The first Iraqi parliament met in extraordinary session on July 6th, 1925.

The constitution never functioned satisfactorily and, after independence, difficulties began to show themselves, the Cabinet has not worked as well as was expected, owing largely to its susceptibility to outside influences, and the

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lack of a sufficiently large class of Iraqis suitable to take Cabinet rank. Thus most of the present Iraqi Ministers are elderly men who received their training under the Turks, usually as army officers, prior to 1914. The Chamber of Deputies, though meeting regularly since 1925, has not taken the part in the political life of Iraq that had been hoped for it. A major difficulty in the administration is the lack of a properly organized Civil Service. The Civil Service Law of 1931 has not produced satisfactory results, while a lack of security and an attempt to avoid responsibility have been the main results of the State Official Discipline Law of 1929.

In an attempt to strengthen the Constitution in June, 1943, Parliament passed a bill amending the Organic Law and providing for a limited Constitutional Monarchy and a responsible Cabinet. This amendment was designed to prevent the recurrence of a coup d'etat similar to that of 1941. The most important provisions are :—

- (i) If necessary, the capital can be transferred from Baghdad (Article 2) ;
- (ii) Iraqis are all equal in respect of rights and duties. No distinction is to be made between them on grounds of race, language or religion (Article 8) ;
- (iii) The heir apparent to the throne shall be the eldest son of the King by direct descent. If there is a vacancy, the heirship shall be transferred to the most capable son of King Husain's sons, provided that he is an Iraqi citizen (Article 9) ;
- (iv) If it shall be necessary to take speedy measures while Parliament is not sitting, in order to preserve public order, combat a public danger, incur special expenses, or perform the duties undertaken in the (Anglo-Iraqi) Treaty, the King shall have the right to issue decrees, having the force of law with the approval of the Ministry, all the members of which must sign them. Such decrees shall not run counter to the provisions of the Constitution, and shall be submitted to the Chamber at its first subsequent meeting (Article 12) ;
- (v) The King shall have the right to dismiss the Prime Minister should the public interest demand it (Article 13) ;
- (vi) The members of the Senate shall not exceed a quarter of the number of Deputies, and shall be appointed by the King from those who have obtained the confidence of the public or who have a notable record of service to the State and Nation

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- (Article 14). They shall be appointed for eight years and may be reappointed (Article 15) ;
- (vii) Every member of Parliament shall have complete freedom of speech within the Chamber to which he belongs ; and shall not be liable to any legal penalties for any vote or expression of opinion during the Chamber's deliberations (Article 31) ;
 - (viii) A Minister who is not a member in one or other of the Chambers shall not hold his office for more than six months unless he becomes a member (Article 33) ;
 - (ix) A High Court shall be established to try Ministers and members of the Chambers accused of political crimes and crimes connected with their official positions, and judges of the Court of Cassation accused of crimes arising out of their official duties ; and also to decide matters connected with the interpretation of the Constitutional Law (Article 35) ;
 - (x) Parliament shall not have the power to pass a law pardoning individuals who have committed crimes with the object of altering the form of the State or changing the Government or using compulsion or threats to the King or Government (Article 41).

It is, however, unlikely that these steps will be enough of themselves to eradicate Iraqi governmental weakness,

ANGLO-IRAQI RELATIONS

The creation of the mandate did not follow the ordinary course, which would have been for a draft mandate to be prepared and accepted by the Council of the League. Instead, His Majesty's Government decided on the conclusion of a treaty which should form the basis of a mandate acceptable to the League.

Mr. H. A. L. Fisher at Geneva at the Council of the League on November 17th, 1921, stated :—

" It will be understood that the proposed treaty will serve merely to regulate the relations between His Majesty's Government as Mandatory Power and the Arab Government of Iraq. It is not intended as a substitute for the Mandate, which will remain the operative document defining the obligations undertaken by His Majesty's Government on behalf of the League of Nations."¹⁵

This was further modified by a statement made by Lord

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Parmoor to the Council of the League of Nations on September 20th, 1924 :—¹⁶

" We no longer think it practicable to adopt a mandatory form even to regulate our obligations towards the League, The conception of a mandate is not popular among the people of Iraq. It is held to imply a form of tutelage inconsistent with the facts as they stand to-day, and with the large measure of independence that the Iraq State has actually acquired."

Anglo-Iraqi relations had in the meantime been governed by a series of treaties. The earliest, signed in October, 1922,¹⁷ contained an article in which His Majesty's Government undertook to use their good offices to secure the admission of Iraq to membership of the League of Nations as soon as possible. This was supplemented by the Protocol of April 30th, 1923,¹⁸ which provided that the Treaty should terminate upon Iraq becoming a member of the League. This was supplemented by further treaties signed in March, 1924, January-February, 1926, and December, 1927. This last treaty was never ratified, but contained the promise that, in 1932, His Majesty's Government would take up with the League the question of the admission of Iraq to membership.

THE MINORITY PROBLEM IN IRAQ

The two main racial minorities in Iraq are the Assyrians and Kurds, the Jews, Bahais and Yezidis not being important enough to present serious difficulties.

The Assyrians and Kurds are dealt with here because they are concerned with wider problems, beyond the frontiers of Iraq, and because both peoples have considered that they bear a special relation to Great Britain.

It was the doubt as to the treatment of minorities that led to some states pressing for the retention of the Mandate.

1. *The Assyrians*

The position of the Assyrians is distinct from that of any other minority. Iraq was not their home and they were not

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bound to the country by ties of loyalty or patriotism, but were introduced from outside, without any strong claim to Iraqi friendship or sympathy.

Prior to 1918 there were not many Assyrians (Nestorian Christians) in Iraq, although there were settlements on the northern frontiers of the Mosul vilayet. In 1918 these mountaineers and those of the Hakkari valley rose against the Turks at the instigation of the British. The rising was unsuccessful and those that were not massacred by the Turks retired to British protection in Persia and were later transferred to camps near Baghdad. After the armistice the Turkish Government refused to allow the Assyrians to return to Turkey,¹⁹ These Assyrians numbered 20,000 and were temporarily settled near Mosul and later Arbil. There were considerable difficulties over finding land for the Assyrians to settle upon, and large numbers joined the Levies.²⁰ These warlike people, under the leadership of the Mar Shimun, the head of the community as well as their Patriarch, began to wish for greater independence in the control of their local affairs than was allowed them by the Iraqi State. The Assyrians desired a return to the millet system that they had enjoyed under Turkish control. At the termination of the Mandate the Assyrians were only partially reassured by the promises made with regard to minorities and wished to migrate.²¹

Meanwhile Iraqi policy hardened against the Assyrians who were regarded as the proteges of the British. In 1933, during King Faisal's absence from Iraq, armed Assyrians crossed into Syria led by the Mar Shimun's deputy ; on their return to Iraq they attacked and destroyed the frontier-post that denied them ingress and were then attacked by Iraqi troops, who defeated them and later massacred some 400 Assyrians and sacked, with the aid of Kurdish and Arab tribesmen, some 20 Assyrian villages. There is no doubt that this was the work of certain anti-British elements and made impossible the position of the Assyrians in Iraq. Under a League of Nations Commission, settlements were found for some thousands²²

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of Assyrians in the Khabur and Jazira, but many were still in Iraq on the outbreak of the 1939 war.²²

2. *The Kurds*

The problem of the Kurdish minority is shared by Iraq with Persia and Turkey. The total Kurdish population is estimated at about 3,000,000, of which 1,500,000 are in Turkey, 700,000 in Persia and over 800,000 in Iraq. In Iraq they are settled to the north of the Jebel Harim and the mountainous country between the Tigris and the Iraqi-Persian frontier.

The Kurdish question was not eased by the long Iraq-Turkish boundary dispute and the Kurdish claim to an autonomous government, if not a separate state.

After the 1914-18 war, the future of the Kurds (excluding the Persian Kurds) was the subject of special consideration between the Allied Powers and Turkey, and resulted in certain provisions in the abortive Treaty of Sevres of August 10th, 1920. Articles 62 and 64 of the Treaty provided for the drafting, within six months of its coming into operation, of a scheme of local autonomy for the predominantly Kurdish area lying east of the Euphrates, south-west of Armenia, and north of the frontier of Turkey with Syria and Iraq. If within a year of the Treaty coming into force the Kurdish inhabitants of this area addressed themselves to the Council of the League of Nations asking for independence, and if the Council considered them fit for it, it was to be granted to them. In this event no objection would be raised by the principal Allied Powers to the voluntary adhesion to such an independent Kurdish State of the Kurds inhabiting the part of Kurdistan up to that time included in the Mosul Vilayet.²⁴

This idea of an eventual independent Kurdish State was thus formally put forward by the Allied Powers and accepted, though subsequently rejected, by the Turkish Government. His Majesty's Government accepted the mandate for Iraq in May, 1920, but it was not till the signature of the Treaty of Lausanne on July 24th, 1923,

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that the Kurdish policy contained in the Treaty of Sevres was finally abandoned. The result was that during these years the policy of His Majesty's Government and the Iraq Government which came into existence on November 10th, 1920, was framed with a view to the possible implementation of the Treaty of Sevres.

The Kurdish districts of Iraq were divorced geographically, politically and economically from Turkey, and except in the south-east district of Sulaimaniya there was no well defined Kurdish nationalism. It was difficult to join districts containing a mixed population of Kurds, Turkomans and Arabs into administrative units. Their markets also lay on the Iraqi side of the frontier. On May 6th, 1921, the British High Commissioner made a pronouncement with the object of ascertaining the wishes of the Iraqi Kurds. This was as follows :—

" The High Commissioner has under active consideration the administrative arrangements to be made for the future of the Kurdish districts of Iraq. It has been represented to him that apprehension exists lest the interests of the Kurds should suffer by subordination to the National Government established in Baghdad, and for this reason there has been some demand for an autonomous regime.

" At the same time the leaders of the Kurdish opinion are understood to be fully alive to the economic and industrial ties connecting their areas with Iraq peoples and to the inconveniences which separation might involve. In these circumstances His Excellency desires if possible to obtain an indication of the real wishes of the Kurdish communities. Should they prefer to remain under the Iraqi Government, he is prepared to recommend to the Council of State a solution on the following lines :—

(1) "As regards the Kurdish districts of the Mosul Division which fall within the sphere of the British mandate, a sub-liwa should be formed comprising the districts of Zakho, Aqra, Dohuk, and Amadiya . . . under a British assistant Mutasarrif." Qaimmaqams to be British but to be replaced by Kurds and Kurdish-speaking Arabs acceptable to the Kurds. The sub-liwa to be subject for financial and for social purposes to the Baghdad

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Government, and send representatives to the Consultative Assembly; administrative appointments to be made by the High Commissioner.

(2) " The High Commissioner will endeavour to arrange to associate British officers with the administration of Arbil, together with Keui Sanjug and Ruwandiz. . . .

(3) " Sulaimaniya will be regarded as a Mutasarrifig governed by a Mutasarrif in Council, to be appointed by the High Commissioner and to have a British adviser attached to him " ²⁵

These proposals were accepted by the Kurds of the Mosul and Arbil areas, who thus definitely accepted Iraqi citizenship, but rejected by the Sulaimaniya Kurds, who refused to be incorporated under the Iraqi Government*. They therefore remained under the administration of a British political officer responsible to the High Commissioner and assisted by a local elected council.

At the time of the referendum for the election of the Amir Faisal to be King of Iraq in July, 1921, the Sulaimaniya liwa abstained from voting, the Kirkuk Kurds asked for a Kurdish Government but did not wish for union with Sulaimaniya, while the Kurds of Mosul and Arbil voted for Faisal with certain reservations asking for a measure of self-government.

During 1922 serious disturbances broke out in the Sulaimaniya and Arbil liwas. This was due more to external agents than the Kurdish demand for independence. Kurdish nationalist feeling centred round Shaikh Mahmud (who had previously rebelled against the Ottoman Government from 1908 onwards) head of the Barzinja family which had formerly wielded great spiritual and temporal influence in Sulaimaniya. Shaikh Mahmud had rebelled against the Government in 1919 and had been deported, together with his brother Shaikh Qadir, by the British authorities. As the local elective Council pressed for his return, Mahmud was allowed to return in October, 1922, and was made Governor of Sulaimaniya. Although he had agreed to adhere to the policy of His Majesty's Government, he immediately began intriguing with the surrounding tribes. In November he styled himself " King of Kurdistan " and

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rapidly alienated the more moderate sections of Kurds* In December His Majesty's Government and the Iraq Government issued a joint pronouncement recognizing the rights of Kurds within the Iraq boundary to set up a Kurdish Government in negotiation with the Iraq Government. Nothing came of this offer, and as Mahmud formulated plans for an attack on Kirkuk which would have threatened the security of the Iraqi Kingdom, the British authorities acted, and drove his irregular forces from Ruwandiz and Sulaimaniya.

It became evident that an independent Kurdish State was impractical and that an administration must be established which would incorporate Kurdistan within Iraq while respecting Kurdish national susceptibilities. At the time of the elections to the constituent assembly, electors of Kirkuk and Arbil were so reluctant to register that it became necessary to reassure them. The Council of Ministers passed a resolution on July 11th, 1923, by which the Kurds were assured that

- (1) No Arab officials would be appointed ;
- (2) The Arabic language would not be enforced ;
- (3) Religious and civil rights of the inhabitants would be safeguarded.

In the 1924 elections the Kurds voted, and five members were returned for the Sulaimaniya district, including Shaikh Qadir. Meanwhile Mahmud had continued to raid surrounding districts from the hills and had reoccupied Sulaimaniya. In May, 1924, the High Commissioner sent him an ultimatum which was ignored and his headquarters were destroyed, he fled to the hills and, in July, Sulaimaniya was occupied by Iraqi cavalry and levies. The population, which had fallen to 700, rose again to 12,000 in two months. Block-houses were established at strategic points, but it was not till 1927 that Shaikh Mahmud came to terms with the Iraqi Government and retired to live in Persia. This removed the worst obstacle to the orderly administration of the Kurdisih areas.

The Iraqi wish to carry out a fair policy towards the

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Kurds was reaffirmed by the Iraqi Prime Minister, on January 26th, 1926, to the Chamber of Deputies :

" This country cannot live unless all elements of the Iraqi State enjoy their rights. We shall give the Kurds their rights. Their officials shall be from among them, their official language shall be their own tongue." All the Kurdish areas took part in the general election in May, 1928, and returned sixteen out of the eighty-eight deputies. In February, 1929, six of the Kurdish Deputies addressed a petition to the Prime Minister complaining that the Iraqi Government was not carrying out the recommendations of the League in regard to the administration of Kurdish areas, and asking for increased expenditure on education and public services and for the formation of a special Kurdish administration. The demand for a separate administration was rejected but the other requests were partially complied with.

The Anglo-Iraqi Treaty of 1930, and the Declaration regarding Minorities 1932

Negotiations for the Anglo-Iraqi Treaty disturbed the Kurds, who feared Arab nationalism when British mandatory guidance was withdrawn. This nervousness was increased when the text of the Treaty signed in June, 1930, was published, as it contained no reference to the Kurds or to the maintenance of Kurdish privileges. Some doubt was also felt by the Council of the League of Nations, who invited the Permanent Mandates Commission to formulate the conditions under which the termination of the mandate might be approved. One of the conditions laid down was that the new State should give guarantees for the effective protection of racial, linguistic and religious minorities. The Council required a declaration on the treatment of minorities from Iraq, and this was made at Baghdad on May 30th, 1932.²⁶

Kurdish Affairs since 1930.

In 1930 there were riots at Sulaimaniya at election time

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and fourteen rioters were killed. In the autumn Shaikh Mahmud, who had signed in 1927 an undertaking not to interfere in Iraqi political affairs, reappeared with an armed force of tribesmen on the Iraqi border. In the winter and spring a series of engagements were fought between his followers and the Iraqi army, supported by the R.A.F., until he was defeated and his principal followers exiled.

During the early part of the war Kurdistan remained comparatively quiet, but in July, 1943, Mulla Mustafa, a Barzani leader, escaped from detention in Sulaimaniya, where he had been detained since the 1931 disturbances, and raided police posts in the frontier areas. The Kurdish tribesmen defeated an Iraqi force sent against them in November, 1943. When Nuri es Said reformed his cabinet on December 26th, 1943, he included in it a Kurd, Majid Mustafa, as Minister without Portfolio, with the special task of appeasing the Kurdish areas and redressing their grievances. First fruits of this were seen in January, 1944, and in February, 1944, Mulla Mustafa, accompanied by other Barzani headmen, journeyed to Baghdad to make a formal submission to the Regent. Under the terms of the agreement with Mulla Mustafa he was to live outside the Barzani tribal area ; his brother Shaikh Ahmed was to be allowed to return from Hilla (where he had been banished); chosen Kurdish officers were to act as liaison officers in the unsettled districts ; police posts were to be re-established, but Iraqi army detachments were to be withdrawn. In May, 1944, Nuri es Said and Majid Mustafa toured Kirkuk, Mosul, Arbil and Sulaimaniya and promised to redress grievances, but on June 6th Nuri es Said's Government fell and he was replaced by Hamdi al Pachachi as Prime Minister. A leading Kurdish notability, Taufiq Wahbi, was appointed Minister of Economics in the new Cabinet and in August, 1944, he toured Arbil and Sulaimaniya with the object of presenting the Government case to the Kurds, without much success.

In the autumn there were threats of attacks by Mulla

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Mustafa's followers on grain stores. Some of the difficulties were due to shortage of clothing and food, and to the fact that the Kurds considered that the Iraqi Government had not taken adequate steps to reform the administration in Kurdistan. No further reports of difficulties in Kurdistan were received until August 15th, 1945, when it was reported that Mulla Mustafa had revolted again in Northern Kurdistan. He and some of his tribesmen later crossed into Persian Kurdistan, where they have since remained.

THE ANGLO-IRAQI TREATY OF 1930

The 1927 Treaty had never been enforced, largely owing to the Iraqi objection to the phrase dealing with the question of the admission of Iraq to membership of the League " provided that all went well in the interval and that the present rate of progress was maintained " (Article VIII).

In the summer of 1929, on the advice of the late Sir Gilbert Clayton, the High Commissioner, His Majesty's Government decided to dispense with this proviso and King Faisal was informed on September 14th, 1929, without qualification or proviso, that His Majesty's Government would be prepared to support Iraq's candidature for admission to the League.

On November 21st, 1929, the Secretary of State for the Colonies issued a Statement of Policy in Iraq²⁷ which not only confirmed the League candidature of Iraq but announced that the unratified Treaty of 1927 would be abandoned and negotiations begun for a new Treaty based upon liberal lines.

Negotiations for the Treaty were opened in Baghdad on April 1st, 1930, and were concluded with the signing of the Treaty on June 30th, 1930, by Sir Francis Humphreys and Nuri es Said. It was to come into force when Iraq was admitted to League membership and was to remain valid for a period of twenty-five years. The Treaty was concluded " on terms of complete freedom, equality and independence."

Apart from establishing perpetual peace and friendship

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between the two countries, and a close alliance, provisions were made for assisting one another in time of war or imminent war and for providing on Iraq territory facilities such as ports, aerodromes, railways, etc. Two air bases were to remain in British hands, at Henaydi and near Basra.²⁸

An Anglo-Iraqi Financial Agreement was negotiated at the same time and signed on August 19th, 1930. This transferred to Iraq the railway system, the aerodromes, and part of the port of Basra. A Judicial Agreement of March, 1931, provided for the abolition of capitulations and established a common system of justice for Iraqis and foreigners.

Iraq had made great progress under British tutelage. The administration of justice had been extended to remote areas, education had progressed, communications had improved and the country was prosperous. The army was small, but had been well trained and equipped by British officers. Since 1929 the progressive transfer of the administration into the hands of the Iraqis had been going on.

The League of Nations, following the receipt on November 4th of His Majesty's Government's communication stating its intention to recommend unconditionally the admission of Iraq to the League, had begun consideration of conditions under which the Mandate might be terminated. It was felt in certain quarters that 1932 was early for the abolition of the Mandate and the Permanent Mandates Commission expressed its doubts. This led to a declaration by Sir Francis Humphreys, the High Commissioner, on June 19th, 1931, to the Permanent Mandates Commission :—

" His Majesty's Government fully realises its responsibility in recommending that Iraq should be admitted to the League, which is in its view the only legal way of terminating the Mandate. Should Iraq prove herself unworthy of the confidence which has been placed in her, the moral responsibility must rest with his Majesty's Government."

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As a result of this declaration the Council on January 28th, 1932, agreed to the admission of Iraq, provided that Iraq gave a Declaration guaranteeing minority rights,²⁹ administration of justice, international law and other safeguards. On May 30th, 1932, Iraq signed the desired Declaration and, on October 3rd, 1932, was admitted to the League as an independent nation.

The British High Commissioner was replaced by a British Ambassador.

INDEPENDENT IRAQ

The form of the Government of Iraq was determined by the impact of western ideals on local conditions. With the end of the Mandate and the achievement of independence, relations with the United Kingdom tended to deteriorate. This was partly due to a lack of a positive policy on the part of leading Iraqis, who had looked forward to independence as a panacea for all political ills. The younger generation were brought up in the tradition of the Arab Revolt and rebellion against authority had become an end rather than a means. There was in addition no tradition of service to the State, but rather, and this was a legacy of Turkish times, the use of political power for self-advancement. There was a conflict of views between the older Ottoman-trained men with views formed in Istanbul and the younger generation who had been educated with a different cultural background. Iraq was also affected by events in Palestine and Syria, and thus Iraqi nationalism tended to be Pan-Arab and anti-British.

Iraq's leadership was personified in King Faisal who succeeded in gathering a group of able men round him and also in synthesising the outlook of townsmen and tribal groups, as well as of the British authorities with whom he had to deal. He was criticized for taking too much control into his own hands, but he seems to have been well aware of the necessity to identify himself with the nation's needs, "to be Sovereign in fact as well as in name ; and to lead the country to prosperity and to independent statehood."³⁰

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Unfortunately, however, King Faisal's health broke down under the strain of overwork and he died in Switzerland in 1933. His son, Ghazi, who succeeded him, was not experienced in public affairs and the leadership in Iraq affairs passed from the hands of the royal family to the politicians. On April 4th, 1939, he was killed in a motor accident. The kingdom then passed to his son, Faisal II, then a minor, a child of four, who is now reigning under the administration of a Regency Council of three³¹ under the Regent, his cousin the Amir Abdul Illah.

The struggle for political power was left in the hands of the various political personalities, as political parties in the western sense had never flourished in Iraq, but were grouped round personalities rather than party platforms. The last pre-war political party, the Ikla Al-Watani (National Brotherhood), was dissolved in 1935.

It is not possible here to give a detailed study of Iraqi politics during these pre-war years. Suffice it to say that Parliament was weak and that before the amendment to the Organic Law the King had no right to dismiss a cabinet, which led to unconstitutional methods of forcing cabinets to resign.

An unfortunate corollary of this was the increasing part played by the Iraqi army in politics. This was shown in October, 1936, when the army, under General Bekr Sidqi, a Kurd, executed a coup d'etat and forced the Cabinet of General Yasim to resign under the threat of the air bombardment of Baghdad. Parliament was dissolved, many Iraqi leaders fled and, for a short time, the army was in control. Bekr Sidqi was assassinated in August, 1937, and the puppet Cabinet under Hikmat Sulaiman fell. A new Cabinet under Jamil Madfai lasted until Nuri es Said, one of the commanders in the Sharifian army during the Arab Revolt and a supporter of Faisal, took office on December 26th, 1938.³²

Great Britain and British officials made a mistake in leaving Iraq too much alone in the years prior to the war. Thus the country became a fertile field for German propa-

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ganda, and anti-British feeling increased noticeably after 1936 and the Arab revolt in Palestine.

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Nuri was still in office on the outbreak of war in 1939. Iraq immediately broke off relations with Germany and all Germans left Baghdad. Axis influence, however, increased, and after the defeat of France it became stronger. Some genuinely believed Germany was a friend of the Arabs, others, and these were the majority, thought of the war as an opportunity to achieve the promises that had been made to them after the last war.

The army which had been the most powerful political factor in Iraq since Bekr Sidqfs revolution, successfully prevented a rupture with Italy when she entered the war. Nuri, who had in the meantime become Rashid Ali el Gailani's Minister of Foreign Affairs, when he took office in April, 1940, resigned on this issue. Rashid Ali, who had already been Premier in 1935, had held office between 1921 and 1935 as Minister of Justice, Interior and President of the Chamber of Deputies. In January, 1941, he lost office.

Relations with Great Britain had meanwhile been steadily deteriorating and Axis propaganda directed by Dr. Groppa had a great success in Iraq ; with the Germans in Greece, and an Axis Armistice Commission in Syria, German influence reached its height.

In April, 1941, a group of four colonels³³ and Rashid Ali, the ex-premier, overthrew the Government of the Regent and Taha el Hashimi. Rashid Ali set up a " Government of National Defence " composed of military officers and deposed the Regent, replacing him by one Sharif Sherraf.

At first Rashid Ali professed willingness to carry out the terms of the Anglo-Iraqi Treaty and British and Indian troops were landed at Basra on April 17th. On May 1st, the Iraqi Government refused to sanction further landings

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and attacked the R.A.F. aerodrome at Habbaniyeh, near Baghdad.

Mr. Eden, Secretary of State for Foreign Affairs, put the British case in the House of Commons on May 7th, 1941 :

" The unconstitutional action by Rashid Ali has already led once to his fall from power. When later he seized power again His Majesty's Government saw no reason why this or any other event in Iraq should deprive them of their clear Treaty rights. They accordingly informed the Iraqi Government of their intention to land troops at Basra, and to open up lines of communication through Iraq in accordance with the terms of their treaty. Nothing can excuse the action of the Iraqi military leaders in first accepting and then challenging our clear Treaty rights. This country has a record of which, it has no need to be ashamed in its dealings with Arab people and above all with Iraq. It is we who assured the independence of modern Iraq and it is we who have assisted her and in every respect have kept our word.

" I do not propose now, to describe in detail the events of the last few days, but only to make plain to the world our present position . . . the first prerequisite is the withdrawal of Iraqi troops from Habbaniyeh, and the cessation of hostilities against His Majesty's forces in Iraq. When this has been done and the fighting against Allied Nations has in consequence ceased, His Majesty's Government are prepared to discuss the fulfilment of their Treaty rights, which His Majesty's Government must make plain they are in all circumstances determined to maintain."⁸⁴

Abdul Illah, Nuri and most of the Iraqi ministers had escaped to Syria or Transjordan, where they remained during the brief campaign which followed. By May 30th, Rashid Ali and his assistants were defeated and fled to Persia, the German help on which they had relied for aeroplanes and experts not having materialised, except for a few technicians. The Regent returned and Mr. Eden was able to give an encouraging account of the situation in his Mansion House Speech on May 29th, 1941 ;—

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" The pretensions of Rashid Ali to speak for the Iraq people have proved false. Since his return to Iraq the Regent has received innumerable messages of loyalty and support from all over the country. Many of Rashid Ali's followers have already fled. I hope therefore that very soon we shall have rid Iraq of this self-constituted dictator who has already brought much unnecessary suffering on his fellow countrymen. Then we shall be able to establish a basis for sincere and cordial co-operation with the Iraqi people in accordance with our treaty and our material interests. That is all that we ask. We have no designs of any kind against the independence of Iraq."

A new Cabinet was formed under Jamil Madfai, who had been Premier in 1933 and 1936, and conditions gradually returned to normal. Under the armistice terms Iraq retained its status as an independent country, but all rebels were to lay down their arms and all Axis agents and airmen were to be interned. On June 9th Iraq broke off diplomatic relations with Italy. Undoubtedly the rapid smoothing out of affairs in Iraq was due largely to the presence of Sir Kinahan Cornwallis, the new British Ambassador, who had had a long experience in Iraq from 1921-1935.

During the revolt the majority of Iraqis had remained passive, and waited to see what would happen. On June 14th, 1941, His Majesty's Government sent an official message reiterating that they would respect Iraq independence. The following year, on January 7th, a court martial passed sentences of death on Rashid Ali and six of his confederates and imprisoned others.³⁶

It was not until January, 1943, that the Iraq Government announced that they considered themselves in a state of war with Germany, Italy and Japan.

After 1943 the war receded from the Middle East, and there was a certain demand in the Iraqi Press for the relaxation of economic control, and censorship, and for a return to party government. This latter would be extremely **difficult** as, so far, political parties have **not** flourished in Iraq

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and political groupings tend to be personal rather than party. In fact, no really organized political parties exist, although several with high-sounding names have been short-lived. In Iraq there have been the usual wartime shortages, and owing to bad distribution they have fallen heavily on certain poorer sections of the population. By the end of 1941 inflationary trends were evident and this continued till the end of 1943, when prices began to drop.

Little more remains to be said of internal Iraqi affairs. After holding office almost continuously since 1941, Nuri es Said resigned on grounds of health in June, 1944, and was succeeded by Hamdi Pachachi, the President of the Chamber of Deputies since 1941, as Prime Minister. Hamdi had received his training in administration in Istanbul ; in 1925 he became Minister of Awqaf under Abdul Mushin, He held the post of Prime Minister from June, 1944, till February, 1946, during which period there were various Cabinet re-shuffles. A new Cabinet with Tawfiq es Suwaidi as Prime Minister and Acting Minister of Foreign Affairs was formed on February 23rd, 1946, Tawfiq represented Iraq at the League of Nations in 1937-38 and before that was Minister of Education in 1928 ; he held office in several of Nuri es Said's Cabinets.

The main work of the Cabinet was the preparation of a new electoral law ; it had a short life, however, and on June 1st, 1946, Arshad Al Umari became Prime Minister. Arshad had previously been Naqib of Baghdad and had held office under Jamil Madfai and Hamdi Pachachi.

FOREIGN RELATIONS³⁷

One of the countries with whom Iraq has been closely associated is Turkey. At first during the early twenties there were difficulties, but these improved after the settlement of the Mosul question in 1925.³⁸ In July, 1937, Persia, Iraq, Turkey and Afghanistan signed the Saadabad Pact in Teheran.⁸⁹ Under this pact, also known as the Middle East Pact, the Contracting Parties undertook to

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abstain from aggression against each other and from interference in each other's internal affairs. This pact was automatically extended for another five years on December 25th, 1942. In the early months of 1941 Nuri es Said visited Turkey and carried out negotiations for a trade and cultural agreement which was signed in February /with **the** Turkish Government.

Nuri also played a prominent part in the formation of the Arab League, of which Iraq is a foundation member and naturally her closest links are with the surrounding Arab States.

There is no doubt that the Soviet Union is taking an increasing interest in Iraq, as in all Middle Eastern countries, and the U.S.S.R. entered into diplomatic relations with Iraq at the time of the Rashid Ali coup.⁴⁰

The other major Power with whom Iraq has entered into closer relations is China, with whom a Treaty of Friendship was signed on April 3rd, 1942.

RECENT ANGLO-IRAQI RELATIONS

Recently there has been an improvement in Anglo-Iraqi relations. In February, 1945, Sir Kinahan Cornwallis retired, having done much to establish this. He was followed by Sir Francis H. Stonehewer Bird as British Ambassador.

The close co-operation with the United Kingdom was shown by statements made by Hamdi al Pachachi, on August 9th, 1944, that Iraq's first object would be to strengthen the ties of alliance and friendship with Great Britain. "We shall take every care to execute accurately the text of our Treaty with Great Britain." Nearly a year later on June 16th, 1945, Hamdi spoke again of the Anglo-Iraqi Treaty before the Iraqi Senate. He said in part :—

"I am among those who believe that it is necessary that amendments to the Anglo-Iraqi Treaty . . . should be made, since the Treaty contains many defects and falls short of inspiring reassurance about Anglo-Iraqi relations.

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But as I have pointed out . . . the request for amendment and the meeting of such a request will take place after the end of the war. It is true that the war has ended in Europe, but it is still raging in the Far East. Our Ally Britain is now pre-occupied with that war and it is, therefore, not appropriate for us at present to open treaty negotiations with her about the amendment. This will be done when the war with Japan has ended."

Mr. Bevin, United Kingdom Secretary of State for Foreign Affairs, referred to Iraq on November 23rd, 1945, in the course of the debate on foreign affairs in the House of Commons. Speaking of the Middle East Office which had been set up in August, 1945, he said :—

" In Iraq we are happy to think that by this means we shall have yet another way of keeping in close touch with our Ally. Our friendship with the Iraqi nation is firmly based, and I am confident that it will grow and flourish in the coming years."

Cairo Radio reported on March 5th, 1946, that Tawfiq es Suwaidi, in submitting the programme of his Cabinet to the Chamber of Deputies, declared the necessity for the revision of the Anglo-Iraqi Treaty " so that it will coincide with progress in Iraq and conform with international developments and the spirit of the United Nations Charter," British Press reports of March 25th indicated that Tawfiq had announced in Cairo that he had asked the United Kingdom Government to consider the revision of the Anglo-Iraqi Treaty.

After negotiations lasting several months a new Anglo-Iraqi Treaty was signed at Portsmouth,⁴¹ on January 16th, 1948, by Sayid Salih Jabr, the Prime Minister and Mr. Bevin. The body of the new Treaty did not differ materially from the old, but removed from the 1930 Treaty, those clauses which impinged on Iraq's sovereignty, while leaving to Britain certain defence facilities.

Following riots and demonstrations in Baghdad and other Iraqi towns against the Treaty, the Regent and Council of Ministers decided not to ratify the Treaty on the grounds

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that " it did not realize the country's aspirations." On January 27, Salih Jabr resigned and was succeeded as Prime Minister by Mahomed Sadr, who announced on February 4 that the Iraqi Cabinet had decided to reject the Anglo-Iraqi Treaty on the grounds that it did not establish a solid Anglo-Iraqi friendship, and realize Iraq's national aims.⁴²

The rejection of the new Anglo-Iraqi Treaty was particularly unfortunate for the United Kingdom as it had been planned as the first of a series of new Anglo-Arab treaties to stabilize Anglo-Arab relations in the Near East.

NOTES

¹ This is since the latest adjustment of frontiers ; most sources give 116,000 square miles.

² The following list gives approximate figures for the population in sects : Moslems—Sunni, 1,029,833 ; Shiah, 1,612,533. Christians—Orthodox, 20,688 ; Catholics, 33,093 ; Others, 47,609. Jews—90,970. Sabaeans—6,008. Yezidis—33,828.

The chief minorities are Kurds, 740,000 (1943) ; Turkomans, 75,000 ; Persians, 65,000 ; Assyrians, 16,000.

³ Iraq owes its importance as an oil producer to the Iraq Petroleum Company's Kirkuk oilfields. Export began in 1934 on the completion of the Haifa-Tripoli pipeline and within a few years has reached 4,000,000 tons—the pipeline's maximum capacity. In 1939, a project for increasing its capacity by 50 per cent was under consideration. Two other companies, the Mosul Petroleum Company, Ltd., and the Basra Petroleum Company, Ltd., associates of the Iraq Petroleum Company, had secured concessions for those areas of the country (mainly west of the Tigris) not covered by existing concessions. Only one oil company, the Khaniqin Oil Company, a subsidiary of Anglo-Iranian, produces and refines oil for consumption in Iraq. The rest of Iraq oil is refined in Haifa. *Iraq : A Review of Commercial Conditions*. H.M.S.O., February, 1945.

⁴ Lawrence, T. E., *Seven Pillars of Wisdom*, pp. 59-61. Lawrence was sent to Iraq in 1916 to explore the possibility of an Arab rising in Mesopotamia, but returned when he saw that the British military authorities were opposed to this.

⁵ Sir Percy Cox had been British Agent and Consul in Muscat from 1899 to 1904 and then British Political Resident in the Persian Gulf.

⁶ General Maude's Proclamation in Baghdad, March 19th, 1917. For text see Appendix 1.

⁷ Philby, *Arabia*, 1928, p. 245, when the Government of India wrote " the minimum of annexation contemplated by us has always been the vilayats of Basra and Baghdad ".

⁸ Point XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantee. (January 8th, 1918.) *British and Foreign State Papers*, Vol. CXI (1918), p. 950 ff.

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- For text of the Anglo-French Declaration see Appendix 2.

¹⁰ Great Britain was recommended as the Mandatory Power by the King-Crane Report, August 28th, 1919, but it was realised by then that it might prove unpopular. This report recommended (1) Iraq should be administered as a Mandate, not a Colony; (2) the whole country to be placed under one Mandatory Power; (3) the unity of Iraq to be preserved. "The largest interests 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 if 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."

¹¹ The term Middle Euphrates is geographically incorrect, but is used to denote the tribal area from Musayib and the Hindiyah barrage to Samawa and Al Khidhr—the Lower Diyala from Shahrahah to Baquba.

¹⁸ See *The Special Report on the Progress of Iraq, 1920-31* (Colonial No. 58), pp. 10-11.

¹³ The Treaty of 1922 provided for Iraqi representation in London and in such other capitals as might be agreed upon. Where there was no such representation the protection of Iraqi nationals was entrusted to His Britannic Majesty's representative. A Ministry for Foreign Affairs was first created in December, 1924, but its functions at first were nominal. It was not until after the Tripartite Treaty of Ankara in 1926 that the Iraqi Government had any direct diplomatic relations with neighbouring countries. In the meantime, however, the Iraqi Government obtained formal recognition from France, Italy, Norway and Sweden in 1925. An Iraqi Diplomatic Agent was appointed in London as provided for in the 1922 Treaty; later he became a Minister Plenipotentiary. On December 3rd, 1946, the Iraqi Legation was raised to the status of an Embassy and the Amir Zaid, brother of the late King Faisal, appointed Iraqi Ambassador. Diplomatic relations with Turkey were established in 1927, and with Persia in 1929. By 1930 the following States had recognised Iraq: The United Kingdom, France, Germany, Italy, Turkey, Norway, Sweden, Greece, Egypt, Persia, the Netherlands, the United States, Czechoslovakia, Denmark, Belgium and Poland.

¹⁴ For a general account see *The Government of Iraq*, Mafid Khadduri Baghdad, 1944.

¹⁵ League of Nations, *Official Journal*, Nos. 10-12, 1921, p. 1217.

¹⁶ Papers relating to the Application to Iraq of the Principles of Article 22 of the Covenant, Cmd. 2317, 1925.

¹⁷ Treaty of Alliance between Great Britain and Iraq. *Treaty Series, No. 17* (1925), Cmd. 2370, H.M.S.O., 1925. This was not confirmed until 1924 when it was recognised by the Constituent Assembly, but only under protest. Annexed to this treaty were four subsidiary agreements which upset Iraqi nationalists.

¹⁸ "It is understood between the High Contracting Parties that notwithstanding the provisions of Article 18, the present treaty shall terminate upon Iraq becoming a member of the League of Nations and in any case not later than four years from the ratification of peace with Turkey. Nothing in this protocol shall prevent a fresh agreement from being concluded with a view to regulating the subsequent relations between them before the expiry of the above period." Printed with the above.

¹⁹ Any hopes the Assyrians had of returning to the Hakkari Mountains were dispelled by the resolution of the Council of the League of Nations adopted in December, 1925, when the area formerly inhabited by the Assyrians was allotted to Turkey. This decision was accepted by Turkey at the Treaty

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of Ankara on June 5th, 1926. *Treaty between the United Kingdom, Iraq, and Turkey, Turkey No. 1* (1926), *Cmd.* 2679. Meanwhile the Turks had, in 1925, been deporting those Assyrians who tried to cross into Turkey. On June 25th, 1928, the Turkish Government informed the Iraqi Government that the Turkish Amnesty Law did not cover the Assyrians, and that any Assyrians who attempted to enter Turkey would be punished.

²⁰ These local levies were officered and paid by His Majesty's Government and were raised in 1920 to permit the reduction of British forces garrisoning the country. They subsequently served against Turkish irregulars and the Kurds during the early period of the formation of Iraq. They have now been disbanded, except for a few battalions who act as guards at the R.A.F. aerodromes.

²¹ The case of the Assyrians was laid before the League, but the League Committee did not report until the Mandate had terminated. They rejected the Assyrian request to be allowed to emigrate and supported the Iraqi policy of block land settlement for the Assyrians.

²² The Mar Shimun and his family retired to Cyprus.

²³ Some 8,000.

²⁴ For details see *Special Report on the Progress of Iraq during the Period 1920-31* (*Colonial No. 58*), *H.M.S.O.*, 1931.

²⁵ *Ibid*, p. 254.

²⁶ The most important clauses were :—

(Article 2) " Full and complete protection of life and liberty will be assured to all inhabitants of Iraq without distinction of either nationality, language, race, or religion.

(Article 4) " All Iraqi nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language, or religion.

" The electoral system shall guarantee equitable representation to racial, linguistic and religious minorities in Iraq.

" No restrictions will be imposed on the free use by any Iraqi national of any language."—League of Nations, Document A17, 1932, VII.

²⁷ *British White Paper, Cmd.* 3440.

²⁸ For full text of the Treaty of June 30th, 1930, see Appendix 3 (*Cmd.* 3675).

²⁹ See p. 26, section on Iraqi minorities.

³⁰ P. W. Ireland, *Iraq : A Study in Political Development*, London, 1937.

³¹ In June, 1946, these were Muhammad al Jabr, Hamdi el Pachachi and Nasrat al Farisi.

³² Nuri was an officer in the Turkish Army prior to the 1914-18 war ; he was an Arab Nationalist and belonged to various secret societies. He was captured by the British and joined the Sharifian army in 1916, when he led an Egyptian detachment. Nuri accompanied Faisal to London after the war and was one of those who supported him as King. In 1922 he became Minister of Defence and in 1931 was the Prime Minister who negotiated the Anglo-Iraqi Treaty. After that he was almost continuously in office, either as Prime Minister or Minister of Foreign Affairs, until June, 1944, when he resigned for reasons of health. At the time of the Rashi Ali coup Nuri fled with the Regent to Transjordan. Nuri es Said has been one of the leading Iraqi political personalities during the last twenty-five years, and has been on the whole pro-British, with an interest in wider Arab affairs, one of the founders of the Arab League and an organiser of Turko-Arab friendship. Gertrude Bell was right when she wrote of him in February, 1921 as "a strong and supple force which we must either use or engage in difficult combat." *Letters of Gertrude Bell*, selected and edited by Lady Bell, 1 vol. edition, 1930, p. 476.

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¹² These Iraqi army commanders were known as the Golden **Square**, and were Salah ed-Din, commanding the 3rd Division, Kamil Shabib of the 1st Division, Fahmi Sa'id, commander of the mechanised forces and Mahmoud Salman of the air force.

²⁴ *Hansard, Commons*, 7.5.41, cols. 738-9.

²⁵ Foreign Office News Department, Press Release, 29.5.41.

²⁶ Rashid Ali went from Persia to Turkey and, in December, 1941, to Germany. After the defeat of Germany he went to Saudi Arabia. Salah ed-Din fled to Turkey but was handed over to Iraq on October 4th, 1945, and executed on October 16th. Mahmoud Sulman, Fahmi Sa'id and Yunis Sabawi were all executed on May 5th, 1942.

²⁷ See note 13 for the setting up of Iraqi Legations in London and elsewhere and the formation of a Ministry of Foreign Affairs.

²⁸ *British White Paper, Decision relating to the Turko-Iraq Frontier, Misc. Nom.*, 1925, Cmd. 5262, and Anglo-Iraqi-Turkish Treaty of June 5th, 1926.

²⁹ For text see Appendix 20.

⁴⁰ Negotiations for the recognition of Iraq by the U.S.S.R. had begun in April, 1940.

⁴¹ *White Paper, Cmd.* 7309.

⁴² *Manchester Guardian*, 28.1.49. *The Times*, 5.2.48. British troops had already been withdrawn from Iraq by October 26th, 1947- *The Times*, 27.10.47.

CHAPTER III

EGYPT AND THE ANGLO - EGYPTIAN SUDAN

INTRODUCTION

EGYPT is a rough rectangle situated in the north-east corner of Africa. It consists of three distinct portions, Egypt Proper, the Nile Valley and the Eastern and Western Deserts, the peninsula of Sinai, and certain islands in the Red Sea.

The total area of Egypt is about 383,000 square miles, but habitable Egypt, that is the Nile Valley, the Delta and the Oases, covers only 13,600 miles.

To the north Egypt proper is bounded by the Mediterranean, and Sinai by Palestine ; to the east it is bounded by the Red Sea, to the south by the Sudan and to the west by Libya.

The frontier with Libya was not finally settled until December 6th, 1925,¹ and then only after protracted negotiations, which had been begun between Great Britain (as the protecting Power) and Italy and were concluded between Egypt and Italy. Under this agreement Egypt recognized the sovereignty of Italy over Jaghbub, while Italy ceded the Ramlah wells north-west of Solium. The new frontier ran southwards from a point ten kilometres west of Solium. The boundary between the Anglo-Egyptian Sudan and Libya was fixed after an exchange of Notes in June, 1934.²

During the last fifty years the population of Egypt has doubled. The 1937 census gave a population of 15,904,525, and a Cairo estimate in 1945 increased this to 20,000,000. Thus Egypt is one of the most densely populated areas in the world, with a population of 1,170 to the square mile in the inhabited areas.

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Although an Arab Moslem country by language and culture, the mass of the population indigenous to the country is not ethnically Arab. A legacy of Ottoman rule is the Turkish, Albanian, Kurdish and Georgian elements in the Egyptian upper classes. There is also a large Christian Coptic community. In Alexandria, Cairo and other towns there are considerable Greek, Jewish and Italian minorities.

Egypt's great natural assets are its geographical situation and the Nile. The fertility—and economic prosperity—of Egypt is dependent upon irrigation carried out from this river. During recent years and mainly since 1900 a series of barrages and dams have been built with British expert assistance to enable the area under cultivation to be increased and to assist the cotton crop, Egypt's staple product.³

Egypt is predominantly an agricultural country in which over 80 per cent, of the population is engaged in agricultural pursuits. Perennial irrigation enables from two to three crops to be produced annually, instead of one, but the change-over from the old Basin system of cultivation to that of perennial irrigation has greatly increased the need for artificial fertilizers, while tending to impoverish the soil.

Egyptian industrialisation began during the 1914—18 war, and has been speeded up by the last war. It is in most cases based on locally produced raw materials. Operational requirements made heavy demands on the local facilities of production, and this was further stimulated by the setting up of the Middle East Supply Council in 1941, with its headquarters at Cairo. From then onwards it became the policy of the supply authorities to save shipping space by developing to the utmost local sources of supply.⁴

The main, though not the only British interest in Egypt lies in the Suez Canal which "an integral part of Egypt, is a universal means of communication, as also an essential means of communication, between the different parts of the British Empire." Since the opening of the Canal in 1869, British policy, concerned alike over freedom of the seas and the Empire's lines of communication, has had a **vital**

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interest in the Canal Zone, for which Egypt has never been in a position to provide effective security. The Canal Company, which is an internationally-owned Egyptian Company with headquarters in Paris, and in which the British Government holds 44 per cent, of the shares, has a ninety-nine year concession expiring in 1968. The Agreement under which the navigation of the Canal is controlled is the Suez Canal Convention, signed at Constantinople on October 29th, 1888. Until 1936 Egypt, through whose territory the Canal runs, had no say in its management, the Company being internationally controlled with twenty French, ten British and one Dutch director, but in April of that year an Agreement signed between the Company and the Egyptian Government arranged that two Egyptians should be invited to join the Board, that 25 per cent of the staff employed should be Egyptians, and that the Company should pay £E200,000 annually to the Egyptian Government.⁶ -

The Sudan is included with this Chapter, not because it is considered to be a part of Egyptian territory, but because it is of importance in considering Anglo-Egyptian relations.

The Anglo-Egyptian Sudan consists of approximately a million square miles, inhabited by about six million people. The northern boundary was drawn at the 22 nd parallel of latitude in the Anglo-Egyptian Agreement of January 19th, 1899, which placed the Sudan under the Anglo-Egyptian condominium. The southern boundary, drawn provisionally along a line east to west from Lake Rudolf to the White Nile, divided the Sudan from the British Protectorate of Uganda, and was modified in 1914 by an exchange of territories with Uganda, giving the Sudan control of the whole stretch of the White Nile navigable from Khartoum. The international frontiers on the east and west were fixed by treaties with Italy, Ethiopia, Congo Free State (now Belgian Congo) and France. The boundary with Eritrea was fixed by agreements with Italy on December 7th, 1898, June 1st, 1899, April, 1901, and

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an Anglo-Italian-Abyssinian agreement of May 15th, 1902, which also fixed the Abyssinian frontier. The boundaries with the Congo were arranged in 1906 and 1910. The effective occupation of the territory comprised within these limits was not completed until 1916, with the extension of the Sudan Government's authority over Darfur.

Geographically and culturally the Sudan falls into two parts. North from latitude 12^0 stretches a country of steppe and desert, part of the great North African-Arabian Desert, inhabited by Hamitic and Arabic-speaking Moslems, and culturally part of the Islamic world ; while south is the Sudan proper, inhabited by negroid peoples in a primitive stage of pagan culture, yet linked by tradition and the Nile to the riverain Arabs of the northern area. The Sudanese are not Egyptians either racially or culturally.

The most important single economic enterprise in the Sudan is the Gezira Irrigation Scheme between the Blue and White Niles, in the Blue Nile Province, which enables cotton and maize to be grown. The development of this production has been successfully carried out by the Sudan Plantations Syndicate and the Kassala Cotton Company. Their concessions are to be taken over by the Sudan Government in 1950, in accordance with arrangements provided in agreements between these enterprises and the Government.

THE ORIGINS OF MODERN EGYPT

The development of modern Egypt begins, not in the post-1918 era, but at the end of the 18 th century when, as part of the vast Ottoman Empire, the country was invaded by Napoleon in 1798. Although nominally part of the Ottoman Empire, Egypt, under its Mameluke rulers, was largely self-governing, but the French broke the Mameluke armies, the British defeated the French at Aboukir Bay, and it was left for Mehemet Ali, a Macedonian Moslem, to achieve virtual independence from the Porte.

Mehemet Ali had established himself in Egypt after the French defeats in 1799 and 1801 by British forces and, while still under nominal Turkish control, founded what

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was in fact an Egyptian Empire, He conquered the Sudan by 1821, Ibn Sa'ud in Arabia by 1816, Crete in 1823 and a large part of Greece by 1825, while his General, Ibrahim, was only prevented from extending this conquest by the destruction of the Turkish and Egyptian fleets in the battle of Navarino Bay on October 20th, 1827. Then followed a ten-year struggle with the Porte during which Mehemet Ali advanced almost to the gates of Constantinople. It was not until May 6th, 1833, that he was confirmed as Pasha and not until April, 1841, that he obtained the Hatti Sharifs from the Sultan, which gave Egypt virtual independence. By the Treaty of London of July 13th, 1841, Mehemet Ali was given, under international guarantee, the Government of Egypt as a hereditary possession, subject to ratification by the Porte and the payment of a fixed Egyptian tribute. Eight years later, in August, 1849, he died, having laid the foundations of modern Egypt.

Mehemet Ali's successors—Abbas (1849-1854), Said (1854-1863) and Ismail (1863—1879)—plunged the country into debt, by their extravagance, mismanagement and the large debts contracted during the building of the Suez Canal. Ismail was responsible for many improvements, such as the suppression of the slave trade, the building of railways, and better road and canal transport, but all these projects were exceedingly expensive and his financial manoeuvres led finally to his deposition by the European Powers in 1879. In 1882, after the failure of a short-lived Anglo-French so-called "Dual Control," following a joint Anglo-French Note and to protect foreign interests against rising Egyptian national fanaticism under Arabi, British troops temporarily occupied Egypt.

The country remained nominally under Turkish sovereignty until after the outbreak of the 1914-18 war. On December 18th, 1914, a British Protectorate was declared over Egypt. But Turkey did not give up her claims on Egypt until the Treaty of Lausanne in July, 1923, when Turkish sovereignty was renounced (Article 17) as from November 5th, 1914.

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With the Anglo-Egyptian Sudan, which is the second major British interest in this area, this chapter is only indirectly concerned. It is enough to say that the Sudan was occupied by Egyptian forces from 1821-1885, when the Mahdi, Mohammed Ahmed, revolted and captured Khartoum. In 1898 a mixed Anglo-Egyptian force reconquered the Sudan and, following the Agreement of January, 1899, an Anglo-Egyptian condominium was set up. To this scheme Egypt supplied the major portion of the funds and minor officials and the United Kingdom Government the administrators and technicians. Following difficulties in 1924, Egyptian troops and officials were withdrawn, but returned after the Anglo-Egyptian Treaty of 1936 confirmed the Condominium. Since 1922 Egyptian nationalists have claimed the Sudan as an integral part of Egypt.

The other Power with major interests in Egypt was France, but in the 1904 Anglo-French Agreement she renounced French political claims.

THE INDEPENDENCE OF EGYPT, 1922

Egypt had prospered during the 1914-18 war. At the close Egyptian politicians were dissatisfied with the position in which they found themselves. The cutting of the tenuous bond of nominal Turkish suzerainty and its replacement by a British Protectorate seemed to give permanence to what had been a temporary British occupation. This led to a recrudescence of nationalism, under the leadership of Saad Zaghlul, a follower of Arabi, and a lawyer of fellahin origin, who had been Minister of Education prior to the war. He founded the Wafd (or National Delegation Party) on November 13th, 1918, when he announced he would lead an Egyptian delegation to England to put the demands of Egypt before the British Government ; the Wafd was later reorganized as a parliamentary party in 1924. Although the Wafd was the most vocal, other Egyptian political movements, such as the Hasb-el-Watan, founded in 1907 by Mustafa Kamil, also supported the plea for independence. In March, 1919, a serious revolt

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broke out following Zaghlul's deportation to Malta. After further disturbances the Milner Mission was sent out to investigate, staying from November, 1919, to March, 1920. Zaghlul also visited England to confer with Lord Milner, and, on August 18th, 1920, the latter presented a memorandum to the British Government.⁶ In this he recommended the drawing up of a treaty between the two countries which would recognize Egyptian independence, to be followed by the signing of a Treaty of Alliance, giving Great Britain the right to maintain forces on Egyptian soil to protect vital communications. Zaghlul was unwilling to commit himself in support of these proposals and there followed months of negotiation and agitation, culminating in a unilateral declaration on the part of the United Kingdom Government on February 28th, 1922. This was as follows :—

" Whereas His Majesty's Government in accordance with their declared intentions, desire to recognize Egypt as an independent and sovereign State ; and whereas the relations between His Majesty's Government and Egypt are of vital interest to the British Empire : The following principles are hereby declared.

1. "The British Protectorate over Egypt is terminated and Egypt is declared to be an independent sovereign State.

2. " So soon as the Government of His Highness shall pass an Act of Indemnity with application to all inhabitants of Egypt, martial law as proclaimed on November 2nd, 1914, shall be withdrawn.

3. " The following matters are absolutely reserved to the discretion of His Majesty's Government until such time as it may be possible by free discussion and friendly accommodation on both sides to conclude agreements in regard thereto between His Majesty's Government and the Government of Egypt :

- (a) The security of the communications of the British Empire in Egypt;
- (b) The defence of Egypt against all foreign aggression or interference direct or indirect;
- (c) The protection of foreign interests in Egypt and the protection of minorities;
- (d) The Sudan.

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" Pending the conclusion of such agreements the *status quo* in all these matters shall remain intact."⁷ This was approved by Parliament on March 14th.⁸

The declaration did not give Egypt effective control over her foreign relations, although it did give a measure of internal self-government.

In a covering note to Sultan Fuad,⁹ Lord Allenby, the High Commissioner, intimated that " the creation of a Parliament with the right to control the policy and administration of a constitutionally responsible Government" would be a matter for His Highness and the Egyptian people to determine ; it was also declared that there was no obstacle "to the formation forthwith of an Egyptian Ministry for Foreign Affairs."

At the same time His Majesty's diplomatic representatives abroad were instructed to inform the Governments to which they were accredited that "the termination of the British Protectorate in Egypt involves no change in the *status quo* as regards the position of other Powers¹⁰ in Egypt itself," and to point out that the special relations between Great Britain and Egypt " long recognized by other Governments " were defined in the British declaration recognizing Egypt as an independent State.

On March 15th, 1922, Sultan Fuad proclaimed Egypt an independent sovereign state, and assumed the title of King.

The Egyptian Government did not commit itself to accepting the terms of the British declaration and, on March 27th, the Prime Minister in a speech laid stress upon the unilateral character of the declaration.

Meanwhile, in April, a commission appointed for drafting a new parliamentary constitution, was boycotted by the Watanists on the grounds that the Government ought to have summoned a constituent assembly.

THE PERIOD OF NEGOTIATIONS, 1922-1936

The period following the declaration of independence was extremely difficult. There had been

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series of political crimes, murders and assaults both on British residents and on Egyptians who favoured the British connection for Egypt. British martial law was abrogated in July, 1923,¹¹ in return for the promulgation of the Egyptian Indemnity Act. This did not, however, stop the wave of crime which culminated in the murder of Sir Lee Stack, Sirdar of the Egyptian Army and Governor-General of the Sudan on November 19th, 1924.

Long discussions also took place on the drafting of the law for the retirement of foreign officials in the Egyptian service, and the indemnities to be paid.

Meanwhile the Commission for drafting the Constitution had finished its meetings ; the Constitution itself was enacted by a Royal Rescript of April 19th, 1923, and promulgated on April 21st. The elections resulted in the return, on January 12th, 1924, of 188 Wafdists and 27 other members. Saad Zaghlul became the first Prime Minister, and the new Egyptian Parliament opened on March 15th.

Egyptian politics were dominated by the negotiations for reaching a settlement with the United Kingdom. The sittings began well with an invitation from Mr. Ramsay MacDonald, United Kingdom Prime Minister and Foreign Secretary, to Zaghlul Pasha, suggesting that he should visit England for discussions. After considerable delays, Zaghlul arrived in London on September 23rd, 1924, but the conversations held on September 25th, 29th and October 3rd, came to nothing, as a result of his intransigent demands. These included, first, the withdrawal of the British forces and of British financial and judicial advisers from Egypt ; secondly, the removal of all British control over Egyptian foreign relations ; thirdly, the abandonment of His Majesty's Government of their claim to protect foreigners and minorities ; and, fourthly, of their claim to share in the protection of the Suez Canal. With a large majority behind him, Zaghlul was obviously determined not to damage his prestige in Egypt by any

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compromise. He resigned on November 24th, 1924, after the British Government had required Egypt to accede to certain demands, in atonement for the murder of Sir Lee Stack.

The action taken by Great Britain on this occasion has been criticised as inadmissible under the Covenant of the League of Nations. It certainly did not follow the normal course of procedure as between two sovereign states, but, as has already been pointed out, this term could not really be applied to Egypt, as she was still juridically under the domain of Turkey.

His Majesty's Government demanded that the Egyptian Government should, first, present an apology for the crime ; secondly, prosecute an enquiry into its authorship ; thirdly, forbid and suppress all political demonstrations ; fourthly, pay forthwith a fine of £500,000 ; fifthly, order within twenty-four hours the withdrawal from the Sudan of all Egyptian officers and purely Egyptian units of the Egyptian Army ; sixthly, notify the competent authority that the Sudan Government would increase the area to be irrigated in the Gezira from 300,000 feddans to an unlimited figure as need might arise ; and, seventhly, withdraw all opposition in certain specified respects to the wishes of His Majesty's Government concerning the protection of foreign interests in Egypt. The Egyptian Government had already agreed to the first demand before Zaghlul's resignation, but rejected those concerning the Sudan. Nevertheless Egyptian forces were withdrawn and the Sudan Defence Force, owing allegiance to the Sudan Government alone, was formed in January, 1925. At the same time most of the Egyptian officials in the Sudan were retired and for a period of twelve years Egyptian influence was largely excluded from the country.

The seventh demand was also not accepted by the Egyptian Government and, on November 24th, 1924, British troops occupied the Customs in Alexandria, but were withdrawn following an exchange of Notes on November 29th.

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EGYPTIAN CLAIMS IN THE SUDAN

With the emergence of a militant Egyptian Nationalist Movement (Wafd) in 1919 and the declaration of Egyptian independence, the political position in the Sudan changed. From that time onwards Egyptian political leaders of all parties insistently claimed the incorporation of the Sudan in an independent Egyptian State, while within the Sudan Egyptian officials and private residents started an anti-British campaign.

The grounds put forward for Egyptian claims to the Sudan were as follows :—first, that Egypt had already been in political control of the area from 1821 to 1885 ; secondly, that the Nile Basin, as part of a single hydrographical system, was a geographic unity ; and, thirdly, that economic considerations, such as the proper allocation of the Nile water for irrigation and the need for an outlet for Egypt's agricultural population, made the union of the two territories essential.

A summary of Egyptian claims on the Sudan was published recently,¹² and Egyptian opinion on this question was divided into three groups. The first of these—a small minority—was said to be indifferent to what happened to the Sudan, as long as Egypt received her fair share of the Nile waters ; the second, comprising the moderate Egyptians, was said to believe that the Sudan was rightfully an Egyptian possession, but might well be content with a symbolic sovereignty over the country ; the third, that of the extremists, was described as looking on the Sudan as an unalienable Egyptian appendage in which the British had no rights ; their " Egyptian rights being based on law, kinship, conquest and reconquest, need for the Nile water and the indivisibility of the Nile Valley." This third group were the supporters of the Ashigga, a pro-Egyptian party in the Sudan under Ismail el Azhary, and regarded the Umma Party, led by Abdel Rahman el Mahdi and advocates of Sudanese independence, as an organisation sponsored and inspired by the British.

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During the period of agitation for self-government in Egypt during the early nineteen-twenties, difficulties arose in the Sudan with the Egyptian troops, as well as political agitation in Egypt itself.

This led to the issue by Mr. Ramsay MacDonald, United Kingdom Prime Minister, of the following statement on October 7th, 1924 :—

" The duty of preserving order in the Sudan rests in fact upon His Majesty's Government and they will take every step necessary for this purpose. Since going there they have contracted heavy moral obligations by the creation of a good system of administration ; they cannot allow that to be destroyed ; they regard their responsibilities as a trust for the Sudan people ; there can be no question of their abandoning the Sudan until their work is done.

" His Majesty's Government have no desire to disturb existing arrangements, but they must point out how intolerable is a *status quo* which enables both military and civil officers to conspire against civil order, and unless the *status quo* is accepted and loyally worked until such time as a new arrangement may be reached, the Sudan Government would fail in its duty were it to allow such conditions to continue.

" His Majesty's Government have never failed to recognize that Egypt has certain material interests in the Sudan which must be guaranteed and safeguarded—these being chiefly concerned with her share of the Nile water and the satisfaction of any financial claims which she may have against the Sudan Government. His Majesty's Government have always been prepared to secure these interests in a way satisfactory to Egypt."¹³

Among the demands presented to the Egyptian Government on November 22nd after the murder of Sir Lee Stack was one requiring them to "order within twenty-four hours the withdrawal from the Sudan of all Egyptian officers and the purely Egyptian units of the Egyptian Army " ; at the same time Sudanese units of the Egyptian Army " shall be converted into a Sudan Defence Force, owing

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allegiance to the Sudan Government alone." The British demands regarding the Sudan were rejected by the Egyptian Government, but the Egyptian forces were withdrawn, and the Sudan Defence Force inaugurated on January 17th,

At the same time most of the Egyptian officials were retired. This meant that British influence was paramount and that Egypt became practically a sleeping partner in the Condominium.

Sudanese Nationalists, a few of whom had at first looked towards Egypt and things Egyptian for their inspiration, now turned towards planning for an independent future in which the Sudan would become a nation independent alike of Egypt and Great Britain.

THE SUDAN AND THE ALLOCATION OF THE NILE WATERS

The opposition of the Egyptians to the utilization of Nile water for irrigation in the Sudan was based partly on economic and technical grounds and partly on political. The economic anxiety was due to several factors of comparatively recent occurrence in Egyptian history. The first was that, from the early nineteenth century onwards, Egyptian agriculture had ceased progressively to be solely dependent upon the Nile flood, and had come to rely in addition upon irrigation from the summer water-supply, the volume of which could be easily controlled from the Sudan. The second factor was that, since 1898, the upper reaches of the Nile were partially controlled by a Power other than Egypt ; while third and fourth factors were respectively the development of the Sudanese cotton industry (growing a type of cotton similar to the Egyptian) and the increase in the population of Egypt, a country with a limited arable area whose nearest point of overflow was the Sudan.

After the reconquest of the Sudan, the control of the Nile water above and below Wadi Haifa had been placed in the hands of the Irrigation Service of the Egyptian Minis-

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try of Public Works. In 1904, a separate Sudan branch was organized, but it was not until a land survey had been carried out in the Sudan that plans were laid in 1913 for irrigating the Gezira (Jazerah), an area between the Blue and White Niles. A barrage was to be constructed across the Blue Nile in the neighbourhood of Sennar to irrigate this area. Owing to the 1914—18 war, the project was delayed until 1919, and actual irrigation did not commence till 1925. This project was limited as to area by agreement with Egypt.

In May, 1921, the Egyptian Government decided to suspend operations on all irrigation works in the Sudan, pending an agreement with Great Britain regarding the political status of the territory. In the project for a Sudan Convention placed before the Egyptian Constitution Drafting Commission on May 13th, 1922, it was proposed that the Egyptian Ministry of Public Works should be invested with complete control of the Nile waters ; that a Sudan Irrigation Service should be maintained, but with only limited powers ; that the quota assigned to the Sudan should be distributed by the Egyptian Irrigation Service ; that the Gezira scheme should be executed by the same authority; and that the Sudan should draw no water whatsoever from the Nile until Egypt had satisfied her own needs and given her authorisation. This never got beyond a draft proposal but was indicative of the policy towards the Sudan likely to be adopted by Egypt if in political control.

After the murder of Sir Lee Stack in November, 1924, point six of the British ultimatum to the Egyptian Government read : " His Majesty's Government therefore require that the Egyptian Government shall : ... Notify the competent department that the Sudan Government will increase the area to be irrigated in the Gezira from 300,000 feddans to an unlimited figure as need may arise."

This was one of the demands rejected by the Egyptian Government and, after an exchange of letters between Ahmed Ziwar Pasha, the Egyptian Prime Minister, and Lord Allenby, the High Commissioner, it was decided not

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to give effect to this provision but to appoint an expert committee to consider the irrigation question. This committee met and was on the point of completing its work when the neutral chairman, Mr. Cremers (Netherlands) died, and the work was broken off. A departmental committee was set up which recommended that their report should be accepted. Negotiations dragged on with the Egyptian authorities during 1927-28, the Wafd opposing the settlement of the question, but after an exchange of Notes, dated May 7th, 1929, with Mohammad Mahmud Pasha, the recommendations of the report were accepted.

The most important clauses of the Nile Waters Agreement were the following :—

2. " Save with the previous agreement of the Egyptian Government, no irrigation or power works or measures are to be constructed or taken on the Nile river and its branches, or on the lakes from which it flows, so far as all these are in the Sudan or in countries under British administration, which would, in such a manner as to entail any prejudice to the interests of Egypt, either reduce the quantity of water arriving in Egypt, or modify the date of its arrival, or lower its level.

4. " In case the Egyptian Government decide to construct in the Sudan any works on the river and its branches, or to take any measures with a view to increasing the water supply for the benefit of Egypt, they will agree beforehand with the local authorities on the measures to be taken for safeguarding local interests. The construction, maintenance and administration of the above mentioned works shall be under the direct control of the Egyptian Government."¹⁴

This agreement removed one of the serious obstacles to the Anglo-Egyptian Treaty, but it was some time before the negotiations were successful.

THE ADMINISTRATION OF THE SUDAN

The administration of the Sudan has been primarily in the hands of British officials. In 1910, a Governor-General's Council was constituted and, in 1944, a Northern Sudan Advisory Council consisting of twenty-eight members was set up, representing the six Arabic-speaking

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northern and western Sudan Provinces. Welfare services have been undertaken, and hospitals and an efficient **medical** service established. The greatest advance has been made in education, the Gordon Memorial College now having the status of a University College, while a network of primary and secondary schools has been spread over the country. This has enabled Sudanese to be admitted to more posts and higher responsibilities in the administration and the professions.

The Governor-General's message to the Council in June, 1945, mentioned a twenty-year plan by which it was hoped to fill senior administrative posts in the Government with Sudanese, as soon as men of sufficient education, character and administrative ability could be trained for them. No limits have been set to the status of the posts to which the Sudanese may attain and, in accordance with the 1936 treaty, the Sudan Government has taken precautions that non-Sudanese should not be appointed to posts for which Sudanese are qualified.

No attempt has been made here to deal with the welfare, health and educational services of the Sudan. The measures taken in these fields have been extremely successful, so much so that the Sudan has been regarded in some cases as the model for the other British colonies.

DOMESTIC POLITICS, 1925-1936

The Government that took office after ZaghluPs resignation was under the premiership of Ahmad Ziwari Pasha, President of the Senate. Ziwari Pasha took over in face of a hostile house and was not in power for long, resigning at the end of March, 1925. King Fuad refused to accept his resignation, dissolved Parliament and ruled for eleven months without one. A new party, the Ittihad (Unionist Party) had been formed in January, 1925, by Nashaat Pasha, which acted as the Palace Party.

Meanwhile Lord Allenby had been succeeded as High Commissioner by Lord Lloyd, who arrived **on October 20th, 1925.**¹⁶

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In May, 1926, elections were held, and resulted in the return of 142 Wafdists, 28 Liberals, 5 Nationalists, 18 Independants and 7 Unionists.

It is not the purpose of this chapter to go into details of Egyptian domestic politics during the period, but insofar as these affected the relations between Egypt and Great Britain a brief outline must be given. In fact, after the establishment of parliamentary institutions, the question of independent or interdependent status and relations with Britain had been a dominant political issue largely shaping, and being shaped by, the rivalries of the political parties and leaders of Egypt. The evolution of the question has been very largely in terms of Egyptian party fortunes and manoeuvres, though the course of world affairs has supplied underlying causes and influences.

As the Wafd, in spite of their majority, were not acceptable to the High Commissioner or to the Palace, Adli Pasha, a Liberal, became Prime Minister and was later succeeded by Abd el Khaliq Sarwat Pasha.

It soon became obvious that these minority Governments were not in a position to negotiate with regard to the Anglo-Egyptian Treaty, and a Liberal-Wafd Coalition Government was formed on March 16th, 1928, led by Mustafa en-Nahhas Pasha, Zaghlul's successor in the Wafd. This was after a draft treaty had been drawn up by Sir Austen Chamberlain and Sarwat Pasha in London during November, 1927, together with notes regarding Capitulations and the utilisation of the Nile waters. Negotiations broke down on Sarwat's return to Egypt, mainly because of the refusal of the Wafd to discuss a treaty without the complete evacuation of British troops from the country. Nahhas Pasha was dismissed by King Fuad on June 25th, 1928, and Muhammad Pasha Mahmud, the Liberal leader, took office two days later. On June 29th a Royal Decree dissolved Parliament (both the Chamber and Senate) for three years. The Wafd denounced the move as unconstitutional, but met with little popular support.

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During 1929 further earnest efforts were made to reach an agreement on the Anglo-Egyptian problem, but, like Sarwat, Muhammad Pasha had to face the opposition of the Wafd and, after preliminary negotiations had been successful, he was forced to resign. His successor, Adli Pasha, only held office for a few months and, on January 1st, 1930, a Cabinet was formed by Nahhas Pasha. Negotiations for a treaty were carried out in London but met with no success and soon afterwards Nahhas resigned, in face of King Fuad's opposition to various measures he had suggested. Ismail Pasha Sidki formed a new Government on June 20th, 1930, and in spite of demonstrations and riots, secured a majority for his newly-formed Shaab Party in the elections of May, 1931. In the constitutional crisis which followed attempts to alter the Egyptian constitution, the United Kingdom Government did not intervene regarding the matter as an entirely domestic issue. As Mr. Ramsay MacDonald said in part, in the House of Commons on July 16th, 1930 :—" His Majesty's Government intend to adhere to their attitude of neutrality and non-intervention in what appears to them to be a purely internal issue for the Egyptians themselves to decide."

It was not until 1935 that *the* constitutional crisis was ended with the restoration of the 1923 Constitution. This was followed by the death of King Fuad in April, 1936, the formation of a United Front of all Egyptian political parties in opposition to Nasim Pasha, the Prime Minister, who had been previously chief of the Royal Cabinet, while foreign relations were dominated by the impact of the Italian-Abyssinian conflict.

THE ANGLO-EGYPTIAN TREATY, 1936

On December 9th, 1935, the leaders of the United Front presented the High Commissioner with a Note requesting the opening of negotiations for an Anglo-Egyptian Treaty of Alliance. The United Kingdom Government agreed and,

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on January 30th, 1936, a neutral Cabinet of experienced politicians was formed under Ali Pasha Maher.¹⁶

Preliminary negotiations opened in Cairo on March 2nd, 1936, the British delegation being led by the High Commissioner, Sir Miles Lampson, assisted by naval, military, air and legal experts. The Egyptian delegation, composed of representatives of all parties, comprised seven Wafdists led by Nahhas Pasha ; Sidki Pasha, Muhammad Pasha and Jehia Pasha, leaders respectively of the Shaab, Liberal Constitutional and Ittihad parties ; Shamsi Pasha, head of the dissident Wafdists ; Hilmi Issa Pasha and Hafiz Afifi Pasha.

The treaty was signed on August 26th, 1936, in London. Its duration was for twenty years, with a possible revision after ten years, and in outline it followed the draft of 1930. The main provisions were as follows :—

Article 1. The British military occupation of Egypt was to be terminated.

Article 2. Ambassadors were to be exchanged between the two countries.

Article 3. Egypt was to become a member of the League of Nations sponsored by His Majesty's Government.

Article 4. An Alliance was established between the High Contracting Parties " with a view to consolidating their friendship, their cordial understanding, and their good relations ".

Article 5. With regard to foreign countries, neither Party was to adopt " an attitude which is inconsistent with the Alliance " or to conclude political treaties inconsistent with the provisions of the present treaty.

Article 7. Listed the aid which His Majesty the King of Egypt should give " in the event of war, imminent menace of war, or apprehended international emergency ", including the use of ports, aerodromes, and means of communication. The Egyptian Government was to take all the administrative and legislative measures, including the establishment of martial law and an effective censorship, necessary to render these facilities and assistance effective.

Article 8. " In view of the fact that the Suez Canal, while being an integral part of Egypt, is a universal means of communication, as also an essential means of communication, between the different parts of the British Empire, His Majesty the King of Egypt, until such time as the High Contracting Parties agree that the Egyptian Army is in a position to ensure by its own

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resources the liberty and entire security of navigation of the Canal, authorises His Majesty The King and Emperor to station forces in Egyptian territory in the vicinity of the Canal, in the zone specified in the Annex to this Article, with a view to ensuring in co-operation with the Egyptian forces the defence of the Canal. . . . The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt/'

If at the end of twenty years the two High Contracting Parties could not agree as to whether the presence of British forces was no longer necessary, the question would be submitted to the League of Nations. Under the Annex to Article 8, British land forces were limited to 10,000 with 400 R.A.F. pilots, together with ancillary personnel.

Article 9. Arranged for a separate convention¹⁷ with regard to immunities and privileges in jurisdictional and fiscal matters to be enjoyed by the forces of His Majesty the King and Emperor who are in Egypt.

Article n. Confirmed the Agreements of January 19th and July 19th, 1899,¹⁸ covering the Condominium in the Sudan. The Governor-General was to exercise control on behalf of both High Contracting Parties. " The primary aim of this administration in the Sudan must be the welfare of the Sudanese." Nothing in this article was to prejudice the question of sovereignty over the Sudan. Egyptian immigration into the Sudan was to be unrestricted, and there was to be no discrimination in matters of commerce, immigration or possession of property between British and Egyptian nationals in the Sudan.¹⁹

Article 13. Dealt with the abolition of Capitulations.

Article 16. Gave the term of the treaty as twenty years ; " nevertheless, with the consent of both High Contracting Parties, negotiations may be entered into at any time after the expiration of a period of ten years after the coming into force of the treaty, with a view to such revision as aforesaid ".

Ratifications of the treaty were exchanged at Cairo on December 22nd, 1936.²⁰

ANGLO-EGYPTIAN RELATIONS SINCE 1936

From the point of view of Anglo-Egyptian relations, it was probably unfortunate that only a little over three years elapsed between the signature of the treaty and the time when Egypt was called upon to undertake the obligations assumed under the Alliance, In spite of various friendly

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acts by the United Kingdom Government, such as assistance in the abolition of Capitulations following the Montreux Agreements of April-May, 1937, and the proposing of Egypt for membership of the League of Nations²¹ on May 26th of that year, Egyptians were still conscious of the presence of British troops and failed to see a change in status from that of the pre-treaty era had taken place. The protection of Egypt from the fate of Abyssinia at the hands of the Italians was not appreciated either.

In December, 1937, there was a cabinet crisis and Nahhas Pasha was dismissed by King Faruq. As a result of the disturbance that followed the reading of the Royal Rescript in the Chamber, Ahmad Maher Pasha, the President of the Chamber, was expelled from the Wafd and formed a new party called the Saadists, after Saad Zaghlul. In the elections that followed on April 2nd, the Wafd were defeated, obtaining only twelve seats, as compared with 990 gained by the Government Coalition Parties and 84 by the Saadists. Mahmud Pasha, the Prime Minister, was forced by ill health to resign on August 12th, 1939, and was succeeded by Ali Maher Pasha, heading a coalition of Saadists and Independants.

On the outbreak of war in September, 1939, Egypt broke off diplomatic relations with Germany and, in consultation with the British Government, took all other measures foreseen under the Treaty of Alliance. A state of emergency was proclaimed, a censorship set up, and a series of military and economic controls established. War was not declared on Germany, but short of this, all measures were taken by the Egyptian Government to place the country on a war footing. The same policy was followed when Italy entered the war. In a Note delivered in Rome on June 15th, 1940, the Egyptian Government stated that Egypt would only take part in the war if Italian troops deeply invaded Egyptian territory, bombarded Egyptian towns, or carried out air-raids on Egyptian military objectives.

This policy of non-belligerency was reaffirmed by a

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resolution agreed in the Chamber on April 14th, 1941, which also expressed satisfaction at the complete understanding between Egypt and Great Britain.

In spite of this apparent unity, the hardships inflicted on Egypt by the blockade of enemy countries, together with war-time shortage of shipping, resulted in the disruption of Egyptian economic life. In 1941 the Middle East Supply Centre was set up in Cairo, primarily as a United Kingdom organization, but later run jointly by the United Kingdom and the United States. The Egyptian Government agreed to issue no important import licences except in agreement with the M.E.S.C., the basis of whose control was to confine imports to absolute essentials, a policy not relaxed until January, 1945. In spite of British support for the disposal of the cotton crop and the efforts made to maintain supplies of food and fertilizers, the inevitable shortages strengthened the hands of the rival Egyptian political parties, who were only too willing to score off one another at the expense of the British.

The Wafd had presented a memorandum to His Majesty's Ambassador on April 1st, 1940, in which they protested at the emergency regulations and the British control of cotton exports. They asked for a guarantee that British forces would be withdrawn from Egypt after the war ; for the participation of Egypt in the Peace Conference ; and for the commencement, after the conclusion of peace, of negotiations for the recognition of Egypt's full rights in the Sudan. On the rejection of this memorandum by His Majesty's Government, the Wafd had maintained a passive opposition to all measures for the conduct of the war and had rejected all suggestions, such as those made by the Saadists, that Egypt should join directly in the struggle.

On February 4th, 1942, the Wafd, led by Nahhas Pasha, came back to power, after one of the usual constitutional crises caused by the attempt to override constitutional government by the exercise of the royal prerogative. Before accepting office, Mustafa en-Nahhas asked for and

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obtained from His Majesty's Ambassador a written statement that the policy of the British Government was " to secure sincere collaboration with the Government of Egypt as an independent and allied country in the execution of the Anglo-Egyptian Treaty without interference in the internal affairs of Egypt or in the composition or changes of her Government."²²

On November 4th, 1942, Nahhas Pasha delivered an address on Anglo-Egyptian relations to the Anglo-Egyptian Union. Speaking of the Treaty, he said :

" The close relationship which has manifested itself in different ways between our two countries since that day on which their misunderstandings were brought to an end and, with full freedom on both sides, they concluded a Pact of Friendship and Alliance, has been not the least valuable fruit of a Pact whose outcome was to register the evolution of our relations and confirm, in peace and war alike, the sound judgment which inspired those who signed it. For Egypt this Treaty guaranteed the essential germs of effective independence, leaving to us the task of continuing to realise day by day all the possibilities and all the realities of independence. . . . To Great Britain it brought an advantage no less important. It assured her the political friendship of Egypt and constituted a striking proof of the liberal spirit of a people who had been ripened by experience and led to substitute almost everywhere for ties of political dependence ties of friendship and, still more, of confidence. . . . I shall not conceal from you that this unity has been faced with some difficulties. . . . As regards our two countries, we must take upon ourselves our duty, in order that the friendship between Great Britain and Egypt shall grow more and more comprehensive and that the ties that unite us shall grow ever firmer and capable of withstanding all attempts to weaken them."²³

The second point in the Wafdist claims of April, 1942, was partly conceded on November 19th of the same year, when Nahhas read to the Egyptian Chamber a letter from His Majesty's Ambassador stating that His Majesty's Government would " use its good offices in view of assuring

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Egypt's representation on a footing of equality in all peace negotiations directly affecting Egypt's interests."

During the threat to Egypt, terminated by the defeat of the Germans by the British Eighth Army at Al Alamein, the Egyptian Government stood firmly by its pledges but, as the danger receded, it became clear that the Wafd and other political parties regarded some further changes in Anglo-Egyptian relations as necessary.

During the years 1943, 1944 and 1945, Egyptian demands for the revision of the Anglo-Egyptian Treaty as soon as the war should be over increased in volume. In November, 1943, Nahhas Pasha recapitulated his country's requests, with the admission that at no time, even the most critical, had Great Britain failed to observe the highest respect for Egypt's independence or to take the greatest care in protecting her interests. Moreover, everything humanly possible had been done to spare her the horrors and dangers of war. Nahhas took a similar line in the following year, during a debate in the Chamber on May 31st, dealing with the status of Egypt in relation to Great Britain. He listed the declarations made by authoritative British spokesmen in recognition of the service rendered by Egypt to the Allied cause since 1940,²⁴ saying that all these declarations, made under a variety of circumstances, "require no supplementation, because they are so frank and clear as to leave not the slightest room for doubt as to the sincere good will of the responsible British statesman. . . . Great Britain does not adopt towards Egypt the attitude of an ingrate who goes back on his word, but of an Ally who acknowledges the services that have been rendered to him in time of stress and of a friend who renders good for good."

On August 26th, 1944, the eighth anniversary of the signing of the Anglo-Egyptian Treaty, Nahhas made a further speech at Alexandria, referring to the "courageous and correct" attitude of Egypt during the war. Egypt, he said, aimed first at achieving complete independence. With regard to the Sudan, he had asked the Governor-General to maintain Egyptian rights there, but he also

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wished to make it clear that he considered Egypt and the Sudan as one nation with equal rights. A few days earlier, on August 15th, it had been announced that the Egyptian Government intended to create a special Sudan Department to deal with all questions concerning the Sudan.

In October, 1944, the Wafd Government fell and was replaced by the Saadists under Ahmad Maher Pasha. The Wafd refused to take part in the elections of January 8th, 1945, and the results were : Saadists 125 ; Liberal Constitutionalists 74 ; Independent Wafd Block²⁶ 29 ; Watanists 7 ; and Independants 29. Following the Crimea Conference of the three Allied Powers, Egypt declared war on Germany and Japan on February 26th, 1945, two days after the murder of Ahmad Maher Pasha, the Prime Minister. On February 28th, Egypt became a signatory to the United Nations Declaration.

Wartime restrictions were gradually relaxed. On May 10th, 1945, it was announced that the Cabinet had decided to abolish the state of siege except for military and supply matters, and the press censorship, apart from that on military topics, was to end ; public meetings were to be free and persons no longer subject to arrest and internment.²⁶

The Wafd Press immediately started a campaign for the lifting of all restrictions. In July, 1945, Nahhas Pasha handed His Majesty's Ambassador a note dealing with the settlement of outstanding questions between Great Britain and Egypt which, in effect, recapitulated the Wafd demands of April 1st, 1940. The most important items were those dealing with the future of the Sudan and the request for the military evacuation of Egypt.

On August 6th, Nokrashy Pasha, who had become Prime Minister after the murder of Ahmad Maher, made a statement to the Senate on Egyptian national aspirations. In the course of this speech he said that the Anglo-Egyptian Treaty of Alliance had prepared the way for the complete realization of Egyptian aspirations. During the war Egypt

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had loyally supported her ally, Great Britain, and Egyptian assistance had been recognized by the United Nations. This was the best justification for the breaking of these bonds which still fettered Egyptian independence and for the withdrawal of foreign troops from Egyptian soil. As for the unity of the Nile Valley, " which was Egypt and the Sudan," the principles of the new era could ensure its realization in accordance with the aspirations of all people dwelling in the valley of the Nile. " It only remains to determine the time when negotiations should begin."²⁷

This attitude was reaffirmed by King Faruq in the speech from the Throne at the opening of a new parliamentary session on November 12th, 1945. He said in part :—

" To-day Egypt is more resolved than ever to see an end to all restrictions to independence by the withdrawal of all foreign troops and to reaffirm the unity of the Nile Valley. My Government is in contact on this subject with the British Government, and is actively pursuing this task so as to achieve the best results. Relations between the Egyptian and British Governments are excellent, both are sincerely determined to co-operate and develop them on a basis of equality."

There were minor riots in Cairo and Alexandria on November 2nd and 3rd and public celebrations held on November 13th, the anniversary of Zaghlul's demand for independence in 1918, were forbidden.

EXCHANGE OF NOTES ON THE ANGLO-EGYPTIAN TREATY

In August, 1945, Mr. Bevin stated in the House of Commons that the question of the revision of the 1936 treaty would be approached at the appropriate time by His Majesty's Government with friendliness and an appreciation of mutual interests.²⁸

Egypt did not wait long before taking the matter up and dispatched a Note on December 20th,²⁹ asking the British Government for a revision of " their mutual relations " on the grounds that the Treaty had been concluded in the midst of an international crisis and had been accepted by Egypt

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only " under the pressure of necessity." It was claimed that the situation the Treaty had been designed to meet had ended with the war and that the way was now open for a new arrangement. After recalling the assistance rendered by Egypt, over and above her treaty obligations, during the war years, the Note pointed out that " the presence of foreign troops on our soil in peace time, even if stationed in distant areas, is still wounding to national dignity." It then asked for an early date to be fixed for the opening of negotiations and ended by saying " that the negotiations would include the question of the Sudan and would be inspired by the interests and aspirations of the Sudanese."

The text of His Majesty's Government's reply pointed out that the continuous pressure of events arising out of the termination of hostilities had so far prevented formal discussion on this subject. The concluding paragraph was as follows :—

" It is the policy of His Majesty's Government to consolidate in a spirit of frankness and cordiality the close co-operation, achieved by Egypt and the British Commonwealth and Empire during the war, to which your Excellency's note bears testimony and to place it on a footing of full and free partnership, as between equals, in the defence of their mutual interests, and with full respect for the independence and sovereignty of Egypt. Therefore, notwithstanding the provisions of Article 16 of the Treaty of 1936, His Majesty's Government in the United Kingdom declare themselves willing to undertake, with the Government of Egypt, a review of the treaty arrangements between them in the light of their mutual experience and with due regard to the provisions of the Charter of the United Nations for ensuring international peace and security. Instructions will shortly be sent to His Majesty's Ambassador in Cairo to hold preliminary conversations with the Egyptian Government to that end. His Majesty's Government in the United Kingdom take note that the Egyptian Government desire that the forthcoming discussions **should include** the question of the Sudan."

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The Wafd Press were, on the whole, unfavourable to the British reply, and riots followed in Cairo and Alexandria among the politically-minded Egyptian students. On February 13th, 1946, Makram Ebeid Pasha, the Minister of Finance, Said Selim, the Minister for War, and Taha es Sabai, the Minister for Supplies, all members of the Independent Wafd bloc, handed in their resignations for the second time in three weeks, giving as their reason their dissatisfaction with the way Nokrashi was handling both the treaty negotiations and the students' riots. Two days later Mahmud Fahmy Nokrashi himself resigned, on the grounds that his departure would facilitate the formation of a new Government to carry on the conversations with Great Britain, although it is more probable that he felt it would be impossible to carry on effective negotiations without the participation of the Wafd.

On February 17th, Ismail Sidki Pasha formed a Cabinet, consisting of five Liberals and Independents, in which he retained for himself the portfolios of Interior and Finance, while Ahmed Lutfi es-Sayid Pasha became Minister of Foreign Affairs. He then presented this Government to the Chamber and received a vote of 103 to 3, with 78 abstentions, the Saadists refusing their support. A general strike throughout Egypt was called for February 21st and, in the disturbances which followed, there were clashes between rioters and British troops, while much damage to British property was done by mobs in Cairo and Alexandria. His Majesty's Government then presented a note to the Egyptian Government, requesting that those responsible for the incidents should be punished ; that full compensation should be made for all damage ; and that order should be maintained in future. Sidki Pasha had already issued an appeal to the Egyptian people to keep calm and remain at work, but nevertheless there were further disturbances early in March, due largely to the efforts of the Moslem Brotherhood (Ikhwan al Muslimin),³⁰ working through the National Committee of Students and Workers.

On March 7th, in the midst of these difficulties, the

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Prime Minister announced the names of the delegation appointed to negotiate the revision of the treaty with Great Britain. These were as follows :—Ismail Sidki (President), Ali Maher, Abdel Fattah Yahia, Mahmud Fahmy Nokrashy, Ali Shamsi, Hafez Afifi, Sherif Sabri, Hussein Heikal, Hussein Sirry, Lutfi es-Sayid, Makram Ebeid and Ibrahim Abdel Hadi. The Wafd were not represented, for although Sidki Pasha had tried to secure their co-operation, he was unable to agree to their terms which were, first, that Nahhas Pasha should lead the delegation ; secondly, that members of the Wafd should be in a majority ; and, thirdly, that elections should be held in the near future.

On March 14th the Wafd issued a long manifesto declaring that they would not be bound by the results of the negotiations. The Party, which had boycotted the last elections, did not think that negotiations for the revision of the 1936 Treaty based on the letters exchanged between the two countries would lead to a realization of Egypt's national aspirations.

Mr. Bevin announced the British delegation on April 2nd, 1946. This was to consist of the Foreign Secretary, Lord Stansgate, Secretary of State for Air, and Sir Ronald Campbell, His Majesty's Ambassador in Egypt, advised by Sir Kinahan Cornwallis and Sir Arnold Overton,³¹ as well as the necessary service advisers.

THE TREATY NEGOTIATIONS

On May 7th, 1946, Mr. Attlee informed the House of Commons of a statement made in Cairo by the United Kingdom delegation. This was as follows :—

" It is the considered policy of His Majesty's Government in the United Kingdom to consolidate their alliance with Egypt as one between two equal nations having interests in common. In pursuance of this policy, negotiations have begun in an atmosphere of cordiality and goodwill. The Government of the United Kingdom have proposed

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the withdrawal of all British naval, military and air forces from Egyptian territory, and to settle in negotiation the stages and date of completion of this withdrawal and the arrangements to be made by the Egyptian Government to make possible mutual assistance in time of war or imminent threat of war in accordance with the Alliance."³²

Ismail Sidki Pasha, the Egyptian Prime Minister and leader of the Egyptian delegation, endorsed this statement on May 8 th. He said :—

" Egypt and Britain are beginning negotiations in an atmosphere of friendship to settle the stages and the date of completion (of evacuation), and measures that the Egyptian Government will have to take to ensure mutual assistance in time of war or the threat of war. The Egyptian negotiators would be very careful to see that this co-operation was kept within the limits of the San Francisco Charter and within the interests of Egypt.

" A new chapter is opening in Anglo-Egyptian relations, in spite of the fact that in both countries there exist people who doubt very much the outcome of the new phase . . . I personally believe that the complete evacuation and an alliance with Britain within the San Francisco Charter, are a great blessing to Egypt."³³

Sidki Pasha also announced that his Government had decided to conclude a special agreement with the Security Council, putting Egyptian arms and the right of passage through Egypt at the disposal of the world security force.³⁴

The formal negotiations for the revision of the Treaty began on May 9th. The main points at issue were the evacuation of British troops, the control of the Suez Canal and the future of the Sudan. With regard to the first of these, the difficulty was not the time which the evacuation would take (although three years was regarded by some Egyptians as excessive), but the Egyptian Government's dislike of including in the new treaty terms that would enable joint Anglo-Egyptian action to be taken prior to a state of emergency or a state of war. In view of the speed

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of modern warfare and the necessity for bases in, and transport through, such a vital area of the Middle East, a decision would have to be taken on this important question before any treaty could be successfully concluded.

The talks dragged on for the next few months, but the task of the delegations was not made any easier by the open opposition of the Wafd or by a spate of rumours regarding the success or non-success of the negotiations. These rumours led to demonstrations in Cairo and Alexandria on the part of students and workers ; damage and casualties to British property and personnel resulted.

The first move to evacuate the British troops was made on July 4th, when Cairo Citadel was handed over to the Egyptian authorities. This was followed at the end of the month by an announcement from the British Commander-in-Chief, Middle East, that the headquarters of troops in Egypt would be transferred from Cairo to the Canal Zone by the end of September, and that the General Headquarters, Middle East, would move by the end of the year. As King Faruq pointed out in his speech from the Throne on November 14th, the evacuation of Cairo, Alexandria and the Delta would be completed within five months, and withdrawal from other regions would be made within an agreed time.

Meanwhile the British and Egyptian delegates were studying the question of co-ordinated defence measures to be undertaken by the two Governments during an emergency. It was on this point, rather than on that of the actual withdrawal of the British forces, that no agreement could be reached.

Alternative draft agreements were continuously exchanged and, on August 1st, the Egyptian Government submitted a draft embodying the minimum proposals they were prepared to accept.³⁵ Sidki Pasha was a sick man and, on September 28 th, he resigned, only to resume office on October 2nd, after Sabry Pasha had failed to form a Cabinet. Ill-health was given as his reason for resigning **but the treaty** negotiations and the attitude of certain

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members of the Egyptian delegation were undoubtedly contributing factors.

On resuming office, Sidki outlined his new policy on October 10th. He declared that he could not see why Egypt could not conclude a treaty with Great Britain, pointing out that the Wafd, for all their fervent opposition, had previously been in favour of an Anglo-Egyptian treaty.³⁶ He also revealed that the Egyptian Senate in May had approved the Government's policy of concluding an alliance on the basis of complete evacuation, to be followed immediately by new negotiations on the subject of the Sudan.

Towards the end of the month, Sidki visited London and discussed matters with the Foreign Secretary. On his return to Egypt on October 27th, rumours increased and conflicting statements on the subject of these conversations were made by the Press. The most persistent of these, namely that Great Britain had accepted the principle of the unity of the Sudan with Egypt under the Egyptian Crown, evoked violent protests from the Umma party in the Sudan, who declared their wish for independence.

The confused situation led Mr. Attlee to make a statement on October 28th, in which he made it plain that the London conversations were purely personal and exploratory and were intended to be confidential. He went on to say : " I can only regret, therefore, that incomplete reports from Egypt should have appeared in the press. . . . No change in the existing status and administration of the Sudan is contemplated, and no impairment of the right of the Sudanese ultimately to decide their own future."³⁷

This followed an earlier and more general statement made by Mr. Bevin on October 22nd. In this the Foreign Secretary pointed out that the Egyptian talks not only affected Egypt but " had repercussions over the whole Middle East area."³⁸ He also stressed the fact that the Suez Canal had been open to the shipping of the whole world on equal terms and that it was " that status that we are determined to maintain."

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The Egyptians also made a series of statements with regard to their point of view, the most important being the speech from the Throne on November 14th. In this King Faruq emphasised the fact " that Egypt regarded the Sudan as a brother state, and one of Egypt's first aims would be to develop their interests and prepare them for self-government as soon as possible."³⁹

Sidki Pasha's Government resigned on December 8th and a Cabinet under Nokrashi Pasha took its place the following day. On December 7th Sir Hubert Huddleston, the Governor-General of the Sudan, had issued a statement, sponsored by the United Kingdom Government,⁴⁰ in which attention was drawn to the terms of the Sudan Protocol. He was reported to have said : " The Sudan Protocol in fact, provides that the Sudanese people shall—when they are ripe for self-government be free to choose the future status of the Sudan. Nothing in the proposed treaty can prejudice the right of the Sudanese to achieve their independence. " A statement issued from the office of the Egyptian Premier shortly before his resignation said that the declaration made in Khartoum was " not in accordance with the recent London talks resulting in the Sidki-Bevin draft".

On January 27th, 1947, the breaking off by the Egyptian Government of negotiations was announced in London and Cairo, and Nokrashi Pasha, the Egyptian Prime Minister, stated that Egypt would submit the issue to the Security Council of the United Nations,

On March 11th, in the House of Commons, Mr. Attlee gave a resumé of the causes of the breaking off of negotiations :—

" The statement issued by the Egyptian Prime Minister on the Anglo-Egyptian negotiations stated that the final breaking off of these negotiations might be attributed only to the inability of Egypt to obtain satisfaction on the following two essential points :—(1) The evacuation of British troops from Egypt. This evacuation must be immediate, complete, and not conditioned by a treaty. (2) The main-

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tenance of the unity of Egypt and the Sudan, self-government for the Sudanese and the restoration to Egypt of her rights in the administration of the Sudan in order to further the preparation of the Sudanese for self-government.

" This declaration can best be judged in the light of the agreements reached between Sidki Pasha and the Foreign Secretary in London last October. These agreements provided for mutual arrangements for defence, arrangements for evacuation, and for the Sudan. The agreements were initialed by the two statesmen in London *ad referendum* to their Governments. The Egyptian Government submitted them to the Egyptian Chamber of Deputies on November 26th and received a vote of confidence. Thereupon the Egyptian Government informed His Majesty's Government on December 1st that they were ready to sign the treaty and the two annexes dealing with evacuation and the Sudan. The Foreign Secretary, in his statement in the House of Commons on January 27th, made quite clear the sole reason why the signature did not in fact take place, namely the endeavour of the Egyptian Government to construe one phrase of the protocol on the Sudan as meaning that they could rely on the support of His Majesty's Government to deny to the Sudanese complete freedom of choice when the time came for them to choose their future status.⁴¹

" The British Government had already agreed, as part of the above arrangements, to the complete evacuation of British troops in Egypt by 1949. This is not an excessive period for the winding up of the immense commitments built up by the British Army in Egypt, which was its main base for the war in which British arms saved Egypt from being overrun by the Nazis."

In his statement in the House on January 27th, Mr. Bevin gave for the first time the full text of the Sudan Protocol agreed between himself and Sidki Pasha about which there had been so much discussion. This was as follows :—

" The policy which the High Contracting Parties undertake to follow in the Sudan, within the framework of the unity between the Sudan and Egypt under the common

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Crown of Egypt, will have for its essential objectives to assure the well-being of the Sudanese, the development of their interests and their active preparation for self-government, and consequently the exercise of the right to choose the future status of the Sudan. Until the High Contracting Parties can, in full common agreement, realise this latter objective, after consultation with the Sudanese, the Agreement of 1899 will continue, and Article II of the Treaty of 1936, together with its Annex and paragraphs 14 to 16 of the agreed minute annexed to the same Treaty, will remain in force notwithstanding the first Article of the present Treaty."⁴²

Both at this point and later in May, Mr. Bevin made it clear that now British proposals for withdrawal had been rejected by Egypt, His Majesty's Government stood by the 1936 Anglo-Egyptian Treaty.⁴³

In spite of the Egyptian statement in January about referring the issue to the United Nations it was not until July 1 that the Egyptian Government submitted a Note to the Security Council asking them to direct :—

1. " The total and immediate evacuation of all British troops from Egypt, including the Sudan.
2. " The termination of the present administrative regime in the Sudan."

The Note, which was couched in strong terms, complained of British policy towards Egypt. It stated that British troops were " maintained in Egyptian territories against the unanimous will of the people " and that the presence of foreign troops within the territory of a United Nations member in time of peace and without its free consent constituted " an offence to its dignity, a hindrance to its normal development, as well as an infringement of the fundamental principles of sovereign equality and of the United Nations Charter."

The Note went on to accuse Great Britain of " unwarranted occupation of Egypt . . . in 1882," of " forcing upon Egypt their partnership in the administration of the Sudan" since 1899, and subsequently assuming ex-

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elusive authority therein ; of adopting a policy designed to sever the Sudan from Egypt and " instigating and encouraging artificial separatist movements."

The Note stated that the Egyptian Government had " attempted with good faith to reach a fair settlement of this dispute by means of direct negotiations/' with the U.K. Government " despite the fact that the presence of foreign troops is in itself incompatible with freedom of negotiations." Since these had failed, the U.K. Government, the Note continued, were striving to avail themselves of the Anglo-Egyptian Treaty of 1936 which " cannot bind Egypt any longer, having outlived its purposes, besides being inconsistent with the Charter/' Therefore, the Note concluded, the Egyptian Government were bringing their dispute with the United Kingdom Government under Articles 35 and 37 of the Charter.⁴⁴

There was a month's further delay before hearings began on August 5th before the Security Council. Presenting the Egyptian case, Nokrashi Pasha declared that the present tension between Britain and Egypt was a potential peril to peace and security and that the British occupation of Egyptian territory created constant friction. He also asked that the Sudanese administrative regime should be terminated. As far as the 1936 Treaty was concerned, Nokrashi made several points to show that it had outlived its purpose. First, that the Treaty was a temporary expedient in the face of a world crisis ; second, the presence of British troops in Egypt without her consent was inconsistent with the United Nations Charter ; third, Egypt had not been a free party to the 1936 Treaty as Britain applied pressure ; fourth, the Treaty contradicted the Suez Canal Agreement of 1888. He also accused the United Kingdom of disregarding Egyptian rights in the Sudan. Sir Alexander Cadogan replied, basing his answer on the principle of International Law by which the 1936 Treaty remained operative till 1956 unless both parties agreed otherwise. This covered both the presence of British troops and the question of the Sudan,

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Recalling last year's negotiations between Mr. Bevi and Sidki Pasha, into which Britain had voluntarily entered although not obliged to do so until 1956, Sir Alexander Cadogan said that the only reason why the Egyptians finally rejected the texts after preliminary agreement was reached was the one point in the Sudan protocol which aimed at assuring exercise, in due course by the Sudanese, of the right to choose the future status of the Sudan. The Egyptians wanted to limit the Sudanese choice to some form of link-up with Egypt, while Great Britain wanted to accord the Sudanese complete freedom of choice. "Egypt was not prepared to accord to the Sudan that freedom to choose complete independence which she so ardently claims to be the right of other territories, and which she herself received from the United Kingdom. The British Government will maintain on this point their present policy, which is the only one they conceive to be consistent with their own national record and with the principles of the Charter, and with the interests of the Sudanese." The complaints now raised concerning the 1936 treaty included a spate of points where there was full agreement during and after the Sidki-Bevin negotiations. He absolutely denied the Egyptian charge that the British were trying to create discord between the Egyptians and the Sudanese.⁴⁵

In the resumed debate on August 11th, Nokrashi Pasha stated the Egyptian case on the Sudan in the following terms : " We consider relations between the peoples inhabiting the two parts of the Nile Valley an internal, domestic matter. We will not bargain with an intruder concerning it—even if we could thereby gain some of our national aspirations. We will not barter away the future of the Sudanese. . . . The matter will be handled by the Egyptians and the Sudanese." With regard to the presence of British troops on Egyptian territory he alleged that this enabled the British to exercise pressure on the Egyptian Government that was inconsistent with Egypt's status as an independent sovereign State.

Sir Alexander Cadogan, in reply to Nokrashi Pasha's

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speech of August 5th, again emphasized that the question revolved round the validity of the 1936 Treaty, which, he contended, the Egyptian Prime Minister had failed to prove invalid. Legal arguments apart, Sir Alexander challenged Nokrashi Pasha's account of British work in Egypt and the Sudan, his account of which was designed to convey an impression of purely selfish imperialism. British work in Egypt had led to the establishment of the country as a prosperous, independent State, and Nokrashi Pasha's aspersions were "in the highest degree unjust and inaccurate." He regretted that in the whole of the Egyptian Prime Minister's speech there had been no word of recognition of what the British Commonwealth, assisted by its allies, had done for Egypt during the second world war. Turning to the Sudan, Sir Alexander cited historical facts to refute the argument that it had been joined to Egypt since time immemorial, denied that the Sudanese Government conducted anti-Egyptian propaganda and said that the direct opposite was the case. For the past 18 months the Egyptian Press had conducted a campaign of abuse against the Sudan Government similar to that conducted from 1919 to 1924, which culminated in the Khartoum mutiny and the murder of Sir Lee Stack. Sir Alexander said that it was completely false that the mass of the Sudanese people desired union with Egypt. "The Sudanese masses are not pro-Egyptian and are not anxious for a change. The educated Sudanese are united by a desire for early self-government and hitherto have differed only as to whether it should take the form of a self-governing dominion under the Egyptian crown or complete independence." Nokrashi Pasha had completely misinterpreted the Sudan protocol initialled by Mr. Bevin and Sidki Pasha and the reference to a joint council proved the "complete impartiality" of the British Government and showed that their sole wish was that the Sudanese people should choose their own future in full freedom.

Sir Alexander Cadogan declared himself unable to understand the charge that the alliance tied Egypt to the British

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economy. There was not one word in the alliance treaty which limited Egypt's commercial or financial freedom and it was a matter of common knowledge that Egypt had just left the sterling area.⁴⁶

On August 13th the Security Council continued the hearing of the Egyptian case without coming to any decision, and on August 20th, the Brazilian delegate proposed that the Council should recommend Britain and Egypt to resume direct negotiations, but the motion was defeated on August 28th. Discussion was then postponed until September 9th. Voting on the United States-Australian amendment for the renewal of direct negotiations was inconclusive, and no decision was reached. Nothing further has been announced with regard to the resumption of negotiations.

NOTES

¹ *The Times*, December 7th, 1925. A mixed Halo-Egyptian Delimitation Commission was appointed after an Agreement on May 18th, 1925.

² *Boundary between the Sudan and Libya, Exchange of Notes ; Treaty Series*, No. 21 (1934), Cmd. 4694.

³ Prior to 1939, two-thirds to three-quarters of the total value of Egyptian exports was cotton ; the next most important export was rice.

⁴ *Egypt : Review of Commercial Conditions*, May, 1945, H.M.S.O. A good account of modern Egyptian economy is given in *The Economic Development of Modern Egypt*, by A. E. Crouchley.

⁵ See Appendix 4 for terms of the Anglo-Egyptian Treaty on the military control of the Canal.

⁶ *Report of the Special Commission to Egypt*, Cmd. 1131.

⁷ *White Paper*, Cmd. 1592 (1922). See also *Hansard, Commons*, February 28th, 1922, Lloyd George's speech.

⁸ *Hansard, Commons*, March 14th, 1922, cols. 2010—2126.

⁹ The Khedive Abbas Hilmi, who was strongly anti-British, had been in Constantinople on the outbreak of the 1914-18 war. He sided with Turkey and, on being deposed on December 19th, 1914, was followed by his uncle, Hussein Kamil, with the title of Sultan. In 1917 Hussein died, his brother, Ahmed Fuad, succeeding on October 19th of the same year. Fuad reigned until his death on April 28th, 1936, and was succeeded by his son, Faruq, who attained his majority on July 29th, 1937.

¹⁰ The Capitulations were a legacy from the days when Egypt was part of the Ottoman Empire. In addition to the United Kingdom and France, the following Powers had important economic, political and commercial interests in Egypt prior to 1914, and had secured extra-territorial rights under this system : Austria-Hungary, Belgium, Denmark, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Russia, Spain, Sweden, and the United States. The Capitulations included not only commercial concessions, but exemption from courts of local jurisdiction, inviolability of domicile,

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protection from arrest and immunity from personal taxation without the consent of the Government of the national concerned. It was fear of losing these-capitulatory rights that made certain Powers delay recognition of the British Protectorate over Egypt. Thus, between December 18th, 1914, and November nth, 1918, only Belgium, France, Greece, Portugal, Russia and Serbia had given recognition. The United States followed on April 23rd, 1919, while Italy refrained. The ex-enemy countries, Germany and Austria-Hungary, lost their capitulatory rights in the Peace Treaties, and undertook to recognise the British Protectorate. The vexed question of Capitulations was not settled until 1936-37, when Article 13 of the Anglo-Egyptian Treaty provided for their abolition after a transitional period of twelve years. In April, 1937, agreements were concluded at Montreux by which the Capitulations were removed, and all fiscal and judicial control reverted to Egypt. It was not, however, until the signature of the Anglo-French Agreement of July 17th, 1940, that the Egyptian Debt Control was abolished and foreign restraint on Egyptian fiscal policy removed. The text of the original British Note is contained in *Cmd. 1617* (1922).

¹¹ This had been in force since November 2nd, 1914.

¹² *The Times*, December 16th, 1946.

¹³ *White Paper*, *Cmd. 2269* (1924).

¹⁴ The full text appears in *The Exchange of Notes between His Majesty's Government in the United Kingdom and the Egyptian Government in regard to the use of the River Nile for Irrigation Purposes. Treaty Series No. 17* (1929), *Cmd. 3348*.

¹⁵ Lord Allenby had been High Commissioner in Egypt for six years. He had recognised the emergence of the new Egyptian nation and had tried to reconcile both British and Egyptians to the new line of thought. The best account of this period is given in Field Marshal Viscount Wavell's book, *Allenby in Egypt*, Harrap, 1943.

¹⁶ Ali Maher had been King Fuad's chief political adviser.

¹⁷ This Convention was signed on August 20th, 1936 (the same day as the Treaty) by Nahhas Pasha and Mr. Eden. It is included in *Treaty Series No. 6* (1937), *Cmd. 5360*, containing the Treaty of Alliance.

¹⁸ The Anglo-Egyptian Convention regarding the Sudan, January, 1899. *British and Foreign State. Papers, Vol XCI*, p. 19.

¹⁹ It must not be forgotten that the British were in the Sudan by right of conquest. As Mr. Austen Chamberlain, Secretary of State for Foreign Affairs, said on December 15th, 1924, in the House of Commons :—" His Majesty's Government have a direct responsibility to the people of the Sudan. We are there as trustees. It was owing to our action that the country was reconquered after it had been lost to Egypt by the Mahdist revolts, following on fifty years of Egyptian misrule and oppression, and when we by agreement admitted Egypt to Condominium, we at the same time told the Sudan that never again would they go back to the domination of Egypt. We are there as trustees, and we insist that we shall have then for the future whatever authority is necessary in order to discharge our duty and our responsibilities to the people whom we govern. We have no desire to terminate the Condominium." *Hansard, Commons*, December 15th, 1924, Cols.

²⁰ The Treaty is given in full in Appendix No. 4, also in *Cmd. 5360*.

²¹ Egypt had been a member of the International Labour Organisation since 1936.

²² *Al Ahram*, February 6th, 1942.

²³ *Bourse Egyptienne*, November 5th, 1942.

²⁴ These statements included one by Mr. Butler, United Kingdom Under-Secretary of State for Foreign Affairs, on November 6th, 1940, in the House

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of Commons. In answer to a question, he said in part:—" Relations between His Majesty's Government and the Egyptian Government are of the friendliest character, as is natural in view of the Treaty of Alliance which the Egyptian Government are fulfilling in all respects."

²⁵ The Independent Wafd Bloc were followers of Makram Ebeid Pasha. His supporters split off from the Wafd after his expulsion from it in July, 1942.

²⁶ *The Egyptian Gazette*, May 10th, 1945.

²⁷ Cairo Radio, August 6th, 1945-

²⁸ *Hansard, Commons*, August 22nd, 1945, col. 591.

²⁹ This Note, and the British reply dated January 26th, 1946, were published on January 30th, 1946. The text of both Notes has been taken from the version released to the Press by the Foreign Office News Department on that day.

³⁰ The Moslem Brotherhood was founded by Hassan al Banna about 1930. Until 1935 it was not particularly successful, but it then began to make headway and is now estimated to have a membership of between 300,000 and 600,000, drawn mainly from among the workers, but also including some students. Its main aims are described as non-political and include drastic social reforms and the revival of Islam," but it is certainly an anti-foreign and anti-British movement as well. The Wafd is known to oppose the Moslem Brotherhood and relations between them have not been good, but it is difficult to determine what real power the latter party holds in Egypt to-day.

³¹ *Hansard, Commons*, April 2nd, 1946, cols. 1114-1115. Sir Kinahan Cornwallis was formerly British Ambassador in Baghdad and was now head of the Middle East Secretariat at the Foreign Office, while Sir Arnold Overton was head of the British Middle East Office in Cairo.

³² *Hansard, Commons*, May 7th, 1946, cols. 783-784.

³³ *The Times*, May 9th, 1946.

³⁴ Sidki's reference to the Security Council referred to the arrangement made under Article 43 of the Charter, whereby " all members of the United Nations undertake to make available to the Security Council on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security ". Under clause 3 of Article 43, the agreement or agreements " shall be negotiated as soon as possible on the initiative of the Security Council ".

³⁵ According to a statement issued on August 21st.

³⁶ Sidki's speech at Tanta, October 10th, 1946 ; *The Times*, October nth, 1946.

³⁷ *Hansard, Commons*, October 28th, 1946, cols. 295-296.

³⁸ *Hansard, Commons*, October 22nd, 1946, cols. 1498-1499.

³⁹ *The Times*, November 15th, 1946.

⁴⁰ *The Times*, December 9th, 1946.

⁴¹ *Hansard, Commons*, 11.3.47, cols. 1143-45 and *ibid.* 27.1.47, cols. 616-20.

⁴² *The Times*, 28.1.47.

⁴³ *Hansard, Commons*, 15.5.47, cols. 1726-80, and *ibid.* 16.5.47, cols. 1957-74.

⁴⁴ *The Times*, 12.7.47.

⁴⁵ *The Times*, 6.8.47.

⁴⁶ *The Times*, 12.8.47.

CHAPTER IV

LEBANON AND SYRIA

INTRODUCTION

PRIOR to 1914 the word Syria was used to define that province of the Ottoman Empire which stretched from the Taurus Mountains to the Sinai Peninsula, and from the Mediterranean to the Euphrates, and which bordered southwards on Turkish Arabia. After 1920 this unit was divided into separate mandated territories, Palestine and Transjordan going to Great Britain to administer, and the rest to France. The French divided Syria first into two and then, after 1925, into four states, called Syria, Lebanon, Latakia (or the state of the Alawis) and the Jebel Druze. After 1936 these last two states were incorporated in Syria. The whole area, whatever its divisions, was known as the Levant States.¹

Here the term Syria will be used in the pre-1914 period, and the Levant States or Syria and Lebanon for the post-1918 era.

Syria

The present area of Syria is 58,000 square miles. Bordering on Turkey on the north, Syria is the northernmost Arab state ; on the east it marches with Iraq, while the southern frontiers lie with Transjordan and Palestine. The major portion of the state is taken up by the Greater and Lesser Syrian Deserts, which are in reality more steppe than desert. The coastal regions have a Mediterranean climate, but over the rest of the area the rainfall is sparse and irregular.

The population is approximately 2,500,000,* the majority of these being Moslems, Sunnis predominating,

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but there are large Shi'ah (or Metawila), Christian,⁸ Jewish, Druze,⁴ Alawi,⁶ Kurdish and Turkoman minorities, amounting to 331,467.

The presence of these minorities has not caused as much difficulty in Syria as it has in the neighbouring state of Lebanon, due to the Moslem majority, but the difference in religion and sometimes speech, e.g., the Syrian Orthodox speak Syriac, while the Kurds use Kurdish, has led to a different outlook and way of life, due largely to the millet system in vogue under the Ottoman Empire.

The Lebanon

The Lebanon, which consists of the coastal plain and the mountains of Lebanon, is bounded on the north and east by Syria, on the south by Palestine and on the west by the Mediterranean. It has an area of 3,000 square miles. The population of Lebanon was 785,543 in 1932 when the last official census was taken. An official estimate in 1943 gave a figure of 1,046,421.⁶ Of these there were Sunnis, 222,594 ; Shi'ahs, 200,698 ; Druzes, 71,711 ; Maronites,⁷ 318,210 ; Greek Orthodox, 106,658 ; Greek Catholic, 61,956 ; Armenian Orthodox, 58,007.® The census figures vary considerably and are not very reliable.

In Lebanon the minority question has been much more acute than in Syria. This is due at present to two factors, first, the growth of the Arab national movement, secondly, the attachment of certain of the Christian communities to France, and therefore to French interests. This has made their actions suspect by the nationalists and has led to a division of religion as well as race. It has been made more difficult by the fact that Mount Lebanon has always been regarded as a place of refuge to which the oppressed sects, tribes and individuals of the Near East have fled. This has led to a great admixture of religious beliefs and racial types in a small area and this idea has been fostered by the semi-autonomy enjoyed by the Lebanon under Turkish rule.

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SYRIA AND LEBANON DURING THE 1914-18 WAR

This is not the place to discuss the position of Lebanon and Syria prior to the 1914-18 war⁹; suffice it to say that, prior to 1914, this area was part of the Ottoman Empire.¹⁰ During the war various conflicting agreements and declarations were made concerning this area¹¹ by the Allied Powers. The first of these were the letters exchanged between the Sharif Husain and Sir Henry McMahon, British High Commissioner in Egypt.¹²

In reply to Husain's request that Britian was to acknowledge the independence of the Arab countries up to the 37⁰ of latitude, to the borders of Persia, McMahon wrote :—

" The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Horns, 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 to 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 interests 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 Sharif of Mecca."¹³

To this Sharif Husain replied on November 15th,

" We renounce our insistance on the inclusion of the Vilayets of Mersina and Adana in the Arab Kingdom. But the two Vilayets of Aleppo and Beirut and their sea coasts are purely Arab Vilayets, and there is no difference between a Moslem and a Christian Arab ; they are both descendants of one forefather/

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On December 14th, 1915, McMahon replied that the interests of France were also involved in the Vilayets of Aleppo and Beirut and that the question would require careful consideration calling for a further communication.

In his reply to this on January 1st, 1916, Husain made it quite clear that he did not agree to these suggestions except as a temporary expedient during the war " to avoid what may possibly injure the Alliance of Great Britain and France and the agreement made between them during the present wars and calamities ; yet we find it our duty that the eminent Minister should be sure that, at the first opportunity after this war is finished, we shall ask you (what we avert our eyes from to say) for what we now leave to France in Beirut and its coasts . . . it is impossible to allow any derogation that gives France, or any other Power, a span of land in those regions."¹⁴

Certain interests have tried to make out that Husain was not serious in this exchange of views and did not expect that these pledges would be honoured. This view is undoubtedly incorrect, as witness Husain's action on hearing of the " Sykes-Picot Agreement."

This was in fact an Anglo-Franco-Russian secret agreement concluded on May 16th, 1916, with the object of delimiting the spheres of influence of the respective governments in the territories at that time part of the Ottoman Empire.¹⁵ This provided for the division of the Fertile Crescent into zones. The coastal strip of Lebanon and Cilicia was to go to France, the interior of Syria was to be independent, but in the zone of French influence,¹⁶ Baghdad and Basra vilayets were to go to Britain, while what was to become Transjordan, and part of the Mosul vilayet were to be independent. Britain was, however, to have the same rights as France in the Syria districts, while in Palestine an international administration was to be set up.¹⁷

Had this been concluded prior to the correspondence with Husain it might have been understandable, but its conclusion after the earlier agreement is indeed surprising. The greatest objections to it are those made by Antonius,

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namely that it gave independence to the less educated and least prepared areas of the Arab world, while leaving the developed centres, such as Baghdad, Beirut, etc., under foreign control, and that it split a fundamental unity, the old Syria, into areas with boundaries and customs partly under foreign control.¹⁸

In May, 1917, Sir Mark Sykes went to Jedda to confer with Husain, but he did not discuss or disclose, as far as is known, anything of the secret agreement, which was not revealed until after the Bolshevik Revolution had led to its publication. The Turkish authorities made haste to inform Sharif Husain of these documents,¹⁹ as proving that the Arabs had been duped and led on by false promises. Husain rejected the peace offers which were implied in these revelations and forwarded the correspondence to the High Commissioner in Egypt with a request for an explanation. The High Commissioner replied that the "documents found by Bolsheviki in Petrograd Foreign Office do not constitute an actually concluded agreement but consist of records of provisional exchanges and conversations between Great Britain, France and Russia which were held in the early days of the war and before the Arab Revolt."²⁰

In a note to Husain dated February 8th, 1918, the British Agent in Jedda, after pointing out that the Turkish policy was to create dissension by luring the Arabs into believing that the Allied Powers had designs on the Arab countries, concluded "His Majesty's Government have hitherto made it their policy to ensure that (Arab) liberation, and it remains the policy they are determined unflinchingly to pursue by protecting such Arabs as are already liberated from all dangers and perils and by assisting those who are still under the yoke of the tyrants to obtain their freedom/*

The publication of the Balfour Declaration on November 2nd, 1917, embodied in a letter from Mr. Balfour, then Secretary of State for Foreign Affairs, to Lord Rothschild,²¹ foreshadowing the establishment of a Jewish national home in Palestine, caused King Husain²² further uneasiness as to Allied intentions and, in January, 1918,

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Commander Hogarth of the Arab Bureau was sent to Jeddah to explain the Balfour Declaration.²³

On June 16th, 1918, a declaration, sometimes known as the Declaration to the Seven, was made to Arab leaders in Cairo which reaffirmed the intention of His Majesty's Government to assist and recognize Arab independence in, first, countries which were free before the war ; second, territories liberated from Turkish rule by the action of the Arabs themselves. With regard to territories liberated from Turkish rule by Allied armies, the Seven were directed to the proclamations of March 17th, 1917, on the capture of Baghdad and December 9th, 1917, on the capture of Jerusalem²⁴:—" These proclamations define the policy of His Majesty's Government towards the inhabitants of these regions, which is that the future government of these territories should be based upon the principle of the consent of the governed. This policy will always be that of His Majesty's Government."

This declaration was followed by others, notably the Anglo-French Declaration of November 17th, 1918,²⁵ in which " France and Great Britain agree to further and assist in the setting up of indigenous governments in Syria and Mesopotamia/'

So pledge followed pledge, while Allenby advanced into Syria and the country became a battleground. In December, 1917, Jerusalem was captured, and in October, 1918, Damascus; while by the Armistice the area to Aleppo was occupied. In addition to actual war, famine broke out and large numbers of Syrians starved. Many Syrians were also executed by the Turks for nationalist activities after the outbreak of the Arab Revolt.

FAISAL'S SYRIAN KINGDOM 1918-20

The Arab Army under Faisal had advanced with Allenby to Damascus and an Arab administration was set up under the Amir Faisal with Damascus as its capital. This was the hinterland given to France as her sphere of influence under the Sykes-Picot Agreement, when the French

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Government did not feel itself bound by any pledges given by the British to the Arabs.

Faisal visited Europe for the Peace Conference at Versailles and, on February 6th, 1919, put the Arab case for the independence of the whole Arabic-speaking area, as an Arab Confederation. This was not agreed by the Conference, which broke up without having come to any definite agreement with regard to the Arab countries.

Meanwhile President Wilson had suggested a commission of enquiry to ascertain the wishes of the inhabitants. This commission, in which France and Britain took no part, presented a report known as the King-Crane Report²⁶ in which they expressed themselves in favour of a mandatory regime for a limited period by either the United States or the United Kingdom, but not by France.²⁷ Only the Lebanese Christians among the Syrian peoples expressed a preference for France.

Faisal, who had returned to Syria, went back to France and concluded a provisional arrangement with Clemenceau, which recognized Syrian independence, but subject to certain French controls. Then the Clemenceau Government fell and the agreement lapsed. On March 20th, 1920, a Syrian Congress met at Damascus which offered Faisal the crown of Syria (including Palestine). He accepted the offer but his action was repudiated by the United Kingdom and the French Governments.

At the San Remo Conference of April, 1920, the Supreme Council of the Allied Powers allotted Northern Syria and Lebanon to France as an A Class Mandate. In July, General Gouraud, the French Commander-in-Chief, delivered an ultimatum to Faisal, demanding the recognition of the French mandate, reduction of the Syrian Army, adoption of conscription, French occupation of Aleppo and the circulation of French currency in Syria. After a brief struggle Faisal's forces were defeated and the French entered Damascus on July 25th. Faisal went into exile, after a regime too short to have accomplished much on the material side for his Syrian subjects.

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THE FRENCH MANDATE

France claimed the mandate for Syria and the Lebanon on the grounds that she had special interests in the Levant States.²⁸ As far back as the 17th century²⁹ there had been French schools in the Lebanon and the French had established control over the Latin Church in the Levant, but it was not until the 19th century that France took really active steps in the matter. Having supported the Catholic missions, the French, who regarded the Maronites as their proteges, supported the Maronites after the Druze massacres of 1860. The French Government sent an expedition which occupied the Lebanon until an international conference, which met in Beirut, formulated a statute giving the Lebanon a certain measure of autonomy. The French support of the Lebanese Catholic Christians brought them into conflict with Russia, who since 1774 had been regarded as the protector of the Greek Orthodox Church in the Ottoman Empire. The dispute as to which of these countries was to protect the Holy Places was one of the causes of the Crimean War. French rights as a protecting power were given formal recognition in the Treaty of Berlin, signed in 1878.

As France had claimed the Lebanese and Syrian mandate by reason of her special interests in the Lebanon, it was not surprising that one of her first moves was the strengthening of the Lebanese position by the creation of a Greater Lebanon. This was also a move to check the growing tide of Arab nationalism.

Thus in August, 1920, the State of Greater Lebanon was created with the addition of Beirut, Tripoli, Sur and Saida, and the area to the Palestinian frontier. At the same time the Territory of the Alawis was set up round Latakia, and established as a separate state in 1922. In April, 1922, the Jebel Druze was declared independent, and Syria was split into two States, Damascus and Aleppo, while within the State of Aleppo the Sanjak of Alexandretta enjoyed a special regime.³⁰

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The intentions of the French Government as regards the mandate were put forward to the Permanent Mandates Commission in 1926 by M. de Caix³¹:—

" The idea which has governed, if not the whole exercise of the Mandate, at any rate all the efforts made to organize it, is the following : the Mandate is a provisional system designed to enable populations which politically speaking are still minors to educate themselves so as to arrive at full self-government. This presupposes that the Mandatory Power will gradually create native organizations, such as may, when complete, be able to ensure the government of the country. . . . It appears from this that there should not be any intervention on the part of the organizations of the Mandatory Power in the internal affairs of the native governments. . . . In conformity with this countries like Syria and the Lebanon, which have not one but several Governments must be provided with a native organization . . . it is necessary on the other hand that the Mandatory Power should be in a position not only to correct the workings of the native governments and even to make up for their deficiencies/"

The result was that a dual organization was set up. The French High Commissioner, often also Commander-in-Chief, was responsible for the administration of both Syria and Lebanon. He was assisted by a cabinet of French officials,³² who held key posts in such departments as public security, education, antiquities, public works and the control of the Beduin. Customs, Posts and Telegraphs and Communications were also directly under the control of the High Commissioner.³³ The French forces, both colonial and French troops, and the " troupes speciales " were also under the High Commissioner when he was a soldier, as in most cases he was.

The⁷ local administrations were, in theory, staffed by Arab officials, but in the early period the Governor and other officials were often French.

The system of dividing Syria and Lebanon into so many separate entities had not worked satisfactorily and in

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January, 1925, the States of Damascus and Aleppo were combined into the State of Syria ; in 1936 this was again enlarged by the incorporation of Latakia and Jebel Druze.

The Lebanese and Syrian nationalists were highly critical of French rule, and apt to overlook its benefits. France built roads and schools, established law and order and controlled the raiding Beduin, but she did not succeed in winning the approval or the cooperation of the major portion of the Syrians and Lebanese. This was due partly to her policy of divide and rule, partly to the privileges granted to the Christian minorities and resented by the bulk of the Moslems, and partly to the innate desire for independence and resentment at foreign control.

One of the main grievances of the Syrians was the French treatment of the Sanjak of Alexandretta. As was seen previously, this area was subject to a special regime following the Franco-Turkish agreements of 1921 and 1926. After the initialling of the Franco-Syrian treaty of 1936, the Turkish Government claimed a larger portion of autonomy for the Sanjak and the matter was laid before the League of Nations. Negotiations continued until May, 1937, when France and Turkey signed a treaty guaranteeing the territorial integrity of the Sanjak and a guarantee of the Turkish-Syrian frontier. Under the Statute for the Sanjak of May 29th, 1936,³⁴ the Sanjak was to be independent in internal affairs, but its foreign policy was to be the responsibility of the Syrian State, while Turkey was given special facilities with regard to the port of Alexandretta. The Fundamental Law of the Sanjak allowed a separate legislature of forty members. This settlement was attacked in both the Syrian press and parliament, and demonstrations were held in Damascus, Aleppo and Latakia, while in both May and December, 1937, the Syrian Chamber refused to accept the new regime.

The Turkish Government replied by denouncing the Turko-Syrian treaty of 1936. The state of tension in the Sanjak of Alexandretta made it impossible for the commission appointed by the League of Nations to oversee the

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elections, which were held, amid riots, in August, 1938. The Turks, with 35,847 votes, received 22 seats, a majority over all the rest. It became evident during 1939 that Fraxicejwpuld cede Aiejcandretta (the name was changed to Hatay in September, 1938) as a preliminary to the Franco-Turkish Treaty of Mutual Assistance signed on June 23rd, 1939. This was so, and the Hatay was ceded by an agreement of June 21st. This was a distinct loss to Syria, who lost the important port of Alexandretta and the commercial city of Antioch. It was also contrary to Article 4 of the Mandate for Syria and the Lebanon, under which "the Mandatory shall be responsible for seeing that no part of the territory of Syria and the Lebanon is ceded or leased or in any way placed under the control of a foreign power."

There were other financial and economic grievances, such as duty-free goods for French officials, and the linking of the currency to the franc, with consequent fluctuations.

The main object of the Syrian nationalists, like that of the Iraqis, was to obtain self-government. They were handicapped because, as in Iraq, the political groupings were personal rather than party and although there was a hard core of opposition to French rule it was unorganized. However, from time to time there were difficulties. The Alawis broke into revolt in 1919—21, Syria was always more discontented with the French than Lebanon, and, in July, 1925, the Druzes rose in revolt in the most serious insurrection the French had to face. The cause of the revolt was the rejection by General Sarrail of the 1921 Franco-Druze agreement, pledging Druze autonomy, coupled with the unpopular measures of the French Governor of Jebel Druze, Captain Carbillet, who set out, with rather more vigour than tact, to reform social conditions in the Jebel. The insurgents were joined later by the Syrian nationalists, and a general rebellion ensued. In October Sarrail ordered the bombardment of Damascus, but this did not end the revolt which lingered on until the end of 1926, although Suwaida, the Druze capital, fell in April. Jebel Druze continued to be administered by a French Governor but

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internal interference in the life of the Druzes ceased, and the Governor was assisted by a council of Druze notables.

Meanwhile various attempts to set up local governments were made, most of which proved unsuitable from the French point of view and were suspended.

Thus in 1926 the Lebanon was endowed with a constitution which proved unsatisfactory and was suspended in 1932.

In 1934 a constitution reserving greater power to the Mandatory was introduced and a Syrian Constituent Assembly met in 1928. The Nationalists demanded full Syrian sovereign^t unification of the country and the creation of a national army. The draft constitution contained clauses violating French rights and the High Commissioner suspended the Assembly. In 1933 a Syrian Chamber was elected and negotiations begun for the conclusion of treaties between the Levant States and France.

On September 9th, 1936, a Franco-Syrian Treaty of Friendship and Alliance³⁶ was concluded, and in November, 1936, a similar treaty between France and Lebanon. The Franco-Syrian Treaty, which was to last for twenty-five years after ratification, was to admit Syrai Nations after three years and Syria was to take over the rights and obligations of the Mandatory Power. France was to be allowed ceritain bases And French'troops were to remain for five years, while minority and French interests were safeguarded. The Franco-Lebanon Treaty was similar, but assigned no limit of time or place to the French forces. France, however, never ratified these treaties and they did not come into force. The dissatisfaction felt in Syria led to civil disorders and, in July, 1939, the Constitution was suspended and a Council of Directors appointed to govern by decrees, while separate administrations were restored to Jebel Druze and Latakia.³⁶ In September, 1939, similar measures were taken in the Lebanon.

At first the war made no difference to the status of Syria **and** the Lebanon as mandated territories and, in June,

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940, General Mittelhauser, the French Commanding Officer in the Levant States, issued a statement to this effect.³⁷

The two main French difficulties in Syria and the Lebanon from June, 1940 to June, 1941 were economic and political. There was a shortage of supplies and poor distribution of existing stocks. The presence of an Italian Armistice Commission supervising the application of the disarmament clauses in Syria was not a factor making for tranquillity.

In Syria a non-party Council of State and a Consultative Assembly, including the partly autonomous Jebel Druze and Latakia, were established. In the Lebanon a government was formed of three representatives of the religious communities and the Governor.

GREAT BRITAIN AND THE LEVANT STATES

British interests in Syria, particularly trading connections, are almost as old as those of France. There Were English factories in Aleppo³⁸ in the 16th century, while in the 18th and 19th centuries great interest was taken by British officials and explorers in Syria, as lying athwart the land route to India. This interest led to expeditions, such as those of Chesney in 1835—37 which surveyed the Euphrates and Tigris.³⁹

As has been seen in an earlier section, Great Britain recognized French interests in the Levant States in certain agreements made during the 1914—18 war. This was the position up till 1940. However, the British attitude towards the French in Syria and Lebanon had changed somewhat in the years between the wars. First, France had been one of the major critics of the British policy of relinquishing the Iraq mandate ; secondly, Syria and Lebanon had been used by Arab refugees from Palestine after the 1936 revolt there ; the Mufti, too, took up residence in the Lebanon and French officials were not very cooperative in the efforts to stop the traffic in arms and men across the border.

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Matters were brought to a head by events in June and July, 1941, during the revolt of Rashid Ali in Iraq. In May, 1941, German pressure was brought to bear demanding in particular the use of Syrian airfields and these facilities were granted by the French authorities in spite of a statement issued in July, 1940, by the Foreign Office that they would not allow Syria or the Lebanon to be occupied by any hostile Power.⁴⁰

As a result of Vichy action, British forces, accompanied by Free French units, crossed the frontier on June 8th, 1941. General Catroux, commanding the Free French forces, issued a proclamation on the day of the invasion in which he said in part :—

" I come to put an end to the Mandatory regime and to proclaim you free and independent. You will therefore be from henceforward sovereign and independent peoples, and you will be able either to form yourselves into separate states or to unite into a single state. In either event, your independent and sovereign status will be guaranteed by a Treaty in which our mutual relations will be defined. This Treaty will be negotiated as soon as possible between your representatives and myself."

General Catroux's proclamation of June 8th was accompanied by a statement issued by Sir Miles Lampson, His Majesty's Ambassador at Cairo :

" I am authorized by His Majesty's Government in the United Kingdom to declare that they support and associate themselves with the assurance of independence given by General Catroux on behalf of General de Gaulle to Syria and the Lebanon."⁴¹

This was amplified by Mr. Churchill in the House of Commons on June 10th, 1941, when he said :—

" Now I come to the Syrian question. Let me repeat that we have no territorial designs in Syria or anywhere else in French territory."

General Dentz's forces put up an unexpectedly stiff resistance ; hostilities lasted over a month and an armistice was not signed until July 24th. The terms of the

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Convention were mainly military, but under Article 12 the French cultural institutions were protected.⁴²

In August there was an exchange of letters between Captain Oliver Lyttleton, Minister of State, and General de Gaulle with regard to Syria and the Lebanon, in which Lyttleton pointed out that both Britain and France were pledged to the independence of these countries.⁴³

Mr. Churchill was even clearer with regard to British intentions when on September 9th, 1941, he made the following statement in the House of Commons :—

" Our policy to which our Free French Allies have subscribed, is that Syria will be handed back to the Syrians, who will assume at the earliest possible moment their independent sovereign rights. We do not propose that this process of creating an independent Government, or Governments . . . shall wait until the end of the War. We contemplate constantly increasing the Syrian share in the administration. There is no question of France maintaining the same position which she exercised in Syria before the war but which the French Government had realized must come to an end. . . . There must be no question even in war-time, of a mere substitution of Free French interests for Vichy interests."⁴⁴

This was followed on September 27th, 1941* by the actual proclamation of the independence of Syria by General Catroux and, on November 21st, Lebanon was declared independent. The Syrian independence was unconditional, but that of Lebanon required a treaty to be concluded defining Franco-Lebanese relations.⁴⁵

Shaikh Taj ad Din al Hasani became first Syrian President, but as he had previously advocated collaboration with the French and had been Premier in 1931 and 1934, he was not regarded with favour by the Syrian nationalists. The Lebanese Prime Minister, Ahmad ad Da'uk, was equally suspect and neither proclamation was greeted with enthusiasm by the populations of Lebanon and Syria.

His Majesty's Government gave formal recognition to the new States. Syria was recognized on October 27th,

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1941, and Lebanon on December 26th, 1941, while in February, 1942, Major General who had been in the Levant since 1941 as the head of the Spears Mission, was appointed Envoy Extraordinary and Minister Plenipotentiary at Beirut and Damascus. The Syrian and Lebanese attitude to the British was uncertain. Prior to the campaign of 1941 the inhabitants knew little of the British, notwithstanding their proximity in Palestine and Iraq and in spite of the fact that a section of Syrians had hoped for a British mandate. To sum up, what they knew of British policy towards Palestine they disapproved, and they remembered that the British had, as they thought, deserted Faisal in 1920 and handed over the country to the French. The Arabs were not encouraged to be friendly in 1941 when they discovered that the British were imposing upon them a second set of French officials, hardly distinguishable from those of Vichy and often consisting of the same individuals. An acute shortage of wheat and the consequent rise in prices which followed the arrival of the British forces did not endear them to the local population.

In spite of the declarations of independence, the French authorities showed no wish to restore constitutional processes or to transfer their powers to the Syrian and Lebanese Governments. This was partly due to the weakness of the Free French and their desire not to sign any agreements that would involve a derogation of French rights in the Levant. The situation was made more difficult by the lack of trained personnel among the Free French which resulted in the retention of many ex-Vichy officials.⁴⁶ This led to much discontent and to the revival of the Syrian National bloc, under Shukri al Quwatli.⁴⁷ It was not until 1943 that elections were held and constitutional governments in both Syria and Lebanon.⁴⁸

Both States returned strong Nationalist Chambers. The Lebanese Government asserted its independence by declaring French to be no longer an official language.

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This was followed by a decision to reform the Constitution by repealing all articles concerning French rights under the Mandate. M. Helleu, the French Delegate-General,⁴⁹ issued a communique on November 5th, 1943, stating that texts relating to international obligations assumed by France and still in force could not be modified without French concurrence, and declared the Lebanese plans for revising the Constitution invalid.

On November 8th, the Lebanese Chamber passed the disputed amendments by forty-eight votes to nil. The French authorities thereupon arrested the Lebanese President and Ministers, dissolved the Chamber, imposed a strict censorship and placed Lebanon under martial law. Disturbances broke out in Beirut and other towns, protests were made by Iraq and Egypt, the United States and the United Kingdom Governments to the French National Committee of Liberation. General Catroux, French Commissioner for Moslem Affairs, was sent to Beirut with instructions, in the words of General de Gaulle, "to study with the Lebanese the best means of settling the incident." The French Committee of National Liberation issued a statement on November 21st, saying that it had decided to follow the recommendations of General Catroux and reinstate President Khouri and the arrested Lebanese Ministers, and that M. Helleu was to go to Algiers.

The official British attitude to the dispute was summed up by Mr. Law, Minister of State, in the House of Commons on November 23rd, 1943 :—

"The interest of His Majesty's Government in this dispute is two-fold. First we have endorsed the promise of independence given to the Lebanese people by General Catroux in 1941. . . . Secondly, the Lebanon is of vital importance to the war effort, both as an operational base and from the point of view of communications. Any threat of a breakdown of law and order is therefore of direct concern to His Majesty's Government".⁵⁰

The crisis in the Lebanon meanwhile subsided and, after discussions between General Catroux and the Syrian and

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Lebanese Governments, an agreement was reached on December 22nd, 1943, regarding "the transfer to these Governments of powers exercised in their names by the French authorities," together with the "interdts communs," including customs. The agreement was to come into effect on January 1st, 1944.⁶¹

The snuff and tobacco monopoly was transferred to the control of the Lebanese and Syrian Governments on January 3rd, after the signing of the protocols and the Customs Department was taken over by a commission of six members, three from each State. Many other departments of the administration were subsequently handed over.

The Syro-Lebanese Convention on Common Interests was approved by the Lebanese Chamber and published in the *Echos de Syrie* of February 6th, 1944. This arranged for a Customs Union between the two countries and the establishment of a Higher Commission of Common Interests to prepare the necessary drafts for commercial and economic agreements with other countries. The Anglo-French Financial Agreement of February 8th, stabilised the Syrian and Lebanese currencies, and arrangements were made to transfer to these Governments the right to control the note issue.

STATUS OF THE LEVANT STATES 1944-45

During the latter part of 1944 and the early months of 1945 various events took place which strengthened the position of the Levant States as independent entities. They sent representatives to the Alexandria Conference of September 25th—October 7th, 1944, and joined the Arab League on its inception on March 22nd, 1945.

On February 26th, 1945, Syria and the Lebanon declared war on Germany and Japan and signed the United Nations Declaration on April 12th in Washington. Both States also attended the San Francisco Conference.

Meanwhile the major Powers had recognized their independence."

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THE QUESTION OF THE 'TROUPES SPECIALES' AND THE FRENCH TREATY

By the end of 1944 all important services administered by the Delegation-General had been transferred to the Lebanese and Syrian Governments, with the exception of the "Troupes Speciales."⁵³ These forces were to have formed the basis of the Syrian and Lebanese national armies and consisted of Syrians and Lebanese, trained, equipped and officered by the French and at the direct disposal of the French Command. Discussions as to their disposal began in December, 1943, and continued intermittently during 1944 and 1945, but no agreement was reached, the French being unwilling to transfer them until the end of the war, or at least until some form of treaty of alliance was drafted.

The real difficulty was the proposed treaties. The French were determined not to lose their last bargaining counter namely the "Troupes Speciales," while the Syrian and Lebanese Governments were equally determined that France should carry out her promises to them. The main French aim was to maintain economic and political interests in the Levant but French officials were also concerned with the effect that the withdrawal from the Levant might have on their position in North Africa. There was also the fear that, in the event of a complete French withdrawal, Lebanon and Syria would be drawn into the British sphere of influence, which predominated in the surrounding Arab countries.

At first there were no definite pronouncements by French leaders, but after the French National Committee of Liberation had been replaced by the French Provisional Government General de Gaulle made two statements,⁵⁴ defining the French attitude as that of maintaining her predominant position in the Levant and basing her claims on her mandatory jurisdiction.

This was followed by a statement on February 2nd, 1945, by M. Bidault, the French Foreign Minister. He

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was reported to have said that France was responsible for the maintenance of order in Syria and the Lebanon and would defend her prerogatives with the military force at her disposal ; instructions to that effect had been sent to the French Delegate-General in the Levant.

General Beynet, the Delegate-General, visited France in March. He did not return to the Levant with instructions to open treaty negotiations until May. The proposals made by the French Provisional Government were that the Levant States should each sign three conventions : the first to guarantee to the French the independence of their cultural establishments, the second to guarantee economic rights, the third to be strategic. The French demanded the right to establish naval and air bases and to maintain a French Command in the Republics. As a corollary they proposed that as soon as the conventions were signed, the " Troupes Spéciales " should be made over to the Syrian and Lebanese Governments ; these were, however, to remain for an indefinite period under the supreme control of a French Command.⁵⁶

On May 19th, 1945, talks were due to begin between the French Delegate-General and the Syrian and Lebanese Governments, but on May 15th, French reinforcements began to arrive in Beirut. This led to strikes in Beirut and official protests from the Syrian and Lebanese Governments, who broke off negotiations with the French.

Tension increased and following the outbreak of fighting between the Syrian and French troops, the bombardment of Damascus and disturbances in Hama and the Jebel Druze, Mr. Eden, Secretary of State for Foreign Affairs, announced on May 31st in the House of Commons that His Majesty's Government had come to the conclusion that they could no longer stand aside and that Mr. Churchill had sent the following message to General de Gaulle :

" In view of the grave situation which has arisen between your troops and the Levant States and the severe fighting which has broken out, we have, with profound regret, ordered the Commander-in-Chief, Middle East, to intervene

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to prevent a further effusion of blood in the interests of the security of the whole Middle East, which involves communications for the war against Japan, In order to avoid collision between British and French forces we request you immediately to order the French troops to cease fire and withdraw to their barracks. Once firing has ceased and order has been restored we shall be prepared to begin tripartite talks in London."⁵⁶

THE BRITISH ATTITUDE TO THE LEVANT CRISIS OF 1945

British policy in the Levant States since 1941 had been based on the following points : first, the endorsement by His Majesty's Government of General Catroux's declarations of Lebanese and Syrian independence ; secondly, the recognition of France's pre-eminent position in the Levant, subject to the grant of independence to the states concerned ; thirdly, the necessity of the Levant States reaching an agreement with France ; and, fourthly, the importance of maintaining security in an area vital to British communications and under British operational command.

The British position was clearly put by both Mr. Law and Mr. Churchill in the following statements,

Mr. Law, Minister of State, said in the House of Commons on February 7th, 1945 :—

" It is primarily a matter for negotiation between France and the States themselves. But they (the future relations of France and the Levant States) will have to be defined sooner or later by an agreement or settlement of some sort and it is the view of His Majesty's Government that the sooner discussions to this end are started the better. . . . Meanwhile we have the right to expect that no action will be countenanced by either side which is likely to create a threat to security in an area under British operational command or to undermine the loyalty and discipline of the ' Troupes Speciales ' which form part of the Allied Forces in the Middle East.""

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This statement was amplified by Mr. Churchill on his **return** from the Crimea Conference when he spoke in the House of Commons on February 27th, 1945. He said in part :—

" I must make clear once and for all, the position of His Majesty's Government in respect to Syria and the Lebanon, and in relation to our French allies. That position is governed by statements made in 1941 in which the independence of these Levant States was definitely declared by Great Britain and France. At that time and ever since, His Majesty's Government has made it clear that they would never seek to supplant French influence by British influence in the Levant States. We are determined also to respect the independence of these States and to use our best endeavours to preserve a special position for France in view of the many cultural and historic connections, which France has so long established with Syria. We hope that it may be possible for the French to preserve that special position. We trust that these States will be firmly established by the authority of the World Organization, and that French privilege will also be recognized.

"However, I must make it clear that it is not for us alone to defend by force either Syrian or Lebanese independence or French privilege. We seek both, and we do not believe that they are incompatible. Too much must not be placed therefore, upon the shoulders of Great Britain alone. We **have** to take note of the fact that Russia and the United States have recognized and favour Syrian and Lebanese independence, but do not favour any special position for any other foreign country. All these and many other matters affecting the Middle East are fitting and necessary subjects for the Peace Conference."^{58 59}

The French bombardment of Damascus ceased after May 31st as General Humblet, Commanding French Forces **in** Syria, had received instructions from Paris not to oppose **the** orders of the British Commander-in-Chief, who arrived **in Beirut** on June 1st. French troops were withdrawn from **the larger towns and order** was generally restored.

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In reply to a statement made on June 1st by General de Gaulle, which reflected embittered reactions widely manifested in France, Mr. Churchill made a long statement in the House of Commons on June 5th, 1945, recapitulating the steps which had led to the action of His Majesty's Government. He said in part :—

" The most strenuous . . . efforts have been made by His Majesty's Minister to produce a calmer atmosphere in which negotiations could be conducted for a settlement of outstanding questions between France and the Levant States . . . we have done our utmost to preserve calm, to prevent misunderstandings and to bring the two sides together. My promise to General de Gaulle to withdraw all our troops as soon as satisfactory arrangements were made which would prevent disorder in Syria and Lebanon was a serious step in policy and ought completely to have removed from the French mind the idea that we want to supplant them or steal their influence." General de Gaulle had in his statement suggested : " In the opinion of the French Government it is a question of creating, if possible, an atmosphere more favourable to conversations with the American and British Governments and, eventually, with the Governments of the various Arab States concerning the situations in the Near East as a whole, and of which it would be fitting that the Soviet Government should be informed/'

Mr. Churchill, in his speech of June 5th, reiterated His Majesty's Government's desire for a three Power, not a five Power, Conference and this view was concurred in by the United States Government.

During June, to facilitate the collection of grain, as there was little available in the large towns, the British military authorities were forced to form a new organization called MIRA (an Arabic word meaning providing food) by which the Ninth Army would carry out the task of purchasing and distributing grain, hitherto carried out by L'Office des Cereales Panifiables (O.C.P.). A temporary agreement to cover the activity of MIRA was arranged between the

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Government of Syria and Lebanon and the Commander-in-Chief, British Forces in the Middle East,

On June 21st, 1945, the Syrian and Lebanese Governments issued a joint communique in Damascus, in which it was announced that they had determined to follow a joint policy, the aims of which were :—

(1) To put into operation the decisions of the Arab League Council (which had met in Cairo);

(2) To dismiss all French employees in the service of the two Governments;

(3) To work for the withdrawal of all French troops from Syrian and Lebanese territory, and to demand the handing over of the " Troupes Spéciales " to the two Governments.

Meanwhile the British Government continued to issue statements in an attempt to explain its reason for taking action in the Levant States. The clearest is that issued by the Foreign Office on June 26th, 1945, which said in part :

" The fundamental issue is not one of Anglo-French relations, but rather the question what are to be the relations between France and the Levant States. As the Prime Minister and the Secretary of State have explained, His Majesty's Government have endorsed General de Gaulle's promise of independence to Syria and the Lebanon, but the intervention of British troops became imperative because local events in Syria seemed likely to disturb the whole Middle East and hamper the Allied war effort.

" Instructions were given to the Commander-in-Chief, Middle East Forces, by His Majesty's Government which were to intervene with a view to the restoration of order pending some sort of solution of the situation in the Levant States by diplomatic action. . . .

" It must be clearly understood that intervention by British troops implies no intention on the part of the British to supplant the French in Syria and the Lebanon. The British authorities do not intend to prejudice in any way the final solution of the situation in the Levant States.

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The British military forces will not be used otherwise than impartially and if they have to intervene further to prevent disturbances in the interests of the war effort of the Allied Nations the British Commander will take action against anyone responsible for creating such disturbances/¹⁶⁰

On July 8th, the French Government made an announcement that the "Troupes Speciales" were "hereby transferred to the Syrian and Lebanese Governments according to formalities which will be defined within a maximum of forty-five days/' The major portion of these troops were transferred by the first week in August, thus removing one of the main difficulties to any French-Lebanese-Syrian negotiations. The Lebanese Government resigned on August 20th, 1945, and a new Cabinet under Sami es-Solh was formed. Sami had previously held office as Premier from July, 1942—March, 1943. There was also a new Syrian Government ; Faris El Khouri's Cabinet being reformed under the same Prime Minister on August 26th, though it was forced to resign in September. A Cabinet was then formed on September 30th, 1945, by Saadullah Al Jabir. Both Governments issued statements that they would follow the same foreign policy as their predecessors.

Efforts were also made to improve the relations between the United Kingdom and France in respect to the Levant States and preliminary discussions were held in London in September during the meeting of the Council of Foreign Ministers. This led after further discussion to the signing, on December 13th, 1945, of a joint Anglo-French Agreement about which announcements were made the same day.

JOINT ANGLO-FRENCH DECLARATIONS

After discussions between the French and British Governments had proceeded for some time, a decision to take joint action with regard to the withdrawal of the troops was

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arrived at. Mr. Bevin made a statement to this effect in the House of Commons on December 13th, 1945.⁶¹

A joint statement of policy was issued on December 13th, 1945. This was communicated in the form of a joint exchange of letters between the Secretary of State for Foreign Affairs and the French Ambassador. British and French military experts were to meet at Beirut and British and French forces were to be withdrawn at the same time from Syria.

The statement read in part :—

" The programme of evacuation will be drawn up in such a way that it will ensure the maintenance in the Levant of sufficient forces to guarantee security, until such time as the United Nations Organization has decided on the organization of collective security in this zone.

" Until these arrangements have been carried out, the French Government will retain forces re-grouped in the Lebanon.

" His Majesty's Government in the United Kingdom and the French Government will inform the Lebanese and Syrian Governments of the details of the evacuation, and will invite those Governments to appoint as soon as possible representatives empowered to discuss the dispositions to be jointly agreed upon as a result of these decisions/⁶²

Press reports indicated that a hitch had occurred in the military talks at Beirut which led to consultation with London and Paris. The difficulty arose out of the wording of the two statements. The French understood that while French troops still in Syria were to be re-grouped in the Lebanon, British troops in Syria would be withdrawn from the Levant States altogether. The British contended that it had been understood by all concerned that British troops would remain in the Lebanon until the French withdrawal was complete. The Levant States Governments met on December 15th, to protest against control being left again in the hands of the French, remembering events of November—December, 1943, and the shelling of Damascus in May, 1945. On December 24th, 1945, the Lebanese

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Foreign Minister made a statement, which was similar to a joint communique issued by both Lebanese and Syrian Governments, in which he said that the Levant States could not be bound by decisions which were taken without their participation, or which might infringe their rights and interests.

The wording of the Anglo-French Statement was objected to by the Syrian and Lebanese Governments and, following strikes and demonstrations it was decided to submit a protest both to the Arab League and to the United Nations Organization.

This was brought before the Security Council by a letter of February 4th from the Syrian and Lebanese delegations calling attention to the continued presence of French and British troops in the Lebanon and Syria, a fact which constituted "a grave breach of the sovereignty of the two States." The "dispute" was brought forward under Article 34 of the Charter and was discussed on February 14th-16th. Faris al Khouri, while asking for a time limit to be fixed for the withdrawal of foreign troops, said it would be unjust not to mention the gratitude Syria owed to Great Britain for military, political and economic help. Had Syria wished it, a separate withdrawal of British troops would, he felt, easily have been granted by Great Britain, but his Government had always insisted on a simultaneous withdrawal. Sir Alexander Cadogan, the British delegate, stressed the desire of the British Government to withdraw as soon as possible. The U.S.S.R. supported the Syrian and Lebanese Governments. The United States finally proposed that the Council should take note of the statements made and express its confidence that foreign troops would be withdrawn as soon as practicable. This proposal received seven affirmative votes and was only opposed by the Soviet Union. As M. Vyshinsky exercised his right of veto as a permanent member of the Council, no formal decision of the Council was recorded, but both France and Great Britain declared their readiness to abide by what they considered to be a majority decision.⁶³

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WITHDRAWAL OF BRITISH AND FRENCH FORCES FROM LEBANON AND SYRIA

Following the findings of the Security Council, it was announced on March 4th, 1946, that British and French military delegations meeting in Paris had agreed on a plan for simultaneous withdrawal of British and French forces from Syria, which was to start on March 11th and be completed by April 30th.⁶⁴ The withdrawal was actually carried out a fortnight in advance of this date, and the last British and French forces left Damascus on April 15th.⁶⁵

As regards the Lebanon, the military delegates recommended that all British troops, with the exception of a small liquidation party, should leave by June 30th, and on July 2nd, British Army Headquarters, Middle East, announced that this withdrawal had been completed.⁶⁶ A longer period was required for the French to evacuate owing to their heavy installations, such as the aircraft works at Rayak, which had to be removed as and when shipping was available. The military experts had agreed on April 1st, 1947, as the date for final evacuation, but as a result of conversations between the French and Lebanese Governments, this date was appreciably advanced.⁶⁷ The withdrawal of French troops as a whole was completed on August 31st, and about 300 technicians, who had remained behind to supervise the dispatch of military stores, left the Lebanon on December 23rd, 1946.

NOTES

¹ The term " Levant States " is a good deal earlier, dating from before the 16th century when the Levant Company was formed.

² There has been no census since 1936. These figures are taken from the 1938 Rapport, Ministère des Affaires Etrangères : Sunnis, 1,737,402 ; Shi'ahs, 11,541; Druzes, 79,428; Isma'ilis, 24,390; Alawis, 274,486. Christians:—Maronites, 11,000; Greek Orthodox, 115,118; Armenian Orthodox, 86,742 ; Greek Catholics, 42,427 ; Assyrians, 3,700.

² The Greek Orthodox (see footnote 2) are members of the Eastern Orthodox Church and are under the jurisdiction of the Patriarch of Antioch. The Assyrians (see footnote 2) are Nestorians and originated in the 5th Century. For an account of their arrival in Syria, see Chapter I I , Minorities in Iraq, p. 26.

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⁴ The Druzes have their origins in the nth century when the followers of the Fatamid Caliph Hakim of Egypt claimed he was a reincarnation of God. Meeting with opposition, his followers fled to Syria, where they made converts among the Isma'ilis, and later formed a distinct sect. Their religion remains secret, and a distinction is maintained between the initiates and the ignorant. In some respects it resembles the Isma'ili. The Druzes have remained a distinct and strong community opposed to outside interference and organised in a feudal manner; under Turkish rule they had autonomy. In 1925-26 the Druzes rose in revolt against the French and it was several years before they were suppressed.

⁵ Ala wis (or Nusairis) are found in the northern coastal section of Syria. They are a Shi'ah offshoot and worship Ali, but possess certain doctrines with close Christian affinities. From 1925-36 the territory of the Alawis was administered as a separate State with Latakia as its capital. It was then incorporated in Syria.

⁶ These figures are taken from A. K. Hourani's *Syria and Lebanon*, p. 121. The 1932 figures are from *Rapport a la Societe des Nations sur la Situation de la Syrie et du Liban*, 1933, Geneva.

⁷ The Maronites are one of the Uniate Churches and have played an important part in the political life of the Lebanon. This sect origina^l in the 7th century and is named after either an early Abbot or their first Patriarch, Yuhanna Marun, who died in 707. They are at present ruled by a Patriarch of the Lebanon, and are concentrated mainly in the districts north of the Nahr el Kelb. For a fuller account of the Maronites, see *The Religions of Modern Syria and Palestine*, Frederick Jones Bliss, T. and T. Clark, 1912.

⁸ The Armenians in Lebanon present a special problem. They are mostly of recent origin, having fled from Turkish persecution in the first two decades of the twentieth century. Non-Arabic speaking and racially distinct from their Arab neighbours, they are not easily assimilated and appear to have made little effort in that direction. They are divided into Armenian Orthodox, Armenian Catholic and Armenian Protestant branches. Some certainly wish to return to their own country when independent, others accept the incorporation of Armenia in the U.S.S.R. The Tashnak, or Armenian Revolutionary Party, wish to see Armenia again independent. During 1945-46 an attempt was made to get the Armenians to return to Armenia and several hundreds left Beirut. *The Times*, 4.2.46, recorded the opening of repatriation offices and the registration of 8,000 intending immigrants. *The Arab News Bulletin*, No. 16, 12.7.46, reported that the first group numbering about 2,000 had left Lebanon.

⁹ For discussion of the Arab independence societies and the growth of Arab nationalism, see Chapter I.

¹⁰ It consisted of the Vilayets of Aleppo, Beirut and Syria.

¹¹ The area of Syria at this time included Palestine.

¹² British *White Paper* (1939), *Correspondence between Sir H. McMahon and the Sharif of Mecca*, Cmd. 5957.

¹³ Letter 4, From Sir H. McMahon to the Sharif of Mecca, October 24th, 1915. *Ibid.*

¹⁴ Letter 7, From the Sharif of Mecca to Sir H. McMahon, January 1st, 1916. *Ibid.*

¹⁵ See Appendix 5 for text.

¹⁶ France only to supply advisors and officials.

¹⁷ This was largely due to the Russian claim as guardian of the Holy Places.

¹⁸ G. Antonius : *The Arab Awakening*, p. 248.

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¹⁹ In a letter from Jamil Pasha, Turkish Governor of Syria, of November 26th, 1917, and an address delivered in Beirut by Jamil on December 4th, 1917, texts of which were printed in the Syrian papers.

²⁰ G. Antonius : *The Arab Awakening*, p. 257.

²¹ For text see Chapter V, Palestine.

²² Husain had himself proclaimed King of the Hejaz in November, 1916.

²³ The exchange of views was verbal only, but according to Antonius (*op. cit.* p. 268), Husain recorded Hogarth as having given an explicit assurance on behalf of His Majesty's Government that "Jewish settlement in Palestine would only be allowed in so far as would be consistent with the political and economic freedom of the Arab population". If this is correct, it goes further than the Balfour Agreement which only guarantees "the civil and religious rights of the Arab population". The text of the conversations was not issued until 1939 as a British White Paper :—*Statements in regard to the Future Status of Certain Parts of the Ottoman Empire*, Cmd. 5964 (1939). It contains no reference to the supposed statement quoted above by Antonius.

²⁴ White Paper, *Statements made in regard of the Future Status of Certain Parts of the Ottoman Empire*, Cmd. 5964 (1939). See Appendix No. 1 for text of this proclamation

²⁵ Already quoted in Chapter II. For text see Appendix No. 2.

²⁶ Mr. Charles Crane and Mr. Henry King presented the report to President Wilson on August 28th, 1919.

²⁷ " More than sixty per cent of all the petitions presented to the Commission directly and strongly protested against any French mandate. . . . The feeling of the Arabs in 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." From Antonius, Appendix H, quoted from the text published in the *Editor and Publisher*, December 2nd, 1922.

²⁸ The Mandate granted by the San Remo Conference was confirmed by the League of Nations in July, 1922. It became legally effective in 1923.

²⁹ Some writers trace French influence to the French Crusading States set up in Syria during the Middle Ages. But the first Frankish-Ottoman capitulation was not agreed until 1535, when French citizens residing in the Ottoman Empire were granted certain privileges including the practice of their religion.

³⁰ Under the Franco-Turkish Treaty known as the Franklin-Boullion Agreement, signed in October, 1921, at Ankara, the Sanjak was given a large measure of autonomy and Turkish was recognised as an official language. This was confirmed in the Protocol of the Franco-Turkish Treaty of Bon Voisinage, signed on May 20th, 1926.

³¹ Minutes of the eighth meeting of the Permanent Mandates Commission, February-March, 1926.

³² The expenses of the officials were borne on the French budget.

³³ The Customs, Posts and Telegraphs were known as " les inter^{ts} communs ".

³⁴ *Documents on International Affairs*, 1937.

³⁵ For text see *Rapport a la Societe des Nations sur la Situation de la Syrie et du Liban*, 1936.

³⁶ For text see Hourani, *op. cit.* Appendix A, Decrees of the High Commissioner in regard to the Autonomy of the Alawi Territory, Jebel Druze and the Jazerah, July 1st, 1939, quoting *Oriente Moderno*, August, 1939.

³⁷ *The Times*, June 29th, 1940.

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²³ The Turkey Company was formed in 1578, the Levant Company in 1592, and both established factories at Aleppo. For details see *The Travels of John Sanderson in the Levant 1584-1602* ; The Hakluyt Society, 1931.

³⁹ E. R. Chesney, *Narrative of the Euphrates Expedition carried on by order of the British Government during the years 1835, 1836 and 1837* ; London, 1868. Colonel Chesney with two paddle steamers descended the Euphrates from Bir to the Shatt el Arab, carrying out the first survey of this region. The steamer Tigris was lost on the way and schemes of establishing a railway came to nothing.

⁴⁰ The text of the Foreign Office statement of July 1st is as follows :—r

" His Majesty's Government declare that they could not allow Syria or the Lebanon to be occupied by any hostile Power or to be used as a base for attacks upon those countries in the Middle East which they are pledged to defend, or to become the scene of such disorder as to constitute a danger to those countries. They also hold themselves free to take whatever measures they may in such circumstances consider necessary in their own interests. Any action they may therefore be obliged to take . . . will be entirely without prejudice to the future status of the Territories now under French Mandate."

⁴¹ *Statement of Policy by His Majesty's Government in respect to Syria and the Lebanon*, Cmd. 6600, 1945.

⁴² *The Times*, July 16th, 1941.

⁴³ Letter of August 7th, 1941, *White Paper*, Cmd. 6600.

⁴⁴ *Hansard*, Commons, September 9th, 1941, col. 76.

⁴⁵ *The Times*, November nth, 1943.

⁴⁶ Of the 1,200 officials, etc., only half went over to the Free French ; a third were repatriated and the others retained on sufferance, with consequent lack of efficiency.

⁴⁷ Shukri, who was educated in Constantinople, held various administrative posts under the Turks prior to 1914. From 1918 to 1920 he worked with Faisal in Damascus and in 1925 was exiled to Egypt. In 1930 he returned to Syria and joined the National bloc. After holding various ministerial posts until 1938, he then resigned and in 1941 visited Saudi Arabia, whence he returned in 1942.

⁴⁸ On August 17th, 1943, Shukri al Quwatli was elected President of Syria and Saadullah al Jabir, Prime Minister. The Lebanese President, elected on September 21st, 1943, was Bishara al Khuri and the Prime Minister Riyadh as Solh, one of the leaders of the Lebanese Nationalists.

⁴⁹ The title of Delegate-General replaced that of High Commissioner, which was dropped.

⁶⁰ *Hansard*, Commons, November 23rd, 1943, col. 1450.

⁶¹ *The Times*, December 28th, 1943.

⁶² On January 17th, 1945. Mr. Eden, the Secretary of State for Foreign Affairs, said to the House of Commons that the following had recognised the sovereignty and independence of Syria and the Lebanon: —Afghanistan, Belgium, Brazil, Czechoslovakia, Egypt, France, Iraq, Persia, Poland, Saudi Arabia, Transjordan, the United Kingdom, the United States and the U.S.S.R.

⁵³ These troops had been considerably increased since 1941. They consisted not only of Arab units but of minority groups, such as Kurds, Circassians and Armenians. The Syrian Government pressed for their transfer to Syrian control, remembering the part played by these minorities as local levies in the overthrow of Faisal's National Government.

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⁵⁴ On October 25th, 1944, and January 25th, 1945 at Press Conferences. On January 25th he said :—

" France was the first to recognise the independence of these two States, in which she has a predominant position, which she would maintain. France is determined to give her Syrian and Lebanese friends genuine independence but this is made more complicated by external interference."

⁵⁵ *The Times*, May 23rd, 1945.

⁵⁶ *Hansard, Commons*, May 31st, 1945, cols. 378-380.

⁵⁷ *Hansard, Commons*, February 7th, 1945, col. 2046.

⁵⁸ *Hansard, Commons*, February 27th, 1945, col. 1290.

⁵⁹ The United States Government formally recognised Lebanese **and** Syrian independence in September, 1944. Mr. George Wadsworth was appointed first United States Minister to the Levant States.

⁶⁰ Foreign Office News Department *Press Release*, June 26th, 1945. Major-General Sir Edward Spears, who had strongly supported the case of the Lebanese and Syrians, resigned on December 15th, 1944. He was replaced by Mr. Terence Shone.

⁶¹ *Hansard, Commons*, December 13th, 1945, cols. 627-628. For full text see Appendix 6.

⁶² Foreign Office News Department *Press Release*, December 21st, 1945. Appendix 7.

⁶³ *Proceedings of the Security Council of the United Nations*, February 14th-16th, 1946.

⁶⁴ Foreign Office News Department, March 4th, 1946.

⁶⁵ United Nations Public Information Service, May 4th, 1946, and *The Times*, April 16th, 1946.

⁶⁶ *The Times*, July 3rd, 1946.

⁶⁷ This was confirmed by a Note submitted by M. Bonnet to the President of the Security Council on April 30th, 1946 : United Nations Public Information Service, May 3rd, 1946.

CHAPTER V

PALESTINE

INTRODUCTION

PALESTINE is a geographical expression rather than a political entity. The area contained within its boundaries has varied from time to time ; under the Ottoman Empire it was approximately 13,724 square miles, but is now about 10,434 square miles, or 27,024 square kilometres. It is bounded on the north by Lebanon and Syria, on the west by the Mediterranean, on the south by the Egyptian province of Sinai (the boundary following a line from Rafa to Akaba) and on the east by Transjordan, which is separated from Palestine by the Jordan, the Dead Sea and the Wadi Araba. The northern boundary was determined by the Franco-British Convention of December 23rd, 1920,¹ and delimited in T922.² The frontier with Transjordan was defined by an Order of the High Commissioner on September 1st, 1922.³

Palestine is mountainous and barren except for the rich maritime plain, which only stretches inland for a few miles. It is difficult to estimate the figures for the Palestine population under the Ottoman Empire as no vital statistics are available. It was estimated that in 1919 the total population was 700,000, of whom 568,000 were Arabs and 58,000 Jews. By 1938 the figures had risen to 1,415,700 ; of these 989,500 were Arabs and 401,000 Jews.⁴ In 1945 the population was estimated at 1,810,037, the Arab population being 1,240,850 and the Jewish 553, 600. The Arab population is predominantly rural, while 936. Jewish is urban. The increase in the Arab populatir Corn-been due to a very high birth rate (averaging 51 are him

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thousand) and a low death rate in recent years.⁶ The Jewish increase has been largely due to immigration.

It is worth pointing out that Palestine has never had, except for brief periods in its history, an independent political entity of its own. Geographically situated as it is, it has been the land-bridge through which armies marched to and from Mesopotamia, Asia Minor and Egypt. It is not large enough and does not possess natural frontiers that are easily defensible. Its importance has been that it lay across the trade routes of the Fertile Crescent and that strategically it is important for those who have an interest in controlling the Middle East.

THE INAUGURATION OF THE MANDATE

Prior to 1914 Palestine was part of the Ottoman Empire.⁷ It was conquered from the Turks by the Egyptian Expeditionary Force under General Allenby. Gaza, the southern gateway of Palestine, fell on November 7th, 1917 and Jerusalem surrendered on December 9th.

From 1917 to 1920 Palestine was under military administration as part of occupied enemy territory. Following the San Remo Conference of April, 1920, Great Britain, was allotted the Mandate for Palestine by the Principal Allied and Associated Powers. Meanwhile the question arose as to whether Palestine was included in the area of promised Arab lands specified in the Husain-McMahon correspondence. The Arabs maintained that this was not included in the area to which reservation applied, while the British Government denied that Palestine had been included in the area specified as Arab. The Sykes-Picot agreement also complicated, rather than clarified, the situation. The issue was further confused by the so-called Balfour Declaration, made on behalf of His Majesty's Government by Mr.

Arthur Balfour, then Foreign Secretary, on November 2nd, 1917, in a letter to Lord Rothschild. This was as follows :

His Majesty's Government view with favour the establishment in Palestine of a National Home for the Jewish

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People, and will use their best endeavours to facilitate the achievement of that object, it being understood that nothing shall be done which may prejudice the civil and religious rights of non-Jewish communities in Palestine, or the rights and political status enjoyed by the Jews in any other country."

This statement of policy was the outcome of an exchange of views between the Zionist leaders and the British Government which had been going on for some time.

It should be pointed out that the words of the Balfour Declaration follow closely that of a memorandum submitted to the United Kingdom Government by the Zionist organization on July 18th, 1917. There is no doubt that, to the British Government, the Balfour Declaration was a statement made during the war crisis and without sufficient consideration of its implications, or the prior claims of the Arabs.

The Zionist movement developed late in the nineteenth century as a political movement for the return of the Jews to Palestine and the eventual establishment of a Jewish State. It was founded by Theodor Herzl, an Austrian Jew and, after the 1897 Zionist Congress, Zionism became a political movement. The movement was not looked upon with favour by the Ottoman authorities, and the Sultan refused to grant the necessary firmans for colonization.⁸ In spite of this, however, certain Jewish agricultural settlements were formed in Palestine prior to 1914.

Previous to this, in 1903, Mr. Joseph Chamberlain, on behalf of the United Kingdom Government, had offered the Zionist Organization a tract of 6,000 square miles in East Africa. This offer was turned down by the Seventh Zionist Congress, on the grounds that Zionism was only interested in settlements in Palestine and the neighbouring countries.

It must be made clear at this point that not all Jews are by any means Zionists,⁹ a fact which was admitted by Dr. Weizmann himself before the Royal Commission of 1936.

After the publication of the Balfour Declaration, Commander Hogarth was sent to King Husain to reassure him

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on the question of Palestine. The text of the message;to King Husain read in part as follows :—

" (2) So far as Palestine is concerned we are determined that no people shall be subject to another, but ?

(a) In view of the fact that there are in Palestine shrines, Wakfs and Holy Places sacred in some cases to Moslems alone, to Jews alone and 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) As regards the Mosque of Omar it shall be considered as a Moslem concern alone and shall not be subjected directly or indirectly to any non-Moslem authority.

" (3) Since the Jewish opinion of the world is in favour of a return of Jews to Palestine, and insomuch as this opinion must remain a constant factor and further as His Majesty's Government view with favour the realisation 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 realisation of this ideal;¹⁰

In his notes on his conversation with King Husain published in the White Paper, Commander Hogarth makes it quite clear that " the King would not accept an independent Jewish State in Palestine, nor was I instructed to warn him that such a state was contemplated by Great Britain."¹¹

On June 28th, 1919, the Treaty of Versailles and the Covenant of the League of Nations were signed. Article 22 of the Covenant dealt with the mandate question. It expressly stated that

" Certain communities formerly belonging to the Turkish Empire have reached a stage in their development when their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory."

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In an endeavour to ascertain the wishes of the inhabitants, an unofficial American Commission, the King-Crane Mission, toured Syria and Palestine during June and July, 1919. They reported strongly in favour of Arab independence but, failing this, preference for a mandate under the United States or else Great Britain. (The Zionists had already expressed a wish for Great Britain to be the mandatory power.¹²

On April 25th, 1920, the San Remo Conference had allotted the Palestine Mandate to Great Britain and, on July 1st, 1920, the military government of O.E.T.A. was replaced by a civil administration. Sir Herbert Samuel was the first High Commissioner for Palestine. At the Treaty of Sevres, signed the following month, Turkish sovereignty over Palestine was formally renounced.¹³

Discussion with the United States on the draft terms of the Mandate¹⁴ delayed its submission to the Council of the League and it was not confirmed until July 24th, 1922. The Mandate officially came into operation on September 29th, 1923.

Article 2 of the Mandate embodied the terms for establishing a Jewish national home in Palestine :—

" 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^*¹⁶

Local autonomy was to be encouraged under Article 3 and a Jewish Agency was to be set up to advise and co-operate with the Palestine Administration in economic and social measures " as may affect the establishment of the Jewish national home."¹⁶

Jewish immigration and settlement was to be facilitated under Article 6, „, while ensuring that the rights and position of other sections of the population are not prejudiced."

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In Transjordan¹⁷ the Mandatory Power was entitled "to postpone or withhold applications of such provisions of this mandate as he may consider inapplicable to the existing local conditions."

Other clauses dealt with the freedom of worship, the control of the Holy Places, and antiquities.

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The Arab point of view with regard to Jewish immigration into Palestine and the Jewish national home was expressed by a Syrian Congress held in Damascus in June, 1919. This elected the Arab Executive Committee which, reconstituted by various congresses, was in control of the Palestine Arab Political Movement until 1935.

In April, 1920, disturbances broke out in Palestine and Arabs attacked Jews, killing five and injuring over two hundred. The reason for the outbreak was reported by the Military Commission which investigated it as due to : first, Arab disappointment at the non-fulfilment of war promises of Independence ; secondly, Arab belief that the Balfour Declaration and the establishment of a Jewish home would lead to Arab subjection ; and, thirdly, discontent engendered by the setting up of Faisal's temporary Arab Kingdom in Syria, as well as the growth of nationalistic Arab ideas due to the war and the move for Arab independence.¹⁸

This first outbreak and the reasons for it have been dealt with in some detail as it was the pattern of many other disturbances due to the same causes and varying only in intensity and scope.¹⁹ From the beginning of the Mandate, representative Arab leaders in Palestine refused to recognize the validity of the Mandate or the right of Britain to enforce the Balfour Declaration and demanded independence.²⁰

In the beginning Arab hostility was shown only towards the Jews, but, as time went on, this attitude changed and their* resentment with the Palestine Administration

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crystalized into anti-government action and, in 1936, to open rebellion.

The request of the Arab Delegation in London in 1922 for a constitution that should safeguard the civil, political and economic interests of the people and the establishment of a national independent government was met by a statement of British policy in Palestine by Mr. Winston Churchill, the Secretary of State for the Colonies. This was put out on July 3rd, after correspondence between the Arab Delegation, the Colonial Office and the Zionists had taken place.

The terms as laid down were as follows :—

"(1) His Majesty's Government reaffirm the Declaration of November, 1917, which is not susceptible of change.

"(2) A Jewish national home would be founded in Palestine. The Jewish People would be in Palestine as of right and not on sufferance. But His Majesty's Government have no such aim in view as that Palestine should become Jewish as England is English.

"(3) Nor do His Majesty's Government contemplate the disappearance or subordination of Arab population, language or culture.

"(4) Status of all citizens of Palestine will be Palestinian, no section of population will have any other status in the eyes of the Law.

"(5) His Majesty's Government intended to foster the establishment of a full measure of self government in Palestine, and as the next step a Legislative Council with a majority of members would be set up immediately.

"(6) The special position of the Zionist executive did not entitle it to any share in the government of the country.

"(7) Immigration will not exceed the economic capacity of the country at the time to absorb new arrivals.

"(8) A Committee of elected members of the Legislative Council would confer with the administration upon matters relating to the regulation of immigration. Any difference of opinion would be referred to His Majesty's Government.

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" (9) Any religious community or considerable section of the population claiming that the terms of the mandate are not being fulfilled would have the right of appeal to the League of Nations/'²¹

This was but the first of other similar declarations of policy issued by the British Government with regard to Palestine. Not surprisingly the Zionist organization accepted this policy, but the Palestine Arab Delegation in London refused their concurrence.

As a first step towards implementing this policy, an Order in Council of August 10th, 1922, provided for a Legislative Assembly to be set up, to consist of eleven official and twelve elected members.²² This was to act instead of the existing nominated Advisory Council. The Arabs boycotted the elections, refusing to participate unless the council contained a clear majority of Arabs over the other nationalities.²³ The Constitution was therefore abandoned and a return made to a nominated Advisory Council, containing the same proportion as in the elected council. However, the Arab members were induced to resign fairly rapidly and after 1923 all legislation was effected by the High Commissioner in consultation with an Advisory Council entirely composed of British officials.

A suggestion put forward by the Duke of Devonshire in October, 1923, for the establishment of an Arab Agency to occupy an analogous position to that of the Jewish Agency was rejected on the grounds that it " would not satisfy the aspirations of the Arab people."

The President of the Executive of the Arab Congress wrote to the High Commissioner as follows :—

" The object of the Arab inhabitants of Palestine is not an Arab Agency analogous to the Zionist Agency. Their sole object is independence. The Arab owners of the country cannot see their way to accept a proposal which tends to place them on an equal footing with the alien Jews."

It gradually became apparent that the Arab objection was not to the way in which the Mandate might work

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but to the policy of the Mandatory, however exercised, as long as it intended to implement the Balfour Declaration,

It was at this point that the British Government decided to give up the attempt to introduce self-government.²⁴

At first, until 1929, things went fairly smoothly and troops were reduced in number, in fact below the level considered safe by the Permanent Mandates Commission.²⁵ An economic depression, which lasted from 1925 to 1928 led to Jewish emigration exceeding immigration.²⁶

During 1928 and 1929 Arab delegations had petitioned for an elected Parliament, but any hopes of a peaceful constitutional development were thwarted by the Wailing Wall incident of September, 1928. The disputes which broke out at the Wailing Wall, sacred to both Moslems and Jews", in Jerusalem, led to serious disturbances the following year which spread to Haifa and Jaffa. One hundred and thirty-three Jews were killed and three hundred and thirty-nine wounded, while at least one hundred and sixteen Arabs lost their lives.

As a result, a commission of enquiry was sent out, known as the Shaw Commission from its chairman, Sir Walter Shaw!⁷

Its chief recommendations were :—

(1) That the British Government should issue a clear statement of policy defining the meaning it attached to the passage in the Mandate concerning the rights of non-Jewish communities, and that more explicit direction as to the conduct of policy on vital issues, such as land tenure or immigration, should be given.

(2) That the Government should make a clear statement regarding Jewish immigration and should review the machinery for its control with the object of preventing the excessive Jewish immigration of 1925 and 1926.^{27a} Also that non-Jewish interests should be given some voice in the discussions on immigration.

(3) That a scientific enquiry should be made into land cultivation and land settlement. That, pending this enquiry, the eviction of peasant cultivators from the land should be checked.

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(4) That as regards the Zionist organization the Government should reaffirm the statement made in 1922 that the organization's special position did not entitle it to share in any degree in the government of Palestine, That the Government should define if possible the meaning of Article 4 of the Palestine Mandate.²⁸⁾

The Permanent Mandates Commission also appointed a Committee to investigate, which reported in June, 1931. On its recommendations an Order in Council was issued in June, 1931, which has governed the maintenance of order at the Wailing Wall since then.

As a result of these disturbances both the Arabs and the Jews put forward demands for reforms in the administration.

The Arab demands were put forward by an Arab Delegation of five members²⁹ which arrived in London on March 30th, 1930. In May it issued a statement to the effect that the British Government had rejected its request for (a) the cessation of immigration ; (b) a declaration that Arab lands were unalienable ; and (c) the establishment of democratic government with representation on a popular basis.

In a statement put out on May 13th, the Government of the United Kingdom declared that the "sweeping constitutional changes demanded by the Arabs were incompatible with the requirements of the mandate."

The Zionists through Dr. Weizmann had also put forward demands that (a) the property of Jews should be safeguarded ; (b) an adequate number of Jews should be introduced into the defence forces³⁰; and (c) that increased immigration should be allowed.

The Permanent Mandates Commission issued a sharp reproof to the British Government at the special session held to consider the Palestine disturbances and strongly criticized both its lack of foresight and its insufficient preparation of the Arab population for the new conditions due to Jewish immigration.

A somewhat tart reply was issued to this on August 25th, 1930, which was later toned down by Mr. Henderson in his speech to the League Council. Meanwhile Mr.

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Ramsay MacDonald, the Prime Minister, had restated the mandate as the essence of British policy in a speech on April 3rd, 1930.³¹

As a result of these enquiries Sir John Hope Simpson was appointed to examine land settlement, immigration and development in May, 1930.

THE QUESTION OF LAND SETTLEMENT

The question of land settlement in Palestine and the consequent absorptive capacity of the country for new immigrants depends on the water-supply.

As was pointed out in the introduction to this chapter, large areas of Palestine are exceedingly barren, the hill country in particular offering but limited scope for the future. The greatest unknown potential is the southern area, the Negeb, but this again lacks water. The Jordan is the only potential source of river irrigation, but there are in addition springs and artesian waters. Under the existing Ottoman law,^{31a} water in the springs is private property and the individual owners may sell to whom they please. Opinions vary as to how much water is ultimately available, but at best the quantity is not considerable and depends largely on the known rainfall per annum.³²

Owing to the difficulty of deciding land ownership a Land (Settlement of Title) Ordinance was enacted in 1928. It is important to note that, in Palestine, land settlement does not mean the settlement of people on the land but the examination of rights to land and the solution of disputes about ownership, boundaries, water rights, etc., the cadastral survey of the land, and its eventual organization.

The total area of Palestine is 10,400 square miles or 27,009,000 dunums. Various estimates have been made as to how much of this is cultivable. The Hope-Simpson Report,³³ published on October 30th, 1930, gave the area as 6,544,000 dunums. It appeared later that this estimate was too low ; the Commissioner for Lands had earlier given an estimate of some 40 per cent higher. Sir John

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Hope-Simpson found that if all the available cultivable land were divided up among the Arab agricultural population, there would not be enough to provide every family with a decent livelihood ; and that, until further development of Jewish lands and irrigation had taken place and the Arabs had adopted better methods of cultivation, there was no room for a single additional settler if the standard of life of the Arab villager was to remain at its existing level. The Report pointed out that " 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/'

The Report recommended : (a) large-scale irrigation ; (b) the partition of existing Arab holdings³⁴; (c) the substitution of intensive for extensive methods of cultivation ; (d) increased education and (e) the development of Arab as well as Jewish Co-operatives.

The White Paper on policy which accompanied the Report pointed out that the only agencies which had pursued a consistent policy of land development were the Jewish colonization organizations, both public and private. The Jewish settlers had every advantage that capital, science and organization could give them. To this their remarkable progress was due. Jewish immigration was not in all cases detrimental to Arab employment, but it was in most cases under the constitution of the enlarged Jewish Agency, signed at Zurich on August 14th, 1929, whereby it was provided that the land acquired should be held as the " unalienable property of the Jewish people " and that 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."

The White Paper also pointed out that this provision was invalidating Article 6 of the Mandate, which ensured that " the rights and positions of other sections of the population are not prejudiced."³⁵

The Hope-Simpson Report and the White Paper caused a storm of protest both from the Jews and the Conservatives, who were then in opposition. The main point at issue

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was the absorptive capacity of the country and the position of the landless Arab. The Zionists declared that the White Paper was inconsistent with the provisions of the Mandate and, as a result of discussions with the Jewish leaders, Mr. Ramsay MacDonald, the Prime Minister, published on February 14th, 1931, a letter interpreting the White Paper. This was certainly much more favourable in tone to the Jewish proposals than the White Paper itself had been ; it is therefore known to the Arabs as the Black Letter and is cited by them as proof of the power exercised by World Jewry on the British Government.³⁶ This policy largely mitigated the putting into action of part of the Hope-Simpson Report.

A Director of Development was appointed in 1931 to investigate cases of Arabs made landless by Jewish purchases of land. It was established that most of the sales were made by absentee landlords or by industrious fellaheen who spent the purchase money on improving their other holdings. There was, however, a small class of improvident landholders who, having sold their land and having no other means of subsistence, went to swell the unemployed. Attempts were made to tighten up the ordinances with regard to the sale of land in order to protect the Arab smallholder, but by 1939 the transfer of land had reached such proportions that it was recognized that in some areas it must be restricted.⁸⁷ The White Paper of 1939 stated that " the reports of several expert commissions have indicated that in some areas . . . transfer of (Arab) 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 would be given general powers to prohibit and regulate transfers of land."³⁸

This was done in the Palestine Land Transfers Regulations of 1940.³⁹ The country was divided into zones. In Zone A, an area of about 6,615 square miles in the hill country and south Palestine, the sale of lands to Jews was prohibited. In Zone B, about 3,295 square miles round

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Lake Huleh, the Sea of Galilee, the Negeb and parts of the coastal plain, sales were restricted and the sanction of the Palestine Government was required. In Zone C round Jerusalem, comprising about 300 square miles, sales were unrestricted. There were immediate protests by the Zionist organizations both in Great Britain and the United States. The Moslem Supreme Council approved these regulations. The Arab League and the Palestinian Arab leaders have tried to take measures to prevent the sales of Arab lands to Jews. A fund has been established to purchase land from indigent Arabs and also a national Arab Land Bank to assist the poorer cultivators. There is actually little evidence that these Land Transfers Regulations have stopped Jewish purchases to any marked extent. During 1940 the Jewish National Fund bought about 33,000 dunums which was about the amount normally purchased.

IRRIGATION AND IMMIGRATION

As has been pointed out, the capacity of Palestine to absorb new immigrants depends largely on water supply : this affects both industrial and agricultural projects. A great many schemes have been put forward whereby the waters of the Jordan could be used for irrigation purposes. Among these may be mentioned the Savage Scheme but the most important was the Jordan Valley Scheme, usually referred to as the Lowdermilk Scheme,⁴⁰ which proposed to replace the water taken from the Jordan with water from the Mediterranean. This scheme, if practical would prove extremely expensive. Other projects rely for their water on sources, such as the Yarmuk, outside the boundaries of Palestine and their success would depend upon the co-operation of neighbouring Arab states.⁴¹

A large proportion of the increase in the population of Palestine over the last twenty-three years is accounted for by Jewish immigration.⁴² Besides the legal, there has also been a considerable influx of illegal immigrants, whose

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numbers are impossible to estimate. After 1933 both legal and illegal immigration increased, while Germany replaced Poland as the main source.

In the 1939 White Paper the British Government laid it down that, after the admission in the following five years of not more than 75,000 additional Jewish immigrants, His Majesty's Government "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."⁴³

For the next four years the quota of 18,000 annually was allowed. This should have meant that in March, 1944, all Jewish immigration was to cease. This did not happen. In Mr. Bevin's statement of policy on November 13th, 1945, after saying that immigration would not be affected pending the Anglo-American Commission's meeting, he then went on to say that Jewish immigration would continue at the present monthly rate of 1,500. Thus some of the terms of the 1939 White Paper have already been invalidated.

During the war the pressure of illegal immigration was very great, owing to the numbers of Jews fleeing from Nazi Occupied Europe. The Jewish leaders, in spite of promises of co-operation, made no attempt to check the traffic. Immigrants poured in and so much exceeded the quota that it was proposed to ship the remainder to Mauritius.

Two of the best-known, because most publicised, cases were those of the *Patria* and the *Struma*. The *Patria*, a Messageries Maritimes liner, containing illegal immigrants, was blown up in Haifa harbour, either by her Jewish passengers or by agents from the shore. The British were blamed for the resulting loss of life although no-one denied that the Jews had themselves blown up the ship. The *Struma*, containing refugees from Eastern Europe, was detained in Turkish territorial waters by the Turkish authorities as the passengers had no visas. While negotiations were proceeding with the Palestinian Government, who offered to accept the children on board, the boat

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was turned back by the Turks and sank in the Black Sea after being torpedoed or striking a mine- Again the British authorities were blamed, quite unjustifiably, by the Jewish press and leaders.⁴⁴

After the end of the war the organization of Jewish illegal immigration improved. A highly efficient system transported displaced persons overland through Europe, chartered ships and brought them to Palestine. To meet this situation, which not only completely nullified the quota system, but was filling the country with refugee and detention camps, the British Government announced on August 10th, 1946⁴⁵, that they had decided to transfer all future illegal immigrants from Palestine and that they would be taken to Cyprus or elsewhere.

The statement pointed out that a large proportion of these illegal immigrants came from Eastern Europe and not from Germany or Austria. Official approaches were made to the Governments of Czechoslovakia, Italy, France, Poland, Roumania and the Soviet Union in an attempt to stop the traffic at its source.⁴⁶ As a result, the Polish-Czech frontier was closed for a time and Jews who were crossing it at the rate of three thousand a day were temporarily stopped. Meanwhile illegal immigrants who had arrived inside Palestinian territorial waters were transhipped to Cyprus, where the detention camps soon became full. More continued to arrive and, on November 13th, 1946, it was announced that their numbers would be included in the quota of 1,500 a month.⁴⁷

THE INDUSTRIAL DEVELOPMENT OF PALESTINE

It is worth pointing out that the Jewish settlement in Palestine is basically urban, not rural, and that the greatest numbers have congregated in the towns of Jerusalem, Haifa and Tel Aviv.

It would be a mistake to underestimate the amount done by Jewish capital in developing, not only agricultural settlement, but industrialization. In 1920 Palestine was

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an undeveloped country and its economic development has been extremely rapid. Before the 1914-18 war it was estimated that only 5 per cent of the population depended upon industry but, by 1945, 25 per cent were so engaged, the chief exports being citrus fruits, potash, bromine, wine, olive oil and olive-oil soap. Most of the new industries established were Jewish.

This successful increase in the industrialisation of the country had various causes. First, the growth of the population, which provided a domestic market ; secondly, the amount of electric power available ; thirdly, the influx of skilled workmen, furnishing both capital and labour ; fourthly, the installation of the I.P.C. pipe-line in 1938 ; fifthly, the stimulation of industry caused by the war and, sixthly, the favourable geographical position of Palestine as a centre for exports to the surrounding countries.

THE MANDATE, 1930-1936

AsPhas been shown, the year 1930 closed on a conciliatory note in the Government's dealings with the Zionist leaders. In the two following years Palestine was fairly peaceful. Attempts were made by the High Commissioner, Sir Arthur Wauchope, to establish various forms of municipal autonomy, but there were few on either the Arab or the Jewish side who wished to co-operate. By 1932 the Arabs decided to refuse co-operation with the Jews in every field. They resigned from various official posts, such as road-boards, etc., and began to found political parties of their own. This was partly the outcome of a Moslem Congress held in Jerusalem the previous year under the chairmanship of Haj Amin Effendi el Husseini.⁴⁸

From 1933 onwards Jewish immigration steadily increased and with it Arab opposition. In October, 1933, there was a general strike and some rioting on the part of the Arabs. This was largely due to unemployment among Arabs in industrial concerns as a result of the picketting campaign carried out during

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1933-1934 by the General Federation of Jewish Labour (Histadruth). This, the largest trade union organization in Palestine,⁴⁹ saw to the replacement of Arab workers by Jews. An account of its work at B— V—, where two hundred Arabs were replaced by an equal number of Jews is given in the Jewish paper *Davar*.⁶⁰

In February, 1934, Sir William Murison submitted the result of an enquiry made into the general position.⁶¹ This showed that the Arabs were demonstrating, not only against Jewish immigration, but also against the Palestine Government for favouring the Jews. For the first time the Arabs had turned against the Government. ,

The year 1934 was also notable for the development of the Arab political parties. In 1932 the Istiqlal (Independence) party had been formed. This was really the Palestinian branch of the Pan-Arab Independence Party. It was not until 1934, with the death of Musa Kazim Pasha el Hussein, that Arab politics entered on a new phase. Prior to this time unity had been sought by a series of congresses held, some in Damascus, some in Jerusalem, during the years 1920-31. These Congresses elected delegates to put forward various aspects of the Arab case in London and Geneva and were the outcome of Arab political development under the Ottoman Empire, when Palestine had been an integral part of Syria. With the formation of separate political parties, this unity tended to break up, the rivalry between the Palestine Arab Party, formed in May, 1935, by Jamal el Hussein, a cousin of Haj Amin, and the National Defence Party formed in December, 1934, by Rashid Bey Nashashibi. The Nashashibis and the Husseinis, both powerful and rich Palestinian families, had been rivals for some considerable time. In 1920, a Hussein was compelled to resign the mayoralty of Jerusalem to a Nashashibi and, during the period under review, the Nashashibis were, on the whole, the more moderate in politics.

The objects of the Palestine Arab Party were independence, the termination of the Mandate, opposition to Zionism and the establishment of closer relationship with

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other Arab countries ; the programme of the National Defence Party, though thore moderate in tone, also aimed at independence. In addition, two smaller parties, the Arab Reform Party and the National Bloc Party, were formed in July and August, 1935 ; they had similar aims but only local influence.

By 1935 Arab nationalism was growing and the newly formed parties showed a tendency to unite. In November the leaders of the five united Arab parties presented a memorandum to the High Commissioner demanding first, the establishment of democratic government ; secondly, the prohibition of the transfer of Arab lands to Jews ; and, thirdly, the immediate cessation of immigration, and an investigation into the absorptive capacity of the country and into illegal immigration.

In December proposals for a Legislative Council were laid before Jewish and Arab leaders. These were rejected by the Jews but, while the Arabic press criticized, the Arab political leaders did not reject them.

At*the end of January, 1936, the Colonial Office replied to the Arab demands of the previous November. They pointed out that first, the offer of a new constitution made in December represented a practical step towards democratic government ; secondly, as regards sales of land, the Government intended to enact legislation prohibiting Arab owners from disposing of their land unless a portion was retained ; and, thirdly, the rate of Jewish immigration was carefully gauged according to the absorptive capacity of the country.

In February and March, the Palestinian Constitution proposals were debated by the Lords and Commons. Jewish members of both Houses spoke against them, while the Arab case was not put forward.⁶² It was obvious that the project had again been killed by Jewish opposition.

On April 2nd, the Secretary of State invited an Arab delegation to London to discuss the proposals. The invitation was accepted, but the delegation never left Palestine owing to the outbreak of disturbances.

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THE DISORDERS

It should have been realized in Government circles how bitterly the Arabs felt when they saw their hopes of securing any self-governing institutions being swept away*. As it was, the disorders which broke out on April 18 th on the Tulkaram-Nablus road and spread across Palestine in the form of a general strike on April 21st, came as an apparent surprise. On April 25th, the Supreme Arab Committee, subsequently known as the Arab Higher Committee, was established with the Mufti of Jerusalem as President. It consisted of all Arab political parties, including the Istiqlal, which had hitherto not co-operated, and representatives of the Christian Arab community. A letter was addressed to the High Commissioner asking for the prohibition of immigration and sales of land, and for some form of democratic government. The Higher Committee refused to call off the general strike until Jewish immigration was suspended, on the grounds that it was a spontaneous expression of national feeling, but the Government, instead of suspending immigration, granted a labour schedule of 4,500 immigrants for the next six months, an increase over the normal quota. In an attempt to remedy the ill effect on Arab opinion caused by this move, it announced on the same day (May 18th) that a Royal Commission would be appointed after order was restored " to investigate causes of unrest and alleged grievances either of Arabs or Jews."

Meanwhile order was not restored. The military were reinforced, but proved ineffective in dealing with sporadic attacks on road and rail communications and on Jewish settlements. On June 30th, a memorandum was submitted to the High Commissioner, signed by senior Arab government officials, which stated that the Arab population had been driven to despair by the extent to which the Government had given way to Zionist pressure and that they had no longer much faith in official promises and pledges. Apparently the British authorities were still hopeful that the trouble was only temporary and could not

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Se made to believe that the Arabs were united in their opposition to further Jewish immigration. In July the terms of reference of the Royal Commission were announced.⁶³

In the meantime various Arab statesmen in other countries had been endeavouring to mediate without success, and it was not until October 11th, after appeals had been received from the rulers of Iraq, Saudi Arabia and Trans-jordan, that the Arab Higher Committee called off the strike. This action was also due to the arrival of considerable British reinforcements in Palestine, thereby bringing the forces up to nearly 30,000 men, as well as to the restlessness caused by the *long strike among* the ordinary Palestinians. The commencement of the citrus season gave the Higher Committee an opportunity to end the strike, even though their objects had not been achieved.

On November 5th, the Royal Commission left for Palestine and, on the same day, the Secretary of State for the Colonies announced that immigration would be continued for the next six months at a rate of 1,850 per month.⁶⁴ As a result of this statement the Arab Higher Committee decided to boycott the Commission, but changed its mind after letters had been received both from King Ghazi and King Ibn Sa'ud, recommending that the Arab case should be put forward, and gave evidence during the latter part of the Commission's stay. On January 18th, 1937, the Commission left for England and its report was published in the following July.⁵⁶

In this Report (usually known as the Peel Report) it was admitted that the underlying causes of the disturbances were the same as those which had brought about the disorders of 1920, 1921, 1922 and 1933, namely, the desire of the Arabs for independence and their fear of the Jewish national home, coupled with the intensive character of Jewish nationalism, the general uncertainty of the future status of the Mandate and the inequality of opportunity enjoyed by the Arabs as compared with the Jews for putting their case before His Majesty's Government.⁵⁶

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For the first time it was admitted that the promises made to Arabs and Jews were irreconcilable and the Report offered as a solution the termination of the Mandate and the partitioning of Palestine into three zones : an Arab State, a Jewish State and a neutral enclave containing the Holy Places, which would continue to be administered by the Mandatory.⁶⁷

At the same time as the Report of the Royal Commission was published His Majesty's Government issued a Statement of Policy, stating that they were in agreement with the proposals and would work out a scheme of partition, that land sales would be controlled as an interim measure, but that a quota of 8,000 immigrants would be allowed for the next eight monthly period. The concluding paragraph ran as follows :—

" In supporting a solution of the Palestine problem by means of partition, His Majesty's Government are much impressed by the advantages which it offers both to the Arabs and the Jews. The Arabs would obtain their national independence, and thus be enabled to co-operate on an equal footing with the Arabs of neighbouring countries in the cause of Arab unity and progress. They would be finally delivered from all fear of Jewish domination, and from the anxiety which they have expressed lest their Holy Places should ever come under Jewish control. The Arab State would receive financial assistance on a substantial scale both from His Majesty's Government and from the Jewish State. On the other hand, partition would secure the establishment of the Jewish National Home and relieve it from any possibility of its being subjected in the future to Arab rule. It would convert the Jewish National Home into a Jewish State with full control over immigration. Its nationals would acquire a status similar to that enjoyed by the nationals of other countries. The Jews would at last cease to live a ' minority life,' and the primary objective of Zionism would thus be attained. Under the proposed Treaties the rights of minorities in both States would be strictly guaranteed. Above all, fear and suspicion

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would be replaced by a sense of confidence and security, and both peoples would obtain, in the words of the Commission, ⁴ 'the estimable boon of peace.' "⁵⁸

The Arab Higher Committee announced that it would await an exchange of views with the other Arab States before committing itself. The Zionist Congress met in August, 1937 at Zurich and rejected most of the conclusions embodied in the report of the Royal Commission, i.e., the irreconcilability of Jewish and Arab views and the fact that the Mandate had become unworkable. It recommended opening negotiations with the British Government in order to ascertain the terms for the proposed establishment of a Jewish State.

In September an Arab National Conference met at Bludan in Syria and passed a resolution that the Arab people would continue to struggle for an independent Arab Palestine.

The Permanent Mandates Commission met in July and August and, after agreeing in principle to partition as a solution, declared themselves not in favour of the immediate creation of two independent states.⁶⁹

While the report of the Royal Commission was being written and considered there had been a lull in Palestine but in October this was broken by the murder of the Acting District Commissioner of Galilee. As a result the Arab Higher Committee and the National Committees were declared illegal and the leaders of the political parties were arrested and deported to the Seychelles.⁶⁰ Jamal Effendi el Husseini evaded arrest and fled to Syria, while Haj Amin, the Mufti, escaped to Lebanon. By this time considerable Arab gangs were operating in the hills under the leadership of Fauzi ed Din el Kawakji,⁶¹ and later of Abdul Rahim Haj Ibrahim.

During 1938 the revolt continued and in April a technical partition commission was sent to work out, if possible, the details of the partition scheme. Their report was published in October and is known as the Woodhead Report, after the Chairman of the Commission.⁶² The Commission decided that the suggestions embodied in the Peel

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Report, no less than the amended plans it had itself put forward, were unworkable and that it was, in fact, impossible to divide Palestine without having large minorities of Arabs in the Jewish State and vice versa ; apart from political considerations, the economic and financial difficulties arising from such a partition would be insuperable. It also appeared equally impossible to establish a self-contained Arab State, while the suggestion of Jewish subvention was an impracticable alternative. The Report went on to put forward a plan for economic federation which was a modified form of partition.

In the Statement of Policy accompanying the issue of the Report His Majesty's Government agreed " that this further examination 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."⁶³

The White Paper went on to state 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 to make a determined effort to promote such an understanding/' With this end in view delegates of both Arabs and Jews were to meet in London and representatives of neighbouring Arab States would also be invited, but His Majesty's Government reserved the right to refuse those whom they regarded as responsible for the violence in Palestine and under this heading the Mufti would not be acceptable. As nearly all the Arab leaders were in exile there were few representative Arabs with whom it was possible to consult.

Both Arabs and Jews were quick to point out that this statement of policy contained, in fact, no policy at all. The Zionists complained that it showed a lack of understanding of the Jewish position, while the Arabs stated that the future of Palestine must be settled between themselves and the British Government, without the intervention of the Jews. However, neither side rejected the proposal for a round-table conference.

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During the early months of 1939 the Arab rebellion continued, but with diminished vigour. The country was still under martial law, military courts having been set up to deal summarily with breaches of the peace, such as possession of fire-arms and the carrying of arms or bombs. A feature of the 1938-39 phase of the disorders was the Arab terrorist campaign, carried out by the more extreme Arab nationalists against the moderates, such as the National Defence Party. The murders which took place were often based on personal rather than political differences, while the terrorist gangs soon became unpopular with the peasants, on whom they depended for support and from whom they often extorted supplies and money by force.

THE 1939 LONDON CONFERENCE AND WHITE PAPER

Invitations to attend the Round Table Conference in London were dispatched to the Arab States of Egypt, Iraq, Saudi Arabia, the Yemen and Transjordan, as well as to the Palestinian Arabs and the Jewish Agency. The Arab leaders in the Seychelles were released to take part, although not permitted to return to Palestine. There was considerable dispute before the composition of the Palestinian Arab delegation was finally settled, the members being the leaders of the four parties exiled in the Seychelles, together with two from the National Defence Party. Egypt was represented by the Egyptian Ambassador in London and the Chief of the Royal Cabinet ; Iraq sent Nuri es Sa'id and Saudi Arabia, the Amir Faisal. There were nineteen Jewish delegates, under the presidency of Dr. Weizmann; they represented, not only the Jewish Agency but organizations in the United Kingdom, the United States, France and Eastern Europe. The Conference met on February 7th, 1939, but at once split into two, as the Palestinian Arabs refused to sit at the same conference table as the Jewish delegation.

The prolonged and detailed discussions only served to underline the different points of view of the opposing groups

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and neither side showed any willingness to compromise. The British Government put forward certain proposals as a basis for an agreed settlement, but these were rejected by both delegations⁶⁴ and the Conferences, having failed to reach an agreement, broke up on March 27th, 1939.

The returning Arab delegates met in Cairo, and the representatives of the Arab States submitted unofficial suggestions to the British Government in an endeavour to overcome the difficulties of outlook that had wrecked the London talks. This was not successful as the main point at issue was the establishment of a National Government of Palestinian Ministers within three years. His Majesty's Government, however, refused to consider such a step before ten years and would not concede that the consent of the Arab States to the proposals was a necessary factor.

On May 17th, 1939, appeared a White Paper containing the new Government proposals.⁶⁵ These envisaged the creation within ten years of an independent Palestine State in such treaty relations with the United Kingdom as would provide satisfactorily for the commercial and strategic requirements of both countries in the future. The exact form the new constitution was to take was not laid down and it was only vaguely stated that ; " The establishment of an independent State and the complete relinquishment of mandatory control in Palestine would require such relations between the Arabs and Jews as would make good government possible."⁶⁶ After three years of rebellion the British where still deceiving themselves with the hope of a compromise. With regard to immigration,⁶⁷ it was further stated that this was to be limited to an additional 75,000 over the next four years.

Not surprisingly the White Paper met with little cordiality on the part of Jews or Arabs. It was as usual too vague and contained too many statements such as " providing local conditions permit," etc. for the Arabs to believe that the course of action it recommended would be carried out any more successfully than that embodied in previous statements. The Jewish reaction was even more violent. They

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saw their hopes of an independent state nullified ; in addition legal immigration was to be limited and there were even proposals to stop illegal immigration and land sales. After mass meetings held throughout Palestine, a proclamation was issued which contained the following passage :—

" Now therefore the Jewish population proclaims before the world that this treacherous policy will not be tolerated. The Jewish people will fight it to the uttermost, and will spare no sacrifice to frustrate and defeat it."⁶⁸

Actual non-co-operation was undertaken by the Jews in Palestine, but at the same time efforts were made through the United States and elsewhere to put pressure on the British Government and secure the reversal of its present policy. Meanwhile illegal immigration was organized on a larger scale than ever and the quota system was rendered a dead letter. From September, 1938, to September, 1939, 35,000 Jews arrived in Palestine, in lieu of the 10,150 officially allowed for.

At the same time the Permanent Mandates Commission had been meeting to discuss the British Government's proposals. By a vote of four to three it was decided that these appeared to be inconsistent with the text of the Mandate, but before any further steps could be taken the war broke out in September, 1939.

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At the beginning of the war both Jewish and Arab leaders called off the dispute with the British Government and the country remained fairly quiet politically until 1942.⁶² The revolt of Rashid Ali in Iraq met with little sympathy from the Palestinian Arabs, who in the meantime had been achieving a greater sense of unity with the neighbouring Arab States through the movement towards Arab federation. The independence of Syria and Lebanon, promised in 1941, although not gained until some years later, also had a marked effect on Palestinian Arab opinion.

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As the war receded from the Near East the Jews intensified their struggle against any enforcement of the White Paper policy.

In May, 1942, Ben Gurion, Chairman of the Jewish Agency Executive, obtained the support of the Zionist Conference in New York, which passed the so-called Biltmore programme. This made the following points :—

(a) The gates of Palestine should be opened to unlimited immigration ; (b) the Jewish Agency should be vested with the control of immigration ; (c) Palestine should be established as a Jewish Commonwealth ; and (d) a Jewish Army should be created,⁷⁰

This was accepted during November by the Inner Zionist Council, the Jewish Agency and the majority of the Jewish political parties, including the Revisionists. During 1943 relations between the Jewish parties and the Palestine Government authorities steadily deteriorated. There were reports that special detachments of the Irgun Hagana (Jewish Defence Organization)⁷¹ were being trained on commando lines. From then onwards the Jews carried on a steady campaign against the Government ; thefts of arms were common and terrorist incidents were frequent. In August the High Commissioner was attacked, but escaped, and in November, 1944, Lord Moyne, the Minister of State, was assassinated in Cairo by members of the Stern Gang.⁷² This was a group within the Irgun Zvai Leumi which had been mainly Revisionist and had never joined in the political truce.⁷³

The Jewish Agency promised its co-operation against the terrorists, but in fact little was done.

Meanwhile the Arab parties were endeavouring to reunite without any marked success, for several of the leaders, including Jamal el Husseini were still detained in Kenya. Attempts to reform the Arab Higher Committee were made in 1942, but did not succeed until November, 1945, owing to the differences existing between the Husseini and Nashashibi factions.

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THE ATTITUDE OF THE UNITED STATES TOWARDS PALESTINE

Because of the large and influential Jewish population, particularly in New York, American opinion has usually tended to be pro-Zionist. As early as June 30th, 1922, the United States Congress adopted a resolution favouring the establishment in Palestine of a national home for the Jewish people.

During the war pressure was brought to bear to enable Jews and displaced persons to immigrate to Palestine. Thus, in January, 1944, a joint resolution in favour of unrestricted immigration and the establishment of a Jewish State was introduced in Congress. This was followed by another pro-Zionist resolution of January 27th, 1945, which, after recapitulating the earlier statements, went on :

" Therefore be it resolved by the House of Representatives of the United States of America that the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for the free entry of Jews into that country, and that there shall be full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish Commonwealth. "⁷⁴

Both Democratic and Republican leaders supported the policy of unconditional Jewish immigration into Palestine. During his visit to Cairo in February, 1945, President Roosevelt discussed the question with Mr. Churchill and King Ibn Sa'ud⁷⁵ and pledged himself that the United States would not reach any final conclusion on the Palestine problem without full consultations with both Arab and Jewish leaders.

As a result of this United States interest, it was not altogether surprising that Mr. Bevin announced in the House of Commons on November 13th, 1945, that His Majesty's Government had decided to invite the Government of the United States to co-operate with them in settling up a joint Anglo-American Committee of Enquiry **and**

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that this suggestion had been agreed to by the United States.⁷⁶

It was unfortunate that Mr. Truman, in a statement released the same day, gave the text of his letter of August 31st, 1945, to Mr. Atlee, which dealt with Mr. Harrison's recommendation that "the granting of an additional 100,000 certificates (of immigration) would contribute greatly to a sound solution for the future of Jews still in Germany and Austria and for other Jewish refugees who do not wish to remain where they are."⁷⁷

Two days later, Mr. Bevin's statement of policy was placed before the heads of the Arab States, who were invited to consider proposals for immigration at the rate of 1,500 per month. In a reply issued on December 8th, the Arab States did not completely reject this suggested figure, but asked on what basis the calculation was being made and what contributions the United States and the British Empire were proposing to make to a solution of the problem. The Arab Higher Committee for Palestine rejected the proposed Jewish immigration in a statement at the end of January, 1946.

THE ANGLO-AMERICAN COMMITTEE

On December 10th, 1945, the names of the Anglo-American Committee were announced⁷⁸; the British and American Chairmen being respectively Mr. Justice Singleton and Judge Joseph C. Hutchison. The Committee heard evidence in the United States, the United Kingdom, Germany, Austria and Palestine and issued its report on April 20th, 1946,⁷⁹ listing ten recommendations and comment, together with detailed appendices. The main recommendations are given herewith.⁸⁰

It was admitted that Palestine alone could not meet the emigration needs of the Jewish victims of Nazi and Fascist persecution. Nevertheless, the Committee recommended the immediate issue of 10,000 certificates, to be awarded as far as possible in 1946. Palestine was not to be either a

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Jewish or an Arab State and should remain under trusteeship for an indefinite period. Other recommendations were free Jewish immigration, the rescinding of the 1940 Land Regulations and increased facilities for education and economic advancement.

In commenting on the Report on May 1st, Mr. Attlee said in the House of Commons that there were practical difficulties in the way of the immediate reception and absorption of such a large number of immigrants. He did not comment in detail on the recommendations but stated :

" It is clear from the facts presented in the Report regarding the illegal armies maintained in Palestine and the recent activities, that it would not be possible for the Government of Palestine to admit so large a body of immigrants unless and until these formations have been disbanded and the arms surrendered."⁸¹

President Truman continued to press for the immediate admission of 100,000 Jews into Palestine and declared on April 30th that he was " pleased that the Committee recommended in effect the abrogation of the White Paper of 1939. "⁸²

The Arab reaction to the Report was unfavourable⁸³ and, on May 26th, Azzam Pasha, Secretary General of the Arab League, in a speech at Amman intimated that the Arab nations were firmly determined to protect Arab Palestine.⁸⁴

On July 8 th the Arab States issued the text of a memorandum sent to the Government of the United Kingdom, suggesting that negotiations should be opened as soon as possible. Pending these, they urged the United Kingdom Government to avoid taking measures contrary to the pledges given in the 1939 White Paper.⁸⁶

The conference they had suggested met in September, 1946, and various proposals were put forward by the Arabs. These included the formation of a provisional government of seven Arab and three Jewish members, the establishment of a constituent assembly and the suspension of Jewish immigration.

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Meanwhile a committee of American and British experts had been visiting Palestine to consider the practical aspect of the recommendations of the Anglo-American Report ; they came to various conclusions which were outlined by Mr. Herbert Morrison in the House of Commons on July 30th.⁸⁶

Their general recommendations on the subject of the refugee problem were, first, that an attempt should be made to resettle a substantial number of displaced persons in Europe itself; secondly, that an International Refugee Organization should be set up and, thirdly, that the United Nations should receive a proportion of displaced persons, including Jews, into their territories.

With regard to Palestine the policy was as follows :—

" The expert delegations accepted as a basis the principle laid down in the third recommendation."⁸⁷ They agreed that Palestine as a whole could neither be a Jewish nor an Arab State and that the form of government should be such as to safeguard the interests in the Holy Land of both Christendom and the Moslem and Jewish faiths. « They agreed that the political aspirations of the two communities in Palestine were irreconcilable, there was little hope of establishing a unitary government and that " the only chance of peace, and of immediate advance towards self-governing institutions, appears to be in so forming the constitution of the country as to give to each the greatest measure of power to manage its own affairs/"

Their proposal was that Palestine should be divided into four areas, an Arab Province, a Jewish Province, a District of Jerusalem and a District of Negeb. " The boundaries would be purely administrative boundaries, defining the zone within which a local legislation would be empowered to legislate on certain subjects and a local executive to administer its laws. They would have no significance as regards defence, customs or communications, but, in order to give finality, the boundaries, once fixed, would not be susceptible of change except by agreement between the **two** Provinces. A provision to **this effect would be**

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embodied in any trusteeship agreement, and in the instrument bringing the plan into operation."

The provincial governments would have power of legislation and administration within their areas with regard to a wide range of subjects including that of limiting the number and determining the qualifications of persons desiring to take up residence there. They would be required to guarantee civil rights, equality before the law of all residents, and the freedom of international transit, trade and commerce. They would have the power to raise money for the purpose of carrying out their functions.

Reserved for the Central Government would be an exclusive authority as to Defence, Foreign Relations, Customs and Excise ; and in addition in the initial stages, the administration of law and order and a limited number of Subjects of all-Palestine importance.

" An elected Legislative Chamber would be established in each Province. An executive, consisting of a chief Minister and a Council of Ministers, would be appointed in each Province by the High Commissioner from among the members of the Legislative Chamber after consultation with its leaders. Bills passed by the Legislative Chamber would require the assent of the High Commissioner. . . .

" It would be necessary to reserve to the High Commissioner an emergency power to intervene if a provincial government fails to perform, or execute, its proper functions. The executive and legislative functions of the Central Government would initially be exercised by the High Commissioner, assisted by a nominated Executive Council. Certain of the departments of the Central Government would be headed, as soon as the High Commissioner deems practicable, by Palestinians. The High Commissioner would establish a Development Planning Board and a Tariff Board, composed of members of the Central Government and of each province. In the Jerusalem District a council would be established with powers similar to those of a Municipal Council. The majority of its members would be elected, but certain members would be nominated by the

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High Commissioner. The Negeb District would for the time being be administered by the Central Government."

Under this plan, which Mr. Morrison said would simplify the problem of Jewish immigration, the final control over immigration would continue to rest with the Central Government, but so long as economic absorptive capacity was not exceeded, immigration desired by the provincial governments would be authorised. The Central Government would further have no power to authorise immigration in excess of any limitations proposed by the provincial governments.

As part of this plan the experts had envisaged the immediate admission of 100,000 Jews and further immigration thereafter. They had proposed a plan for this movement of persons which could be set in motion as soon as the scheme was accepted. The immigrants would be^{4*} selected primarily from Jews in Germany, Austria and Italy. Only orphan children would be accepted from countries in Eastern and South Eastern Europe.

The United States of America would be asked to accept responsibility for the sea transport of these refugees ; the Jewish organizations the cost of their resettlement.

The experts accepted the recommendation of the Anglo-American Committee that improvements of the economic and social conditions of the Arabs in Palestine were desirable. The programme which they suggested would include the provision of a Health Service comparable to that already available to the Jews, an expansion of the educational facilities, the provision of cheap credit for the Arab cultivators and other measures.

The capital costs would be heavy and a budget deficit in the Arab province was to be expected. " The experts suggested that the United States should be asked to make a substantial grant to the Government of Palestine to be used principally for financing Arab development projects not suitable for self-liquidating loans and for assisting in the meeting of extraordinary expenditure during the transitional period, while this country should be asked to take ultimate

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responsibility for meeting Palestine's annual budgetary deficit up to the time when increasing revenues made this unnecessary."

In conclusion Mr. Morrison stated that President Truman was giving further consideration to these recommendations but that in the meanwhile the British Government, being faced with a situation which brooked no delay, were taking action. "We are inviting representatives of the Jews and Arabs to meet us for discussion of these problems,⁸⁸ and we hope to bring before them as a basis for negotiation the plan recommended by the expert delegations. If it is found acceptable, our intention would be that it should be embodied in a trusteeship agreement for Palestine." On the other hand, "this, however, must be clear, the full implementation of the experts' plan as a whole depends on United States co-operation. I hope that that will be forthcoming. If not we shall have to reconsider the position, particularly as regards the economic and financial implications, and this is bound to affect the tempo and extent of immigration and development."

During 1945-46, Jewish terrorist attacks had increased in intensity: bridges were blown up, railways destroyed, and police stations, banks and railway stations mined. Attacks were made on detention camps and Jewish illegal immigrants released. This campaign culminated, in June, in the destruction of the bridges over the Jordan and the explosion in the King David Hotel in Jerusalem, which was being used as the Secretariat of the Palestine Government. British military authorities at once took energetic action to restore law and order in the country. On June 29th they occupied the Jewish Agency and arrested those Jewish leaders who were in Palestine.

Mr. Attlee made a statement on the measures taken in the House of Commons on July 1st,⁸⁹ in which he said that there existed proof of a close connection between the Hagana and the Jewish Agency. In support of this statement, the British Government published in the same month a White Paper, listing acts of violence as well as correspondence

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between members of the Jewish Agency and London.⁹⁻⁰ During July and August the campaign to introduce illegal immigrants into the country intensified.

LONDON CONFERENCE, 1946-47

It was against this background that the meeting already referred to between representatives of the Arab States, the Jewish Agency and British officials took place in London.

The Conference opened in London on September 10th, 1946, adjourned on October 2nd, and resumed its meetings on January 27th, 1947. The Jewish Agency, acting on the decisions reached at the Zionist Conference at Basle, refused to participate, but the Palestine Arabs sent representatives to join in the discussions. These lasted nearly a fortnight, but on February 13th the Conference broke up, without reaching any agreement. As it had become clear that no solution could be reached which would be acceptable to both parties, the United Kingdom Government decided to submit the problem to the Assembly of the United Nations. This was done by the British delegation to the United Nations on April 2nd and, on April 13th, it was formally announced that a special session of the Assembly to consider the Palestine question had been called for April 28th. It was pointed out that the calling of this special session was due to the desirability of an early settlement of the Palestine question and to the possibility that the Assembly might, at its normal meeting in September, 1947, fail to reach an agreement and leave the issue open indefinitely.

Meanwhile Mr. Bevin, on February 12th, described the negotiations at the Palestine Conference to the House of Commons. None of the proposals for granting autonomy which had been put forward by the British had been accepted even as a basis for discussion by the Arabs and Jews. The Arabs had put forward an alternative scheme, envisaging a unitary state with a permanent Arab majority⁹¹, but the new British Plan which arranged for local Arab and

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Jewish autonomy, with immigration at the rate of 4,000 per month for the next two years and thereafter at the economic absorptive capacity of the country as determined by the High Commissioner, was rejected both by the Arab delegation and by the Jewish Agency.⁹² As Mr. Bevin pointed out, the Arab and Jewish views were irreconcilable. The Arabs wanted an independent Arab State, while the Jewish Agency required unlimited immigration until they had a numerical majority and could create an independent Jewish State. The discussion had shown no prospect of resolving this question by a negotiated settlement and the British Government had not the power to award the country nor to partition it between the rival claimants.

On February 25th, 1947, the Foreign Secretary made a further statement on Palestine.⁹³ He again reviewed the situation and said, "everybody came to the conclusion that we should not get agreement, but that we should have to come to a decision and then apply force to put it into operation. His Majesty's Government came to the conclusion that . . . force applied to the problem would not produce a final solution, that it might create wider difficulties in the Middle East, and might indeed start us on a road leading in another quarter of a century to another war. . . .

"If we take the ratio of migration and development unaccentuated by the Hitler regime, I think that the original basis of the mandate as visualized in 1922, has in fact been carried out. What we have not been able to do, is to meet with this mandate the accentuated position created by the Hitler regime and the persecution in Germany. That is my view. I believe that continuous British Governments have done their best all the way through."

Throughout 1947, the Jewish terrorists persisted in their attacks on British forces and officials, while the stream of illegal immigration continued undiminished. In the first five months of the year over 15,000 illegal immigrants tried to land in Palestine and a number of them evaded the naval patrols and succeeded in landing. Meanwhile the Jewish Agency had refused to co-operate with the Palestine

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Government to suppress the terrorists.⁹⁴ It was estimateU that between January 1st-May 16th, 1947, seventy-five were killed and one hundred and ninety-six injured as a result of terrorist activities. In June, 1947, the United Kingdom Government sent to the Secretary General of the United Nations an official letter asking members to help towards a peaceful solution in Palestine by discouraging illegal immigration.⁹⁵ This had little effect and in August several thousand Jewish immigrants were returned first to France, whence they had sailed, and then, on the refusal of the immigrants to disembark, to the British Zone in Germany to await their turn on the quota.

PALESTINE QUESTION BEFORE UNITED NATIONS

In April, 1947, the Special Session of the General Assem-^bly met to consider Palestine and decided to appoint a Special Committee of Enquiry, sometimes abbreviated to U.N.S.C.O.P., consisting of the representatives of eleven nations :—Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia.⁹⁶ The Arab Higher Committee decided to boycott the work of the United Nations Committee. The Special Session then ended on May 15, leaving the Committee to report by September 1st, 1947.

From June 19th till July 3rd, the Committee toured Palestine collecting material and also visited displaced persons camps in Germany. This report, which was signed in Geneva on August 31st, consisted of eleven unanimous recommendations, and a majority and minority report. The majority report, agreed to by seven members, recommended that Palestine should be constituted into an Arab State, a Jewish State and the ' City of Jerusalem' ; and that after two years the Arab and Jewish States would become independent. During the transitional period the United Kingdom was to administer Palestine. This was tantamount to proposing a partition scheme to the United Nations/ The minority report agreed by three members

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proposed an independent federal state, Australia abstained from voting on either scheme.

There was a meeting of Arab Foreign Ministers from September 16th-20th, and on October 1st, the Arab Higher Committee asked the Arab States to mobilise their forces on the Palestine borders.

The second session of the General Assembly of the United Nations met in New York from September 16th to November 29th, 1947.⁹⁷ The United Kingdom Secretary of State for the Colonies explained at the outset in the *ad hoc* committee, which the Assembly set up for the Palestine question, that the mandate for Palestine had been found by His Majesty's Government to be unworkable, and that if no substitute for it could be devised which would be acceptable to both Jews and Arabs, His Majesty's Government must plan an early withdrawal from Palestine. At the same time the United Kingdom Government would not themselves impose a settlement by force. Sir Alexander Cadogan, the United Kingdom Representative to the United Nations, later announced that the United Kingdom Government intended to evacuate Palestine by August 1st, 1948.

There followed long, and sometimes stormy, debates which showed that there was considerable support for the majority plan put forward by U.N.S.C.O.P., some support for the Arab proposals for a unitary state put forward by the Arab States and practically none for the minority report favouring a federal scheme. After considerable discussion the U.S.A. and the U.S.S.R. decided on a plan similar in many respects to the majority proposals. A commission of five members was proposed to supervise the transition to independence, but it was not provided with either a military force, or the machinery of administration. The United Kingdom was still to remain responsible for the maintenance of order until the termination of the mandate and the transfer of authority to the United Nations Commission.

After a good deal of argument, and vacillation on the

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part of some states, a majority for partition was obtained by 33 to 13, with ten abstentions, on November 21st, 1947. The United Kingdom representative acted throughout as an observer and did not vote.

The following day the Arab Higher Committee announced that they rejected partition completely.

On December 11th-12th, the Palestine question was debated in the House of Commons.⁹⁸ Mr. Creech Jones pointed out again that the British were determined to withdraw from Palestine, and were not prepared to implement the United Nations decision by force. The proposed plan made little provision for enforcement, and the mandatory administration would therefore require to be terminated prior to the actual withdrawal of the military forces ; the date set was May 15th, 1948. Mr. Bevin added a further statement on the winding up of the debate, that even if the Security Council decided on collective enforcement, Great Britain would not participate.

From this point the security situation in Palestine deteriorated still further. It was obvious that at the time of the partition decision, the United Nations, and particularly the United States, had underestimated the Arab opposition to the scheme. Since then the Jewish authorities have been pressing for the import of arms, and for funds to establish a large army for defence purposes.

By the end of February, 1948, the Palestine Commission had realized that it was powerless to act without some kind of international military force," and the United States proposed that the matter should be placed in the hands of the Security Council. In this manner, matters drifted on through February and March without any definite action being taken by the United Nations.

On March 19th, the United States delegate asked **the** Security Council to suspend action on the partition of Palestine and to call immediately a special session of the General Assembly to reconsider the question. Pending a decision as to its permanent status, the United States proposed **that** Palestine should be administered as a **Trusteeship**

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by the United Nations, either collectively or individually.¹⁰⁰

As the United Kingdom would not be willing to undertake this, and as the United States has shown no real willingness to implement her suggestions by action, it is difficult to see how the last proposal will achieve any useful settlement. Without United States support, Palestine partition is a dead letter, but it is doubtful whether, at the eleventh hour, the calling of further conferences will assist the situation in a country where racial passions have become inflamed to the extent which they have in Palestine. It is also to be regretted that the Palestine question should have been bound up with the refugee question, as it has been throughout the recent committee meetings ; anyone who knows the country must realize this difficulty, even under ideal conditions such as are certainly not obtainable at present. Palestine can never be the answer to the world Jewish problem, neither the land, nor the area being sufficient for the numbers involved.

NOTES

¹ *White Paper*, Cmd. 1195.

² *Treaty Series*, No. 13 (1923), Cmd. 1910.

³ See Chapter IV for details of the boundary line.

⁴ *The Palestine Partition Commission's Report* (1938), Cmd. 5854, p. 23.

⁵ Government of Palestine Estimates, quoted by the *Arab News Bulletin*, No. 20, September 6th, 1946. The term "Arab" covers both Moslem and Christian Arabs.

• This was pointed out by the Partition Commission on pp. 23-27.

⁷ It consisted of three Sandjaks: Acre and Nablus, units of the Beirut Vilayet, together with the independent Sandjak of Jerusalem.

⁸ L. Stein, *Zionism*, p. 65 *et seq.* Stein says : " In 1888 and again in 1900, the Porte went to the length of announcing that the settlement of Jews in Palestine would no longer be tolerated. The Powers protested and the embargo remained a dead letter. Nevertheless Jewish immigration continued to be discouraged and formed the subject of a debate in the Turkish Chamber as late as 1912. In the same year the Turkish authorities were reminded that foreigners were prohibited by law from acquiring land in Ottoman territory and that the prohibition would be strictly enforced."

• Israel Zangwill formed the Jewish Territorial Organisation for immigration to countries other than Palestine, but it never attracted much support. At the time of the Balfour Declaration, the Jewish Conjoint Committee representing Anglo-Jewry was opposed to the Zionist plan on the grounds that " they hold Judaism to be a religious system with which their political status has no concern ".

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There are a large number of different political parties. The most important are (1) the Mapai (Palestine Jewish Labour Party) ; this is the strongest political party and is strongly Socialist; it has six representatives on the executive of the Jewish Agency and supports the Biltmore Programme for Palestine. (2) Aduhavoda (Movement for Labour Unity) ; this ceded from Mapai in 1944 and is more socialistic in outlook. (3) Hashomer Hatsair (the Young Guard) ; this party is anti-capitalist and class-conscious but advocates a bi-national Arab-Jewish State in Palestine. (4) Poel Mizrahi (Mizrahi Workers) ; Zionist Labour, consists of a large number of Orthodox Jews.

The centre parties are (1) Hitahidud Zionim Klalim (Confederation of General Zionists) Zionist and supporters of the Biltmore Programme ; (2) Ali 'y^a Hadasha (New Immigration), founded in 1942 and consisting mainly of German Jews who are Zionists but reject the Biltmore Programme and wish to co-operate with Great Britain ; (3) the Mizrahi (World Organisation) independent Zionists.

The right-wing parties are (1) Brit Zionim Klalin (Union of General Zionists or General Zionists B) ; (2) The Revisionists, an extreme right-wing party who broke off from the Zionists in 1935 under the leadership of the late Vladimir Jabotinsky. Its members call themselves the New Zionist Organisation and there are probably about five to eight thousand of them in Palestine. They aim at setting up an independent Jewish State as soon as possible.

Agudath Israel lies without the Zionist fold and is a religious organisation comprising Jews who were in Palestine prior to 1922. Ihud (Unity) aims at a bi-national State and is the party of Dr. Magnes of the Hebrew University.

¹⁰ *Statements in regard to the Future Status of Certain Parts of the Ottoman Empire, Cmd. 5954 (1939).*

¹¹ *Ibid*, p. 5.

¹² American Jewish Congress of December, 1918.

¹³ Signed on August 10th, 1920, this treaty was never ratified and its terms were never carried out. Article 95 of the treaty provided that the Mandatory should carry into effect the terms of the Balfour Declaration.

¹⁴ As a result of these discussions a Convention was signed by the Governments of the United Kingdom and the United States on December 3rd, 1924. This safeguarded the rights of United States nationals and interests in Palestine. Under Article I " the United States consented to the administration of Palestine by His Britannic Majesty pursuant to the Mandate cited above."

¹⁵ *White Paper, Cmd. 1785.*

¹⁶ For full text see Appendix 8.

¹⁷ For a fuller discussion of this point and its implications see the following chapter on Transjordan. By an order of September 1st, 1922, Transjordan was excluded from the clauses setting up the Jewish national home.

¹⁸ The report of the Commission of Enquiry was not published, but a summary was given in *A Survey of Palestine*, prepared in December, 1945, and January, 1946, for the information of the Anglo-American Committee of Enquiry, Palestine Government Press, Vol. I, p. 17.

¹⁹ There were outbreaks of violence against Jews by Arabs in May, 1921, at Jaffa and general strikes in November, 1925, when Lord Balfour visited Jerusalem to open the Hebrew University. In August, 1929, the Wailing Wall incident took place and other outbreaks followed in Hebron and Safad ; 133 Jews were killed. In October, 1933, there were riots and a general strike in Jerusalem. In April, 1936, disorders began near Tulkaram and spread ail over the country, which remained in a state of more or less active rebellion until the outbreak of the 1939 war. On the outbreak of war both Arab and Jewish leaders called for the cessation of terrorism. From November,

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the general strike. On October 1st, 1937, the Arab Higher Committee was declared an unlawful association, and instructions were issued for the arrest and deportation of Haj Amin, who was to be deprived of his offices as President of the Supreme Moslem Council and Chairman of the Central Waqf Committee. Amin fled to Lebanon, and lived near Beirut. In 1941 he went to Iraq during the Iraqi rebellion and thence to Persia. By the end of October he was in Italy, whence he travelled to Berlin. At the fall of Germany he went to France, and left for Egypt in 1946.

⁴⁹ In 1945 it had a membership of 143,000 adults and 8,500 youths.

⁵⁰ *Davar*, No. 2830 (1934).

⁵¹ The Murison-Trusted Commission of Enquiry, *Palestine Gazette*, February 7th, 1934.

⁵² *Hansard, Lords*, February 26th, 1946, cols. 150-195. *Hansard, Commons*, March 24th, 1946, cols. 1079-1150.

⁵³ On July 29th; it was formally appointed on August 7th.

⁵⁴ *Hansard, Commons*, November 5th, 1936, cols. 250-252.

⁵⁵ *Palestine Royal Commission Report (Peel Report)*, Cmd. 5479, July, 1937.

⁵⁶ *Ibid*, pp. 110-112.

⁵⁷ *Ibid*, p. 381.

⁵⁸ *Palestine, A Statement of Policy*, Cmd. 5513, July, 1937, p. 3.

⁵⁹ *Minutes of the Thirty-second Session of the Permanent Mandates Commission*, July 30th-August 18th, 1937.

⁶⁰ These were: Ahmad Hilmi Pasha, Dr. Hussein Khalidi, Fuad Effendi Saba, Haj Rashid Effendi Ibrahim and Yacorb Effendi Ghoussein. Raghbeeb Nashashibi, of the National Defence Party, escaped arrest as his Party had withdrawn in July from the Arab Executive. The Seychelles exiles were released in January, 1939, but were not allowed to return to Palestine. The second Arab Higher Committee was reformed in November*, 1945, and Jamal el Hussein became Chairman on his return from Kenya in February 1946.

⁶¹ Fauzi was a Syrian who had served in the Turkish Army.

⁶² *Palestine Partition Commission Report*, Cmd. 5854 (1938). No Arab witnesses gave evidence before this Commission.

⁶³ *Palestine Statement by His Majesty's Government in the United Kingdom, White Paper*, Cmd. 5893, p. 3 (November, 1938).

⁶⁴ These were substantially the same proposals as were later put out in the 1939 White Paper.

⁶⁵ *Palestine Statement of Policy, White Paper*, Cmd. 6019 (1939).

⁶⁶ *Ibid*, p. 6.

⁶⁷ Already discussed, see p. 135.

⁶⁸ *The Palestine Post*, May 19th, 1939.

⁶⁹ Dr. Weizmann wrote to the Prime Minister on August 29th, 1939. He said in part: "I wish to confirm in the most explicit manner the declaration which I and my colleagues have made during the last months, and especially the last week: that the Jews stand by Great Britain and will fight on the side of the democracies. . . . The Jewish Agency has recently had differences in the political field with the Mandatory Power. We would like these differences to give way before the greater and more pressing necessities of the times."

⁷⁰ In August a Palestine regiment was formed, consisting of both Jewish and Arab battalions. This step was heavily criticised by the Arabs as being the first step towards forming a Jewish Army.

⁷¹ This is the Jewish semi-official defence organisation; its existence has

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never been officially recognised by the British authorities. It appears to be an offshoot of Hashomer (Watchmen) founded under the Turkish authorities in order to guard Jewish property. No estimate of its numbers are available as it is a secret body, but it appears to be well armed and trained. The Hagana operates the illicit broadcasting station of Koi Israel (The Voice of Israel).

⁷⁸ Their leader, Albert Stern, was killed in February, 1942.

⁷³ Mr. Churchill castigated the murderers in the House of Commons on November 17th. He said in part: "If our dreams for Zion are to end in the smoke of assassins' pistols and our labour for its future are to produce a new set of gangsters worthy of Nazi Germany, many like myself will have to reconsider the position we have maintained so long and so consistently in the past. If there is to be any hope of a peaceful and successful future for Zionism these wicked activities must cease and those responsible for them must be destroyed root and branch." *Hansard, Commons*, 17.11.44, cols. 2242.

⁷⁴ This resolution was not passed in quite this form.

⁷⁵ It was then that President Roosevelt wrote his letter to King Ibn Sa'ud, quoted on p. 236, note 23.

⁷⁶ *Hansard, Commons*, 13.n.45, cols. 1930-1936.

⁷⁷ *United States Information Service*, 14.11.45. Mr. Harrison, a former United States Commissioner of Immigration and Naturalisation, had been sent to Europe to examine the position of displaced persons who were stateless or non-repatriable.

⁷⁸ The other members were: British—Messrs. W. P. Crick, Crossman, M.P., Manningham-Buller, M.P., Sir Frederick Leggett and Lord Morrison. American—Dr. Frank Aigdelotte, Messrs. Frank W. Buxton, Gardiner and Phillips and Dr. James McDonald. For terms of reference see Appendix 9.

⁷⁹ *Anglo-American Committee of Inquiry Report, Blue book, Cmd. 6808* (1946)

⁸⁰ For Retailers see Appendix No. 10.

⁸¹ *Hansard, Commons*, 1.5.46, cols. i95-*97-

⁸⁸ *United States Information Service*, 30.4.46.

⁸⁸ On June 14th the Arab Office in London issued a detailed comment on the Report point by point in its Bulletin No. 14.

⁸⁴ *Ibid*, p. 7.

⁸⁶ For details see Chapter XI.

⁸⁶ *Hansard, Commons*, 30.7.46, cols. 961-976.

⁸⁷ Of the Anglo-American Committee's report.

⁸⁸ This was the meeting held in September, 1946.

⁸⁹ *Hansard, Commons*, 1.7.46, cols. 1805-1808.

⁸⁰ *Palestine, Statement of Information Relating to Acts of Violence, Cmd. 6873* (July, 1946).

⁹¹ For details of the Arab plan see Chapter X and Appendix 11.

⁸⁸ A *White Paper proposal for the future of Palestine, July, 1946-February, 1947. Cmd. 7044*. H.M.S.O., described the proposals submitted by the British Delegation at the Palestine Conference.

⁹³ *Hansard, Commons*. February 25th, 1947. Col. 1907.

⁹⁴ The cost of maintaining British troops in Palestine from July 1st, 1945, to January 31st, 1947, was estimated at £55,600,000.

⁹⁵ *Manchester Guardian*, 11.6.47.

⁹⁶ *United Nations Press Release*, May, 1947.

⁹⁷ See *Report on the Proceedings of the Second Session of the General Assembly, Cmd. 7320*.

⁹⁸ *Hansard, Commons*, 11-12.12.1947, cols. 1213-1225, and 1394-

⁹⁹ *The Times*, 25.2.1948.

¹⁰⁰ *The New York Times*, 20.3.48.

CHAPTER VI

TRANSJORDAN

INTRODUCTION

TRANSJORDAN is one of the countries created out of the old Ottoman Empire after the 1914-1918 war. It is roughly the shape of a triangle with an eastern rectangular extension known as the " Corridor/'

Transjordan is bounded on the west by Palestine, on the north by Syria and the Jebel Druze, on the north-east by Iraq and on the east and south by Saudi Arabia.

It has an area of approximately 90,000 square kilometres or 34,740 square miles. Of this area 72,000 kilometres are desert.

There has been no official census in Transjordan, but in 1938 (the last year an official report was issued) the population was estimated at 300,000, of these 260,000 were Arab-Moslems, 30,000 were Arab-Christians and 10,000 Circassians. A 1945 estimate puts the total population at about 400,000. The Circassians were settled in Transjordan by the Turks. There are also small minorities of Shishans, Turcomans and Persian Bahais. According to the Organic Law of Transjordan of 1928 Arabic is the official language (Article 15) and Islam the State religion (Article 10). There is, however, complete liberty of conscience and of religious observance throughout the country, and the various communities are entitled to establish and maintain their schools (Article 14).

The people of Transjordan are divided into the settled inhabitants, numbering some 250,000 mainly dependent on agriculture and concentrated on a strip of tableland 200 miles long and averaging 25 miles wide, high on

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the edge of the Jordan Valley and the Dead Sea ; the semi-nomads living in tents but cultivating the soil ; and the nomads who are dependent on their flocks. There are constant seasonal migrations on the part of the Bedouin from Transjordan into Palestine, and from Arabia into Transjordan and back again.

The nomadic tribes of Transjordan are broadly divisible into two groups : " the people of the north," and " the people of the south " and this division is recognized in the Electoral Law of 1928. The Bedouin of the north comprise the Beni Sukhr, Sirhan, Beni Khalid, Issa and Sleit with the tribes and clans under their protection ; those of the south being the Howeitat, the Mana'een and the Hajaya.

In considering Anglo-Transjordanian relations and the progress made by the country during the last twenty years, it is as well to bear in mind the fact that three-quarters of the country is desert of one form or another, only 4,490,000 dunums being cultivated land,¹ that there is a very low rainfall, few mineral resources beyond potash and some iron and copper ores and no industries except small tobacco factories and spirit distilleries. Transjordan is predominantly a pastoral and agricultural country.

THE CONSTITUTION OF TRANSJORDAN

Under Turkish rule Transjordan was not a separate entity but part of Turkish Arabia, under the authority of the Vali or Damascus. After the war it became part of Enemy Occupied Territory, but it was far from clear under whose administration this area would fall.²

The Supreme Council of Allied Powers at San Remo on April 25th, 1920, allocated a mandate for Palestine, including Transjordan, to Great Britain. This was later confirmed by the Council of the League of Nations on July 24th, 1924.

During February, 1921, the Amir Abdullah, second son of the Sharif Husain, entered Transjordan from the Hejaz with **the** object of assisting his brother Faisal. Born in

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Mecca in 1882, the Amir Abdullah was educated in Constantinople (Istanbul) where Sharif Husain was detained with his family from 1893, under the orders of the Sultan Abdul Hamid. In Constantinople, Abdullah sat as a member for the Hejaz in the Ottoman Parliament, where he gained valuable political experience and became interested in Arab nationalism.

Abdullah acted as Husain's Foreign Minister and it was through him that the Sharif's correspondence with regard to Arab entry into the war was carried out, first with Kitchener and later with McMahon. On the outbreak of the Arab revolt, the Amir Abdullah was placed in command of one of the Sharifian armies investing Medina; later, in January, 1917, he defeated a Turkish mission on its way to Yemen and captured Taif. In May, 1919, Abdullah was defeated by Ibn Sa'ud at Turabah.³

When he entered Transjordan in 1921, it was with the object of attacking the French and so assisting Faisal. However, after conversations with Mr. Winston Churchill, then Secretary of State for the Colonies, in Jerusalem in March, 1921, he was persuaded to abandon this plan and remain in Transjordan, first under a provisional agreement, later as ruler of Transjordan under the direction of the High Commissioner for Palestine and Transjordan.

The territory assigned under the British Mandate was divided by the Mandatory Power into the two States of Palestine and Transjordan. In respect of Transjordan, the Mandate itself, under Article 25,⁴ enabled the Government of the United Kingdom to postpone or withhold the application of certain provisions of the Mandate. In virtue of this article, the British Government proposed to the League that Transjordan should be exempted from all those clauses in the Mandate which provided for a special regime in the Holy Places, and for the development in Palestine of a Jewish National Home⁵; and on September 16th, 1922, the Council approved Lord Balfour's memorandum in which these proposals were presented. In pursuance of the provisions of this Article (Article 25), His Majesty's

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Government invited the Council to pass the following resolution :—

" The following provisions of the Mandate for Palestine are not applicable to the territory known as Transjordan, which comprises all territory to the east of a line drawn from a point two miles west of the town of Akaba on the Gulf of that name, up to the centre of the Wadi Araba, Dead Sea and the River Jordan up to its junction with the River Yarmak ; thence up the centre of that river to the Syrian frontier . . .

" In the application of the Mandate to Transjordan, the action which, in Palestine, is taken by the Administration of the latter country, will be taken by the Administration of Transjordan under the general supervision of the Mandatory. . . ."

In April, 1923, the British Government authorized Sir Herbert Samuel, High Commissioner for Palestine, to make the following announcement in Amman, the capital of Transjordan :—

" Subject to the approval of the League of Nations, His Majesty's Government will recognize the existence of an independent Government in Transjordan under the rule of His Highness the Amir Abdullah provided that such Government is constitutional and places his Britannic Majesty's Government in a position to fulfil its international obligations in respect of the territory by means of an agreement to be concluded between the two Governments."

This agreement was not concluded until five years later. Meanwhile Transjordan came under the direction of the High Commissioner for Palestine and Transjordan, who was represented in Transjordan by a British Resident. From 1920 onwards financial grants-in-aid were made to the Amir Abdullah for the administration, and he was assisted in the administration by British officials.

On February 20th, 1928, an Agreement between His Britannic Majesty and His Highness the Amir of Transjordan was concluded.⁶ The Preamble was couched in similar terms to Sir Herbert Samuel's 1923 statement,

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that His Britannic Majesty was prepared to recognize the existence of an independent Government in Transjordan under the Amir of Transjordan " provided that such Government is constitutional."

The principal terms were that " the powers of Legislation and Administration entrusted to His Britannic Majesty as Mandatory for Palestine shall be exercised in that part of the area under Mandate known as Transjordan by His Highness the Amir through such constitutional Government as is defined and determined by the Organic Law of Transjordan . ." (Article 2,)

The Amir agreed to be guided by the advice of His Britannic Majesty on all questions concerning the foreign relations of Transjordan ; also to follow an administrative, financial and fiscal policy in Transjordan, such as would ensure stability and good organization of the Government and its finances (Article 5).

Certain laws were listed which should be submitted to His Majesty's Government, such as the Budget Law, Currency Laws, Nationality Laws, Law of Succession, Amendments to the Organic Law, etc. (Article 6).

Article 8 stated that no obstacle (except international considerations) would be placed in the way of the association of Transjordan for customs or other purposes with such neighbouring Arab states as might desire it. In the second part of Article 10 the Amir Abdullah agreed that he would not raise or maintain any armed forces in Transjordan without the consent of His Britannic Majesty. This was followed by the passing of the Organic Law of Transjordan published on April 19th, 1928.⁷ In this the Amir was recognized as Head of the State ; advised by an Executive Council consisting of the Chief Minister and not more than five other members appointed by the Amir on the recommendation of the Chief Minister, either from among the principal officers of the Administration or the elected representatives of the people.

The Legislative power was vested in the Legislative Council *with the Amir. This Council consisted of

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(a) sixteen representatives elected in accordance with **the** Electoral Law, which had regard to the proper representation of minorities ; and (B) the Chief Minister and other members of the Executive Council not being elected representatives

The Electoral Law provided that the sixteen elected members should comprise 9 Moslem Arabs, 3 Christian Arabs, 2 Circassians and 2 Nomad Bedouin. Normally the Council had one annual session lasting three months. The election of members was conducted by primary and secondary elections, every male Transjordanian, not being a Bedouin over 18, being able to vote at the primary elections.

In 1934, the 1928 Agreement with the Amir was amended, and in 1938 the Organic Law was amended. A More important announcement was that made by the Colonial Office on May 16th, 1936, that His Majesty's Government had agreed to the formation in Transjordan of a Council of Ministers, responsible to the Amir, in place of the existing Executive Council ; also to the removal of the existing restriction upon the Amir's powers of raising and maintaining military forces, and to the granting to the Amir of the right to appoint Consular representatives in certain neighbouring countries.⁸

On August 6th, 1939, Tawfiq Pasha Abu'l Huda, who had been Chief Minister since September, 1928, became the first Prime Minister and Minister for Foreign Affairs. Tawfiq Pasha reformed his Government several times during 1941-44, namely in July, 1941, in November-December, 1942, in May, 1943 and in October, 1943, remaining Prime Minister throughout. He resigned on October 15th, 1944, and was replaced by Samir Pasha Al Rifai.

Further amendments to the 1928 Agreement were signed on July 19th, 1941.⁹ From November, 1943, until mid-1944 the Transjordan Government was exchanging notes with His Majesty's Government with regard to Transjordan achieving complete independence. In June, 1944, the Transjordan Government published the substance of

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these notes in which the Transjordan Government had asked for the termination of the Mandate, and a new treaty. His Majesty's Government had replied that, while they fully appreciated the friendship and assistance of the Government and the people of Transjordan and their desire to be placed on an equal footing with the other Arab countries, they could not open such negotiations during the war. Afterwards they would be willing to conclude a treaty more compatible with existing conditions than that of 1928, but in the meantime official relations between the two countries must continue on the existing basis, though they would endeavour to interpret this on lines compatible with the wishes of the people of Transjordan.

ANGLO-TRANSJORDANIAN TREATIES OF 1946 AND 1948

On the outbreak of the 1939¹⁰ war, the Amir Abdullah stood firmly by his pledges and offered facilities in Transjordan for the training of British troops. As he is reported to have said to Brigadier Glubb in June, 1940 :—

" We Arabs have always prided ourselves on never betraying our friends and we do not propose to start now. Whatever happens we shall remain the friends of Britain."¹¹

In 1941 the Arab Legion assisted in the Iraq and Syrian campaigns with conspicuous success. Units were also present at the battle of El Alamein.

In view of the promise implicit in the 1943-1944 exchange of notes between His Majesty's Government and the Government of Transjordan, it was not surprising that Mr. Bevin, the Secretary of State for Foreign Affairs, should exclude Transjordan from the countries to be considered for trusteeship by the United Nations. As Mr. Bevin said on January 17th, 1946, in his speech to the United Nations Assembly :—¹²

" Regarding the future of Transjordan, it is the intention of His Majesty's Government in the United Kingdom to take steps in the near future for establishing this territory as a sovereign independent **State and** for recognizing its

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status as such. In these circumstances the question of Transjordan going under trusteeship does not arise." On January 23rd, Mr. Attlee announced that the Amir Abdullah would be visiting London shortly to discuss matters.

In February, 1946, the Amir and the Prime Minister, Ibrahim Pasha Hashim, visited the United Kingdom and after discussions a Treaty of Alliance for twenty-five years was signed on March 22nd, 1946.¹³

The preamble states the Contracting Parties desire "to define the relations which will subsist between them on the terms of complete freedom, equality and independence and to consolidate and perpetuate the relations of friendship and good understanding which have hitherto subsisted between them."

- The United Kingdom recognized Transjordan as an independent state with the Amir Abdullah as sovereign. There was to be perpetual friendship between the two countries and a close treaty of alliance with a "full and frank consultation between them in all matters of foreign policy which may affect their common interests." Any disputes that might arise with a third state were to be settled under Article 33 of the Charter of the United Nations. British experts and technicians were to assist in Transjordan and a commercial agreement was to be concluded as soon as possible.

An Annexe to the Treaty allowed His Majesty's armed forces to be stationed in Transjordan at their present posts "and in such other places as may be agreed upon." All necessary facilities of transport, maintenance and storage were to be supplied, while officers of the British Army would assist when necessary in the training of the Transjordanian forces.

An exchange of notes on March 22nd arranged for **the** continuation of the Hadda Agreement of November 2nd, 1925, signed between His Majesty's Government **and** King Ibn Sa'ud, **The Treaty was ratified on June 17th, 1946.**

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After his return to Transjordan the Amir Abdullah was proclaimed King of Transjordan in a ceremony at Amman on April 25th, 1946, while on June 12th, the Foreign Office announced the appointment of Mr. A. S. Kirkbride as His Majesty's Envoy Extraordinary and Minister Plenipotentiary to Transjordan,¹⁴

On March 15th, 1948, a new Anglo-Transjordan Treaty of Alliance was signed in Ajnman and ratified by King Abdullah.¹⁵ This superseded the 1946 Treaty, the revision of which had been sought by the Transjordan Government on the ground that they desired the relations between the two countries to be on a basis more in keeping with the status of Transjordan as an independent Power. Although the 1946 Treaty had many years to run, H.M. Government appreciated the Transjordan attitude, and the question of revision was discussed during the visit of the Prime Minister and Foreign Minister of Transjordan to London in February, 1948.

The new Treaty provided for mutual defence in the event of war, for the maintenance of Royal Air Force units at Amman and Mafrak, and for the setting up of an Anglo-Transjordan Joint Defence Board. It was to remain in force for twenty years, but might be revised at the request of either party after fifteen years. British financial assistance to King Abdullah to enable him to carry out his obligations under the Treaty was to continue.

FOREIGN RELATIONS

Foreign relations were of necessity restricted during the mandatory period. As was seen, consular representatives were appointed to various Arab countries after the 1928 Agreement. Close connections have always been maintained with Iraq, which is also ruled by the Hashimis, and relations with Lebanon and Syria have improved recently, while with Turkey they were always good.

These good relations were strengthened after the visit of King Abdullah to Turkey in January, 1947. On

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January 12th it was announced in Istanbul that a treaty of friendship had been signed by the Foreign Ministers of the two countries. This is another move in Turkish attempts to get into closer touch with the Arab countries, which was earlier evinced by the Turkish-Iraqi pact of 1946, .

The main difficulties Transjordan has had are with Saudi Arabia, ruled by Ibn Sa'ud, a rival Arabian dynasty to the Hashimites, after the ejection of Husain, Abdullah's father, in 1928.

In 1922 and 1924 there were severe raids on Transjordan by Wahhabi tribesmen from Saudi Arabia, but these were defeated and driven back by the R.A.F. and armoured car patrols.

Relations with Ibn Sa'ud began to improve slightly after the signature of the Hadda Agreement¹⁶ on November 2nd, 1925, between the United Kingdom Government and the Sultan of Nejd. This Agreement attempted to deal with the difficult question of maintaining security on the desert frontiers by stopping Bedouin raids, and redrawing the frontier. Ibn Sa'ud was not very satisfied with the frontier demarcation which separated the Nejd from Syria while giving Transjordan a contiguous frontier with Iraq. Under this Treaty His Majesty's Government undertook to secure freedom of transit to Nejd merchants trading to Syria, as also to Iraqi pilgrims and travellers of both countries. The duration of the treaty was fixed at the termination of the Mandate.¹⁷ The new frontier fell short of Ibn Sa'ud's claims, but assigned to Nejd the whole of the Wadi Sirhan, except its north-western extremity, and the oasis of Kaf. The frontier giving Ma'an and Akaba to Transjordan was fixed by the Treaty of Jedda signed on May 20th, 1927, between Great Britain and the Hejaz, and by the notes exchanged between May 21st and 23rd by Sir Gilbert Clayton for the United Kingdom and the Amir Faisal for Ibn Sa'ud.

Although excluded from **the** sections of the Mandate providing for a Jewish national home in **Palestine**, it is **only natural** that events in that country, so close to **Trans-**

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Jordan, should have strong repercussions there, and assistance has been given to Palestine Arabs from time to time by the Transjordanians.¹⁸

Even before the termination of the Mandate, Transjordan joined the Arab League and signed the Charter on March 22nd, 1945 ; Transjordanian delegates have joined in all the discussions since.

In 1947, Transjordan applied for membership of the United Nations. Her application was supported by nine of the eleven members of the United Nations Security Council, including the United Kingdom, but was vetoed by the Soviet representative on the grounds that the U.S.S.R. had no diplomatic relations with Transjordan and was doubtful about her independent status.

What the future relations between Transjordan and Great Britain will be it is, at the moment, impossible to say. That these depend largely on what happens in Palestine is obvious. So far the attitude of Transjordanians, based on contact with men such as Peake, Glubb and Kirkbride, has been friendly, but in the future politics may triumph over personal relationships and Abdullah is unlikely to go against the opinion of the Arab world as expressed by the Arab League.

NOTES

¹ 4 dunums = 1 acre ; the major portion of this area lies in the Ghor.

² The British Government had earlier assented to the inclusion of Transjordan in the Arab National State set up in 1918 under the Amir Faisal. When the Damascus Government was overthrown by the French in July, 1920, Transjordan was left under no direct control, as the French were unable to occupy the area which fell by previous arrangement within the British sphere of influence. *History of the Peace Conference*, Vol. VI, **Part I.A.**

³ For an account of the differences between the Hashimites and Saudis, see the chapter on Saudi Arabia, p. 184.

⁴ Article 25 : " In the territories between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent 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 is taken which is inconsistent with the provisions of Articles 15* 16, 18."

⁵ These provisions were: The Preamble—Recitals 2 and 3 ; Articles 2, 4,

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6,7 (i clause), Article n (second sentence of first paragraph and second paragraph), Articles 13, 14, 22, and 23.

⁶ The full text was published in 1930 as *White Paper*, Cmd. No. 3488.

⁷ As *White Paper*, Cmd. No. 3069 (1928).

⁸ In November, 1939, the Government of Transjordan sent notes to the Governments of Iraq, Egypt, Yemen, Syria, and the Lebanon, informing them of their decision to open consulates following this Agreement. In December, 1939, consulates were established in Egypt and Iraq.

• *White Paper*, Cmd. No. 6323.

¹⁰ On October 4th, 1939, the Government of Transjordan proclaimed Germany as an enemy country.

¹¹ *A Short History of Transjordan*, Baha Uddin Toukan, p. 49.

¹¹ *Journal of the General Assembly of the United Nations*, 17.1.46.

¹³ *White Paper, Treaty of Alliance between His Majesty in respect of the United Kingdom and His Highness the Amir of Transjordan ; Transjordan No. 1* (1946), Cmd. 6779, March 22nd, 1946.

¹⁴ Mr. Kirkbride first went to Transjordan in 1921 as Resident at Es Salt. He has held the post of British Resident since 1939. He received Knighthood in the 1946 Birthday Honours.

¹⁵ *White Paper, Treaty of Alliance between His Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and His Majesty the King of the Hashemite Kingdom, Transjordan*, Cmd. 7368. For full text see Appendix 12.

¹⁶ For full text see *White Paper*, Cmd. No. 2566, also Appendix 13.

¹⁷ Hence the importance of the exchange of notes on the signature of the Treaty arranging for the continuation in force of the Hadda Agreement.

¹⁸ Two other issues remain to be mentioned : (1) The scheme for Greater Syria originally noted as a union of Lebanon, Syria, Palestine and Transjordan with a capital at Damascus and sometimes including Iraq. This has been opposed both by Arabs in Syria and Saudi Arabia, both of whom feared Abdullah's ambitions to a new Arab Empire; (2) the question of a union—customs, commercial and economic if not political—between Iraq and Transjordan. This would again be opposed by Ibn Sa'ud.

CHAPTER VII

SAUDI ARABIA

THIS consists of the Hejaz and Nejd united under Abdul Aziz Ibn Sa'ud, Sultan of Nejd and its dependencies, who was proclaimed King of the Hejaz¹ in 1926. The Saudi Arabian kingdom retains its dual character, for Ibn Sa'ud is known as King of the Hejaz, Nejd and its dependencies, and there are also two capitals, that of the Hejaz at Mecca and of Nejd at Riyadh.

The frontiers of the kingdom are not closely defined so that an accurate estimate of its size is difficult to obtain; this is probably about 150,000 square miles. Population figures are also unreliable and have been estimated at about 3,000,000.

The frontiers with Yemen were delimited in November, 1937, while that with Transjordan was partly fixed by the Hadda Agreement of 1925 ; the Kuwait and Iraq frontiers had been fixed in the early twenties.

THE RISE OF THE WAHHABI POWER IN NEJD

Muhammad Ibn Abdul Wahhab was born in 1703 at Al Ajjene.² He was a reformer and preached a return to the fundamentals of Islam as taught by the Prophet Muhammad and the rejection of many of the practices such as pilgrimages to the shrines of saints and the use of tobacco, which had become engrafted upon Islam since the 7th century. Supported by Abdul Aziz Ibn Sa'ud, one of the Nejdian Amirs with headquarters at Riyadh, this reforming movement spread rapidly through central Arabia. Under the leadership of Ibn Sa'ud, Kerbala was sacked, Mecca and Medina occupied and the Wahhabis advanced to the gates of Baghdad and Damascus. Their advance

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was checked and their power broken by the Egyptian ruler Muhammad Ali, who sent a Turko-Egyptian army to invade Arabia in 1811. By 1814 the Egyptians under Ibrahim Pasha were invading Nejd and Abdullah Ibn Sa'ud was forced to submit after the capture of Daraiyaii in 1818 ; in the same year he was executed in Constantinople!

The overthrow of the Wahhabi power appeared to be complete, but within five years Turki, the son of Abdullah, was leading a rebellion against the Turkish-Egyptian garrisons and was proclaimed Amir of Nejd*. From then onwards the Sa'udi Amirs, fighting among themselves as well as against the Turks, gradually re-established their power. During the closing years of the 19th century, however, this was threatened by the rise of the house of Ibn Rashid of the Shammah,³ with its headquarters at Hail, Rivalry between the Sa'udi and Rashidi families became intense and in 1884 Abdullah Ibn Sa'ud was defeated by Muhammad Ibn Rashid and a Shammah garrison placed in Riyadh. After an attempt to overcome this garrison, Abdul Rahman and his son, Abdul Aziz Ibn Sa'ud, were forced, with a few followers, to take refuge in Kuwait.⁴

In 1901, with the assistance of Mubarak, Sultan of Kuwait, Abdur Aziz captured Riyadh and expelled the Rashid garrison. The years prior to the 1914 War were spent consolidating his position and, by 1914, Abdur Aziz was in control of the greater part of Nejd.

BRITISH RELATIONS WITH THE WAHHABIS

The British Government first became aware of the Wahhabis in the early years of the 19th century, when these puritan tribesmen incited the tribes of the Persian Gulf to acts of piracy! The Egyptian invasion of Arabia temporarily put a stop to Wahhabi pressure on Muscat, but by 1830 most of the tribes were again paying tribute to the Wahhabis, In 1831 the Sa'udi Amir wished to enter into relations with Her Majesty's Government and to this request a general but friendly reply was returned. Various

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attempts were made by the Amirs of Nejd and their Wahhabi followers to overrun the Trucial States and Oman, Thus in 1851 and again in 1859 Bahrein was only saved from invasion by the intervention of a British naval force. In 1852 the Wahhabis invaded Oman and only retired after the Sultan had agreed to pay tribute.⁵

It was not until 1866, after the British had been forced to destroy the forts at Sar, that Abdullah Ibn Faisal sent a written declaration on April 21st, 1866, that he would not oppose or injure British subjects residing in his territories nor attack the territories of the Arab tribes in alliance with the British Government.⁶

As was seen in the previous section, the following years were ones of internal struggle. Members of Ibn Sa'ud's family continued to fight among themselves while continuing their struggle against the Turks, until they were driven from Riyadh by the Rashids and forced to flee to Kuwait. After Abdul Aziz Ibn Sa'ud had returned to Riyadh and consolidated his power in Nejd he made overtures to His Majesty's Government, who saw no reason at that time to take any active part in central Arabian affairs and the matter went no further. Meanwhile, in 1906, Ibn Sa'ud had accepted the nominal suzerainty of Turkey.

On the outbreak of the 1914-18 war, Ibn Sa'ud supported the British and, after a meeting with Sir Percy Cox at Darin, signed a treaty of friendship on December 26th, 1975.⁷ This treaty recognized the independence of Nejd and its dependencies and Ibn Sa'ud as its ruler. It promised him help in certain contingencies, while he, in his turn, undertook not to alienate any portion of his territories to a foreign power. In some respects this treaty may be reckoned as the last to be signed on terms similar to those embodied in the arrangements with the Persian Gulf States.

Unfortunately the treaty was not a great success from the British point of view, as it did not result in Ibn Sa'ud taking active steps against the Turks. There were several reasons for this dilatory behaviour, the chief one being the

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British support of Husain, Sharif of Mecca, who had raised the standard of revolt in 1916.

By this time the power of the Rashids had considerably weakened and the fact that they were the only considerable Arab house to throw in their lot with the Turks undermined what little remained. It was not until 1921, however, that they were finally defeated by Ibn Sa'ud.

Meanwhile British Political Officers had been trying to keep the peace in central Arabia and the Persian Gulf. In November, 1916, a Conference was held at Kuwait between the Sultan of Nejd, the Shaikhs of Kuwait and Mohammerah, and other leaders, at which some differences were settled. Further inaction on the part of Ibn Sa'ud led to various British missions to Riyadh.⁸

The Wahhabis formed the mainspring of Ibn Sa'ud's power and he recognized this by developing the Akhwan Movement from the original sect. The movement, formed in 1910, was confined to Bedouin who were enrolled into communal corps fighting, or settling in bands, among their less enlightened brethren. To these bands Ibn Sa'ud distributed the arms supplied to him for use against the Turks and they thus formed the nucleus of his army.

At this point the question of the Hejaz must be considered, together with the position of the Sharif of Mecca.

THE HEJAZ

Under the Ottoman Empire the Hejaz was a vilayet under a Turkish vali, but there was also an Amir of Mecca in addition to the Turkish governor and his garrison of some 7,000 men. In the 18th century the Amir, who was usually known as the Shariff had been a figure of some importance, but his power, though still appreciable, had been much "reduced by the Turks and his influence was now spiritual rather than temporal. He had the right, however, to call out the local levies among the Bedouin of western and central Arabia and, in addition, maintained a strong

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owing to his refusal to ratify the Versailles Treaty, was not a member of the League of Nations¹⁶; in addition, he had already alienated Egypt and was on bad terms with France and Italy.

The British Government made a last effort to avoid conflict in the Arabian peninsula by holding a conference at Kuwait from December 17th, 1923, to January 26th, 1924. Although representatives came from Nejd, Iraq and Transjordan, Husain refused to send delegates unless Ibn Sa'ud restored Hail and Khurma to the Hejaz. The conference was a failure and its end was overshadowed by the news that Ibn Sa'ud's Akhwan had started to raid Iraq,

By proclaiming himself Caliph in Transjordan on March 7th, 1924,¹⁷ Husain hastened his own downfall. He was recognized by Transjordan, Palestine, Syria and Iraq, but the rest of the Islamic world protested. •

In June, 1924, a congress of tribal and military leaders met at Riyadh. The Akhwan had been forbidden the pilgrimage in view of their clash with Husain's followers the previous year, and they were again forbidden at the congress, on the grounds that they must take the Hejaz only as mandatories of the Islamic world, not as tribal raiders.

On August 29th, 1924, Wahhabi forces crossed the Hejaz border. Taif opened its gates, but its garrison and inhabitants were put to the sword by the Ataiba. The troops of Ali, Husain's son, were driven from Hadda and the Sharif, after appealing to the British Government for aid, which was refused, abdicated in favour of Ali on October 3rd. Ali retired to Jeddah. Yembo capitulated on December 1st, Medina on December 5th, 1925 and, on December 18th, Ali abdicated and left for Iraq to join his brother Faisal. Husain, after lying off Aqaba for some months in his yacht, was persuaded to retire to Cyprus, where he remained until 1931. In June of that year he died while on a visit to the Amir Abdullah in Transjordan.

Thus it was that with hardly a blow the Hejaz fell into Wahhabi hands for the second time.¹⁸

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THE WAHHABIS ESTABLISHED IN HEJAZ

On October 14th, 1925, the Wahhabi forces entered Mecca. Ibn Sa'ud had a difficult task before him. Islam remembered the excesses committed by the Wahhabis during their conquests of a century earlier and fears were expressed on all sides that these would be repeated and that the Holy Places of Islam would be in danger. One of Ibn Sa'ud's first duties was to ensure the safety of the pilgrimage and to show that the pilgrims would fare better under his jurisdiction than they had under that of Husain.

In October, 1925, Ibn Sa'ud sent a circular note to the Governments of Egypt, Iraq, Persia, Turkey and Afghanistan in which he declared :—" I do not desire to make myself master of the Hejaz or to take dominion over it. The Mejaz is a trust placed in my hands until the moment when the Hejazis shall elect a ruler from among themselves—a ruler who shall regard himself as a servant of the Islamic world and shall work under the control of the Moslem people." ¹⁹

Acting on this suggestion, a council of Meccan notables offered the title of the King of the Hejaz to the Sultan of Nejd, provided that he ruled in accordance with the dictates of the Qur'an and the word of the Prophet Muhammad*. Thus on January 8th, 1926, Abdul Aziz ibn Abdur Rahman al Faisal ibn Sa'ud became King of Hejaz, sultan of Nejd and its dependencies. ²⁰

In April, 1926, Ibn Sa'ud, still anxious to reassure the Moslem world, issued invitations to a Moslem conference in Mecca. The other Islamic countries were not entirely in favour of this meeting, partly because a Pan Islamic Congress had already been planned for Cairo, but nevertheless the Meccan Congress opened on June 7th, 1926, and was attended by sixty delegates, mostly unofficial. On the resumption of sittings after the pilgrimage on June 27th delegations were present from Turkey, Afghanistan and Egypt, a sign that Ibn Sa'ud's *fait accompli* was gradually coming to be recognized by the other Islamic Powers.

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THE DELIMITATION OF FRONTIERS

One of the main problems that faced Ibn Sa'ud, both as Sultan of Nejd and as King of the Hejaz, was the question of the delimitation of frontiers. This was important because on almost all sides except the south (where the Hejazi frontiers met those of Yemen), his dominions were in contact with states protected by, or under mandate to, Great Britain.

Difficulties which had arisen over the Iraqi frontier were settled by an agreement between Nejdi, Iraqi and British representatives signed at Mohammerah on May 5th, 1922.²¹ The boundaries were subsequently fixed by further protocols to this agreement, signed at Uquair in December, 1922.²²

One of the chief problems to be faced in every case was the fact that Arabia, as such, had no fixed boundaries; the population, being partly nomadic, migrated seasonally and thus the question of wells was of the utmost importance. The fact that the frontiers of Iraq, Transjordan, Palestine and Syria had all been drawn arbitrarily by the Peace Conferences in Europe, with little real consideration for the geographical position, was another difficulty, while a third arose from the change in the trade routes which had taken place since the 1914—18 war. Goods now tended to pass via the Great Syrian Desert direct to Iraq, or by rail from Egypt, instead of by the Lesser Syrian Desert and the Gulf ports. The aeroplane and the car had revolutionized desert travel. It was partly to prevent Ibn Sa'ud's Wahhabis from cutting across this route from the Mediterranean that direct access to Syria was denied.

The next boundary question to be raised was with the state of Kuwait.²³ This was settled by the Kuwait-Nejd Boundary Convention, signed at Uquair on December 2nd, 1922 by the British Political Agent at Kuwait, acting for Kuwait, and by a representative of Ibn Sa'ud. The agreement defined the actual area of Kuwait and delimited a neutral zone to the south of the new frontier. Many of the tribes previously within the Kuwait zone were now acknowledged to be subject to Ibn Sa'ud.

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'Meanwhile the agreements with Iraq had not stopped the Akhwan from crossing the border nor the Iraqi tribes from counter-raiding, and similar trouble had been taking place in Transjordan, where the R.A.F. were forced to intervene. After the collapse of the Hashimite regime in the Hejaz, the British Government feared that Ibn Sa'ud might decide to attack the two Hashimite states on his northern border. Transjordan seemed to be in a more precarious position than Iraq, for Ibn Sa'ud felt he had a claim to Ma'an and also to the port of Akaba, both of which had been given to the new State.

To prevent any such move northwards and to settle, if possible, the boundary questions, His Majesty's Government despatched Sir Gilbert Clayton on a special mission to Jeddah in September, 1925.

Ibn Sa'ud first requested that his northern frontier should reach to the Syrian border,²⁴ but this plea was rejected as it would have meant breaking the direct connection between Transjordan and Iraq. The negotiations continued, however, and ended in the signing of two agreements : the Hadda Agreement of November 2nd, 1925,²⁵ which partly fixed the frontier between Transjordan and Nejd, besides giving freedom of transit to Nejdî merchants through Transjordanian territory²⁶; and the Bahra Agreement of November 1st, 1925, which regulated tribal matters between Iraq and Nejd and set up a tribunal to deal with raids between the two countries.²⁷ These two agreements were the beginning of a marked improvement in the relations between Nejd and the Northern States.

The boundary with Yemen was delimited after the Saudi-Yemeni war, the final agreement being signed in November, 1937.

BRITISH RELATIONS WITH SAUDI ARABIA

It had long been recognized that the 1915 treaty between His Majesty's Government and Ibn Sa'ud was no longer applicable and Sir Gilbert Clayton was accordingly sent to

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negotiate a fresh agreement. Thus it was that a seven-year treaty was signed at Jeddah on May 20th, 1927, ratifications being exchanged on September 17th of the same year.²⁸ The Treaty of Jeddah recognized the independence and the territorial gains of the ruler of the Hejaz and Nejd ; raiding against neighbouring territories was disallowed ; the pilgrimage was to be facilitated to Moslem subjects of Great Britain ; and Ibn Sa'ud agreed to maintain friendly relations with Bahrein, Kuwait, and the Shaikhs of Oman and Qatar who were in treaty relations with His Majesty's Government.

Perhaps the most important corollary of the treaty was the series of notes exchanged at the same time with regard to the position of Akaba and Ma'an.²⁹ The British point of view was as follows :—

" The frontier between the Hejaz and Transjordan starts from the intersection of meridian 38° E and parallel $29^{\circ}35'$ N which marks the termination of the frontier between Nejd and Transjordan and proceeds in a straight line to a point on the Hejaz railway two miles south of the Madawwara. From this point it proceeds in a straight line to a point on the Gulf of Akaba two miles south of the town of Akaba."

Ibn Sa'ud found himself unable to agree with this view : " We find it impossible in the present circumstances to effect a final settlement of this question. Nevertheless in view of our true desire to maintain cordial relations based on solid ties of friendship, we desire to express to your excellency our willingness to maintain the *status quo* in the Ma'an-Akaba district, and we promise not to interfere in its administration until favourable circumstances will permit a final settlement of this question."

Here the matter rests, although it was thought that the creation of Transjordan as an independent state and the consequent termination of earlier agreements signed on its behalf by the Mandatory Power might affect the validity of the Hadda Agreement. This, however, has not been the case, its continuance having been agreed to in an annex

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to the Anglo-Transjordanian Treaty, couched in the form of notes exchanged on March 22nd, 1946.³⁰ Since then Ibn Sa'ud's relations with Great Britain and the ex-British Mandated Territories have remained friendly.

During the war Saudi Arabia remained neutral, but Ibn Sa'ud gave many expressions of his friendly feelings towards the Allied Powers.

FOREIGN RELATIONS

There is no doubt that in the last twenty years Saudi Arabia has become the most powerful Arab state in the peninsula. Ibn Sa'ud's relations with the Yemen are dealt with in the following chapter and it is sufficient to mention here that, after a brief war, a treaty of friendship and alliance was signed which became the model for other inter-Arab treaties in the following years. The wider question of the Arab League and inter-Arab agreements is also dealt with elsewhere.

The most important recent development in Saudi Arabia has been the granting of oil concessions to the Arabian American Oil Company of the United States and the consequent opening up of areas of eastern Arabia. American influence has further increased through the granting of a considerable credit to Ibn Sa'ud by the United States Government.⁸¹

There is no doubt that the discovery of oil will do much to improve Ibn Sa'ud's financial position³² and enable him to spend money on those social services which are now realized to be essential both for his own people and for the cities which are the centre of a world pilgrimage.

One of Ibn Sa'ud's main difficulties has been financial, the revenue of Saudi Arabia depending primarily on the pilgrim traffic³³ and, since 1933, on oil royalties. In May of that year he granted the Arabian-American Oil Company (formerly the Californian Oil Company) a concession of 25,000 square miles for sixty years.³⁴ The Company set up a refinery at Ras Tanura and was also considering the

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construction of a pipe-line to the Mediterranean in conjunction with the United States Government.

In December, 1934, Ibn Sa'ud granted a concession to the Saudi Arabian Mining Syndicate⁸⁶ to explore for all minerals other than oil within limited areas north of Mahad el Dhahab. It is unlikely that these oil concessions would have been disposed of to the American companies had not Ibn Sa'ud found it necessary to obtain some form of financial assistance. Already the introduction of medical and social services, constant employment and schools has affected the Arab population in the concession areas.

By 1941 Saudi Arabia was again in financial difficulties due to the war imposing restrictions on the pilgrim traffic and to the increasing desire for and cost of western products, chiefly arms, aeroplanes and transport. Oil royalties and gold export were also reduced and there was a deficit iIT 1941.³⁶

The result was that, in 1946, Abdullah el Suliman, the Saudi Arabian Foreign Minister, went to the United States and negotiated for the loan referred to above. This loan is to be used to modernise transport and agriculture. The Arabian-American Mining Company is not the only American concern that has operated in Arabia. From May to December, 1942, a United States agricultural mission visited and surveyed certain areas of the country, with a view to intensive agricultural development.⁸⁷ At the moment Saudi Arabian economy is not self-supporting and depends on large imports of cereals.

It would seem with the United States loan and the numbers of United States advisers who have visited Saudi Arabia latterly, that Arabia was turning in the future for assistance to America in lieu of Great Britain.

NOTES

¹ Under the Ottoman Empire the Hejaz meant the north-western part of Arabia from the head of the Gulf of Akaba to about halfway down the Red Sea. Its inland boundary was not denned, but did not extend east of Kheibar.

¹ For an account of the rise of the Wahhabi movement, see A. Musil,

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Northern Nejd, American Geographical Society, 1928, Appendix IX and the *Handbook of Arabia*, issued by the Admiralty, 1916, Vol. I.

⁸ For an account of the Shammah position in the 19th century, see *A Pilgrimage to Nejd*, by Lady Anne Blunt, 2 vols., 1881 ; and *A Journey to Hail*, by Gertrude Bell. The houses of Rashid and Sa'ud owed their strength to different causes. The Shammah were one of the principal Bedouin tribes of Turkish Arabia. "The chiefs of the House of Rashid are not as the chiefs of the House of Sa'ud in Riyadh, rulers of settled communities with which they are at one, and of the surrounding tribes of Bedawis distinct from themselves; but they are the chiefs in the first instance of a great dominant Bedawin tribe, and in the second of the settlements which serve that tribe for markets and rallying points."

⁴ Abdul Aziz ibn Abdur Rahman el Faisal es Sa'ud was born in 1880 at Riyadh.

⁵ This was to the extent of 60,000 crowns down and 12,000 per annum.

⁶ Aitchison's *Treaties*, Vol. XI, No. 1, p. 206.

⁷ *Ibid*, Vol. XI, No. 1, pp. 206-8. Appendix 14.

⁸ The first mission was led by Lieut.-Colonel R. E. A. Hamilton, the Political Agent at Kuwait, the second by Mr. St. John Philby. For an account of the latter, see *Report on the Nejd Mission*, 1917-1918, Baghdad, 1918 ; St. John Philby's *Heart of Arabia*, 2 Vols., 1922, and *Arabia of the Wahhabis*, TQ28, and *Southern Nejd*, Cairo, 1919.

⁹ They departed from this rule only twice, namely, in 1851 and 1880, when members of the Dhawr Zeid were appointed.

¹⁰ *Correspondence between Sir Henry McMahon and the Sharif Husain of Mecca*, White Paper, Cmd. No. 5957, 1939. For a discussion of this correspondence, see Chapter IV, also *Report of a Committee set up to consider the correspondence*, Cmd. 5974, 1939. It must be remembered that there was never any form of treaty between His Majesty's Government and the Sharif of Mecca.

¹¹ At the time when a breach occurred between Husain and Ibn Sa'ud both were in receipt of subsidies from the British Government. The former received £200,000 per month in sterling from the time of his entry into the war until February 1st, 1919 ; the latter received £5,000 sterling per month until March, 1924. *Hansard, Lords*, February 22nd, 1922, col. 243 ; *Hansard Commons*, March 24th, 1924, col. 938.

¹² It must be pointed out that Great Britain never recognised Husain's claims to speak for other Arab States. Thus she already had separate treaty relations with Ibn Sa'ud, the Idresi and the Persian Gulf States, apart from special treaties with the Protectorate tribes of Aden and the Hadramaut.

¹⁸ *Statements in regard to the Future Status of certain parts of the Ottoman Empire*, White Paper, Cmd. 5964, 1939. Husain had proclaimed himself King of the Arabs on October 29th, 1916, and was crowned on November 4th.

¹⁴ The loss of the British subsidy meant that Husain was unable to continue to subsidise the important Beduin tribes, such as the Harb and the Ataiba who therefore went over to the Wahhabis.

¹⁵ The dispute over the Medical Mission was complicated by reports issued by two Javanese medical officers who had previously accompanied the Javanese pilgrims at the request of the Netherlands Government. They reported unfavourably upon the sanitary conditions in the Hejaz and had been expelled in consequence. As a result Husain had declined a request from the Indian Government to allow a similar mission to accompany their pilgrims. He confused the issue with the Egyptian Government by refusing to discuss the matter until the Egyptian Ministry of Awqaf had made certain payments to the poor of Mecca and Medina.

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¹⁶ The Hejaz sent a representative to Geneva in 1923 to take a seat at the Fourth Assembly, but as his Government did not accept the Statute of the League, he was refused admission.

¹⁷ The term Caliph or Kalifah means viceregent or deputy, and was given as a title to those successors of Muhammad vested with absolute authority in all matters of state both civil and religious, so long as they ruled in conformity with the Qur'an. The Sunnis hold that the Caliph should be "a man, an adult, a sane person, a free man, a trained divine, a powerful ruler and one of the Quraish". The Shi'ahs hold that he must be a descendant of the Prophet's own family. After Muhammad's five immediate successors, Abu Bahr, Omar, Osman, Ali and Hasan, the Caliphate passed through the Umayyads to the Abbasids. About 1515 Selim I, Sultan of Turkey, took the title of Caliph from the then titular holder, Mutawakel ibn Amri al Hakim, a descendant of the Abbasids living in Cairo. Technically the office is elective, not hereditary, and the Ottoman Sultans did not fulfil the necessary conditions. Mustapha Kemal abolished the Ottoman Caliphate on Mar. 4th, 1924.

¹⁸ That is, the forces in Hejaz proper. The two diversionary forces sent to deflect possible attacks by Iraq and Transjordan suffered heavily at the hands of the R.A.F. and local tribesmen.

¹⁹ It is difficult in this limited space to cover all events of this troubled period. It is evident that, at one point, Ibn Sa'ud considered the setting up of a separate ruler who would be acceptable to all Islam, and both the Sharif Ali Haidar, a cousin of Husain, and Sayyid Ahorad es-Sennusi seem to have been considered.

²⁰ Ibn Sa'ud was officially recognised as King of the Hejaz within the next three months by the Governments of the United Kingdom, France, the U.S.S.R. and the Netherlands.

²¹ Aitchison's *Treaties*, Vol. XI, No. I 11, p. 208.

²² *Ibid*, p. 211.

²³ *Ibid*, p. 213. The Kuwait-Nejd Boundary Convention.

²⁴ *The Times*, November 25th, 1925.

²⁵ *British White Paper*, Cmd. 2566, also Aitchison's *Treaties*, No. VI, p. 221; for text see Appendix 13.

²⁶ For a discussion of this, see Chapter VI, Transjordan, under section Foreign Relations.

²⁷ Aitchison's *Treaties*, No. VI, p. 214.

²⁸ *British White Paper*, Cmd. 2951, also Aitchison's *Treaties*, No. VII, p. 227. Appendix 15.

²⁹ Aitchison's *Treaties*, No. VII, pp. 229-31.

³⁰ *British White Paper*, *Treaty of Alliance*, Cmd. 6779, 1946.

³¹ Announced by the State Department on August 9th, 1946, a credit for 10,000,000 dollars.

³² For an account of Ibn Sa'ud's life, see Kenneth Williams, *Ibn Sa'ud*, Cape, 1933-

³³ The revenue brought in by pilgrims averages 18,000,000 riyals. The Arabian riyal = 1/6d.

³⁴ The Standard Oil Company and the Texas Oil Company also own shares in this concern.

³⁵ Registered in the Bahamas.

³⁶ Of some £1,150,000. The source of this information is an article called "The End of Arabian Isolation", by G. de Gaury, in *Foreign Affairs* for October, 1946.

³⁷ This mission consisted of K. S. Twitchell, a consulting engineer of the Saudi Arabian Mining Syndicate; A. L. Walten, Chief Engineer, Office of Indian Affairs, United States Department of the Interior; and J. G. Hamilton, of the United States Department of Agriculture. The findings were published as a *Report of the United States Agricultural Mission to Saudi Arabia*, Washington, March, 1943.

CHAPTER VIII

Y E M E N

INTRODUCTION

THE Yemen is about 75,000 square miles in extent, with a population of between 3 and 3½ millions.¹ The population is mainly Arab but there are about 90,000 Jews living in the interior. The inhabitants are mostly agriculturalists and traders settled in small villages in the Yemeni highlands, which are extensively cultivated.

In religion the Central Yemen follows the Zaidi sect, an offshoot of the Shi'ah.² The rest of the Yemenis are Sunnis.

The Yemen is situated on the south-western side of Arabia ; the northern boundaries with Saudi Arabia were defined by the Treaty of Taif, signed in June, 1934. The frontier runs from the sea north of Midi due east for 30 miles to the hills, and then northwards, leaving the Sa'da basin within the Yemen. It continues south-easterly until it reaches the desert area near Nejran. In the south and south-east the country touches the Aden Protectorate. The boundary, largely based on the delimitation of the Anglo-Turkish Boundary Commission of 1903-5 and the Anglo-Turkish Convention of March 9th, 1914,³ was fixed on a *status quo* basis by the Treaty of Sana in 1934. The Yemen Government, however, regard the existing frontier as strictly provisional.

HISTORICAL RiSUMI

There are records of British trading ventures in the Red Sea as early as 1609, when John Jourdain⁴ travelled to San'a on behalf of the East India Company. A factory was established at Mokha, but it was frequently attacked

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by the surrounding tribes. As a result of an attack in 1819, Mokha was bombarded and a treaty⁵ was concluded between Captain Bruce and the agent of the Imam Mehdi "the chief of Sen'aa, the city of Som." Under this treaty a British agent was to reside at Mokha and was granted certain privileges.

British interest in the Yemen increased with the capture of Aden in January, 1839, when it became clear that the occupation of the town was of little use without some understanding being reached with the surrounding tribes.⁶ The Yemen was nominally a part of the Ottoman Empire. It was not all under one ruler but divided between the Imams of San'a,⁷ who controlled the centre, the northern zone, called Asir, being partly under the Idresi and partly under the Sharifs of Mecca.

Great Britain's primary relations were with the Turks, who after a long period of relaxed control over the Yemen, sent an expedition in 1849 and obtained possession of the Tihamah (or coastal plain). In 1872 they conquered San'a and pushed forward until they reached the tribes within the British sphere of influence. With the aid of inter-tribal feuds the Turks began to encroach on British territory. From then onwards the boundary was fluctuating and disputes were constant.⁸ Between January, 1903 and May, 1905, the frontier was delimited, by a mixed Anglo-Turkish Commission, from Perim, a point at the extreme south-west corner of the Arabian Peninsula, to as far north-east as the Bana river, leaving the town of Dhala on the British and Qa'tabah on the Turkish side of the line. Beyond the Bana the line was not delimited. Thus in theory Southern Arabia was divided into spheres of Ottoman and British influence ; in fact neither had much control beyond the garrison posts and the tribes under their immediate control. In 1914, these agreements were combined in the Anglo-Turkish Convention.

In 1904 there was a rising against the Turks in Yemen and, in 1911, the Turks were forced to conclude an agreement with the Imam Yahya. This was confirmed in

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September, 1913, and granted the Imam a semi-autonomous status, particularly as regards religious matters.⁹

THE YEMEN'S FOREIGN AFFAIRS 1914-25

During the 1914—18 war the Imam remained loyal to the Turks and unaffected by the Armistice of October 30th, 1918, to which he did not regard himself as committed. In 1919 he invaded the Aden Protectorate, claiming that all this area, including Hadramaut, had originally belonged to his dynasty. The Imam also laid claim to the northern areas of Yemen occupied by the Idresi.¹⁰

Thus the commencement of direct relations with the Imam in 1919 was unfortunate, but the necessity of dealing with the Idresi led to the Imam coming to some sort of terms with the British Government and, in 1925, Sir Gilbert Clayton was sent on a special mission to San'a.¹¹

Meanwhile the Imam attempted to assert his authority over the Yemen. In this he was assisted by the fact that the Idresi dynasty had by 1921 attained the zenith of their power with the occupation of Hodeida, cutting off San'a from the sea. In 1923 Sayyid Muhammad died and was succeeded by Ali, a minor, while internal feuds gave the Imam the chance he had been awaiting.

By 1924 he occupied Bajil, later Luhayyah and, by March, 1925, Hodeida. Ali went into exile in Aden and his uncle Hasan became Idresi. He attempted to obtain assistance from Ibn Sa'ud without success and the Wahhabi garrisons were withdrawn from several towns. Later, on October 21st, 1926, an agreement, known as the Pact of Mecca, was signed between the Idresi Hasan and Ibn Sa'ud,¹² the Idresi recognizing Wahhabi suzerainty.

The Imam, unable to advance northwards, continued to occupy, spasmodically and in spite of protests, portions of the Aden Protectorate.¹⁸

These were described in the House of Lords on June 23rd, 1926, as follows :—" the whole of the territories of the Amiri, Quteibi, Alawi and Sha'ib tribes ; outlying

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portions of the Upper Yafa territory ; about half the Audhali country and a small border tract belonging to the Subeihis. The chiefs of these tribes are all in their respective territories, with the exception of the Amir of Dhafaf the head of the Amiri tribe, who has been living in Aden since 1920."

This situation was not only damaging to British political prestige but also to British trade with the interior of which Aden was the port. It was shown by the opening up of a new trade route to the Red Sea coast through Hodeida, captured from the Idresi, which led to close commercial connections with the Italian colony of Eritrea. The Italian Government concluded a ten-year treaty with the Imam on September 2nd, 1926.¹⁴ This led to informal conversations between British and Italian representatives on their respective interests in the Red Sea and on the Arabian coasts.

THE ANGLO-YEMEN TREATY

In 1927 the Zaidi forces made further incursions into Adenese territory, which led to action by the R.A.F. A truce was concluded on March 25 th and the Imam withdrew his forces from most of the territories of the Protectorate tribes.¹⁶

In 1931 negotiations were re-opened for a treaty and proceeded leisurely. There were certain difficulties to overcome and the United Kingdom Government made certain proposals.¹⁶ By June, 1933, definite conditions had been laid down as pre-emptions to the treaty by the British Government. These were :—

- (1) The evacuation of Protectorate territory ;
- (2) The release of tribesmen ;
- (3) The removal of restrictions on trade between the Yemen and Aden.¹⁷

It was not until February nth, 1934, that an Anglo-Yemeni forty-year Treaty of Friendship and Mutual Co-operation was finally concluded at San'a, signed by the

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Chief Commissioner of Aden, Sir Bernard Reilly, and the Imam.¹⁸

This Treaty recognized the Imam's independence and arranged for peace and friendship between the High Contracting Parties.

The question of the southern frontier of Yemen was deferred pending negotiations (Article 3) ; meanwhile the *status quo* was to be maintained.

An exchange of notes appended to the Treaty indicated the intention of the Imam to assist in the prevention of the African slave trade.

Ratifications of the Treaty were duly exchanged on September 4th, 1934.

YEMEN'S RELATIONS WITH SAUDI ARABIA

The establishment of a Wahhabi protectorate over the Asir and the defeat of the Hashimis had brought the Wahhabis and Zaidis face to face. For a while there was an uneasy peace ; in 1934 war broke out. The immediate cause was unrest in the Asir area.

Since 1930, the Idresi administration had been practically absorbed by Ibn Sa'ud. The Saudi frontier with Yemen remained uncertain, due largely to the lack of control of the Zaidi tribesmen, who occupied certain areas on the Asiri borderlands. After negotiations had gone on for about six months, Ibn Sa'ud waived his claim to this area. This was followed by the signature, on December 15th, 1931, of a Treaty of Amity and Bon Voisinage.¹⁹

Under this treaty the two states were bound to hand over to one another persons guilty of offences, political or non-political, and not to harbour persons seeking to evade jurisdiction in their own state (Articles 2 and 3).

After the signature of this treaty Saudi rebels were found to be hiding in the Yemen, but this the Imam denied. On November 4th, 1932, the Idresi incited the Asir tribesmen to attack the Saudi garrisons, but after a brief campaign

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Sabya, the seat of the dynasty, was occupied by Saudi forces in February, 1933, though the Idresi escaped into Zaidi territory. Meanwhile the Imam had remained neutral, but refused to hand over the Idresi to Ibn Sa'ud who finally agreed to his remaining in Yemen. After further abortive negotiations with the Imam over the Zaidi conquest of the north-west Najrani territory,²⁰ Ibn Sa'ud concentrated his troops near the frontier and asked the Imam for a definite treaty : (a) confirming the boundaries ; (b) extraditing the Idresi ; (r) settling the Najran question. Failing to achieve results, war was declared on March 22nd, 1934. By April 12th, 1934, the Imam was asking for peace and on May 13th an armistice was granted, followed by the signature of a Peace Treaty on May 20th,²¹ known as the Treaty of Taif. This treaty of Islamic Friendship and Arab Fraternity, concluded for twenty years, was notable for the generous terms imposed by Ibn Sa'ud. The Yemen was left an independent state and was not deprived of any territories ; accord between the Islamic peoples was declared to be its object and pledges were exchanged to avoid a further resort to armed force. The treaty was ratified by Abdul Aziz on June 8th and by the Imam Yahya on June 19th. Meanwhile the Sayyid Hasan was given up to the Saudi authorities.²²

The increasing necessity for unity in the Arab World was being felt, and this union was crystallizing as a result of the establishment of a Jewish National Home in Palestine. It was therefore natural that efforts at rapprochement by the various Arab states should be made and that the Wahhabi Power dominant in the Arabian peninsula should lead this. One result of this was the Saudi-Iraqi Treaty of Brotherhood and Alliance of April 2nd, 1936,²³ and special provision having been made for the Yemen to adhere to this, the Imam did so on April 29th, 1937.

In November, 1937, a general agreement between Saudi Arabia and the Yemen on the settlement of disputes was signed ; at the same time the Saudi and Yemeni frontiers were demarcated by another agreement.

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ANGLO-ITALO-YEMENI RELATIONS

The 1927 Yemeni-Italo treaty was renewed in 1936 W a further year, and in the autumn of 1937 a further Italian mission visited San'a. This concluded a new treaty valid for twenty-five years which was announced in Rome on September 7th, 1937.²⁴

It is doubtful if Italy really achieved much by her treaties with the Yemen. An Italian colony was established in San'a and technicians, engineers and medical men sent out, but it was unlikely that the Imam's policy was in any way seriously affected, and he showed no signs of wishing to become part of the Italian overseas Empire.

In an attempt to block, among other items, anti-British propaganda operating in the Near and Middle East an Anglo-Italian agreement was concluded on April 16th, 1938.²⁶ An Annexe No. 3 was also concluded, known as the Anglo-Italian Agreement regarding certain areas in **the** Middle East.

Under Article 1, neither party would take any action which might impair the independence of the Yemen ; or would attempt to obtain a privileged position in any territory belonging to the Yemen (Article 2).

It was recognized that both Powers had an interest in the area and that " it was in the common interest of both of them that no other Power should acquire or seek to acquire sovereignty or any privileged position of a political character in any territory which at present belongs to Saudi Arabia or to the Yemen or which either of these States may hereafter acquire, including any islands in the Red Sea. . . . "²⁶

It was agreed that neither party would establish its sovereignty or erect fortifications or defences in any of **the** islands renounced by Turkey under Article 16 of the Peace Treaty of Lausanne.²⁷

Under Article 5 it was agreed not to interfere in the internal affairs of the States concerned, while in the next Article the United Kingdom Government reserved its rights regarding the boundaries of **Yemen and Saudi Arabia***

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A separate annexe agreed not to use publicity or propaganda in order to injure the interests of the other.

This treaty was ratified on May 2nd, 1938. Its general terms met with a good deal of opposition in the House of Commons and elsewhere in the country, where it was felt to be appeasing Italy too much.

The Imam in the years before the war made treaties with France in 1937 and the Netherlands in 1933. The Soviet Union had for a time a mission in San'a, following a treaty concluded as early as 1928, but none of these Powers really achieved much headway in obtaining economic or political concessions from the Imam, and the country as a whole remained closed to foreigners.

During the war the Yemen remained neutral, but on February 26th, 1943, the Imam broke off relations with the Axis Powers, following Italian attempted activities in the Yemen.²⁸ He also interned members of the Italian medical missions in the country.

Since 1939-40 there have been continued difficulties between the Aden authorities and the Imam, due to continued encroachment by Yemeni forces on the area of the Protected tribes.²⁹

The Yemen was one of the original signatories of the Arab League and has taken part in the discussion on Arab World affairs in Cairo.³⁰

The United States Government concluded a commercial treaty with the Yemen in May, 1946, which granted United States subjects certain prospecting rights in Yemen.

It is clear from the brief resume just concluded that British -Yemeni relations have not been of the happiest in the period under review. Mistrust of British intentions and fear that the United Kingdom Government wished to extend the boundaries of the Aden Protected tribes is probably the cause of the Imam's behaviour. But with a large Jewish population in the Yemen British policy in Palestine has led to strong reactions in this otherwise distant country. During the war there was a move on the part of some of the more liberal elements in the Yemen against the

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regime of the Imam, but without success. But it is interesting to see that so far other Europeans have not been much more successful in penetrating the Yemeni fastnesses.

NOTES

¹ *The Statesman's Year Book*, 1945. These figures are only nominal, as **no** reliable census has been taken.

² Established by the Imam Hadi Yahya in A.D. 901, and called after Zaid a great-grandson of Ali.

³ Anglo-Turkish Convention respecting the Boundaries of Aden, signed March 9th, 1914, ratified in London June 3rd, 1914. There were also Protocols of delimitation of the frontier in 1903, 1904 and 1905. C. V. Aitchison : *A Collection of Treaties, Engagements and Sanads Relating to India and the Neighbouring Countries*, Vol. XI, p. 42.

⁴ *Journal of John Jourdain*, 1608-1617, Hakluyt Society, 2nd Series, No. XVI, 1905.

⁵ C. V. Aitchison : *A Collection of Treaties, Engagements and Sanads Relating to India and the Neighbouring Countries*, Vol. XI, No. LXXVI, p. 171.

• A series of treaties was therefore concluded with neighbouring Arab tribes but peace was not satisfactorily achieved by this means.

⁷ The Imams of San'a have been a ruling house over the Zaidi sect, first at Sa'da since 283 A.H. In 975 they captured San'a and for a few months ruled all Yemen except Zabid. The Imams attained importance under Qasim, whose family, the Rassitis, still hold office. The position of Imam or leader (Shi'ah) is in theory elective, but in practice is retained in the one family. Once elected the Imam becomes a religious as well as a political head and retires to live in semi-seclusion. For the early history of the Imams, see *The Rise of the Imams of Sanaa*, A. S. Tritton, O.U.P., 1925.

⁸ *The Admiralty Handbook of Arabia*, 1916, p. 197.

⁹ Yahya Ibn Muhammad al Mansur Ibn Yahya Hamid ud Din, Imam of San'a, was born about 1869. He is head of the Zaidi sect and claims descent from the Prophet through Ali and Fatimah.

¹⁰ The Idresi, whose capital was at Sabya, was a great-grandson of Sayyid Ahmad al Idresi of Fez in Morocco, one of the founders of the Senussi sect, and was known as the Idresi Sayyid Muhammad Ibn Ali of Sabya. His power, primarily religious, had become also political and he was constantly at war with the Imams of San'a. In April, 1915, the Government of India had concluded a Treaty of Friendship with the Idresi, its main object being the prosecution of the war against the Turks. Funds and ammunition were provided, on the understanding that the Sayis abstained from hostile action against the Imam Yahya. C. V. Aitchison: *A Collection of Treaties, Engagements and Sanads Relating to India and the Neighbouring Countries*, No. LXXVI, p. 171.

¹¹ *Hansard, Lords*, June 23rd, 1926, cols. 539-541- Question to **the** Parliamentary Under Secretary of State for the Dominions, Lord **Clarendon**. Clayton's visit lasted from January 24th, 1925, to February 21st, 1925, but he did not succeed in negotiating a treaty.

¹² For the full text of the treaty, see the *Survey of International Affairs*, 1925, Appendix VII. The main terms were as follows : The treaty was signed, according to the preamble, with a view " to protecting **the** status of the Arab countries and strengthening the links between the princes **of** the Jazirala'l Arab". Under Article 1, Ibn Sa'ud recognised the then

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boundaries of the Imam of Asir; Article 2 prevented the Sayyid Hasan from entering into political relations with any other Government without Ibn Sa'ud's consent, or making war or peace (Article 3), or ceding any further territories (Article 4). Articles 5, 6 and 7 recognised Hasan's rule over Asir internal affairs and the Asir frontiers were guaranteed by the Nejdi ruler.

¹³ *Hansard, Lords*, June 23rd, 1926, cols. 536-538. Zaidi troops occurred Upper Audali territory in 1924 and Lower Audali ground in 1925.

¹⁴ For text see *Survey of International Affairs*, 1925, Appendix VIII. Article 1 recognised the independence of Yemen, while Article 3 arranged for the import of technical equipment and personnel from Italy. In 1927 Said al Islam Muhammad, one of the Imam's sons, and other prominent Yemenis visited Italy.

¹⁵ For a statement on the withdrawal of Zaidi forces over the old Turkish boundary, see *Hansard, Lords*, November 28th, 1928, cols. 348-351.

¹⁶ *Hansard, Lords*, July 16th, 1932, cols. 644-645, Secretary of State for War, the Earl of Stanhope.

¹⁷ *Hansard, Lords*, June 28th, 1933, cols. 408-412, Under Secretary of State for the Colonies, the Earl of Plymouth.

¹⁸ *White Paper, Cmd. 4752* (1934)- For text, see Appendix 16, The Treaty of San'a. In 1932 Aden became a Chief Commissionship under the Government of India. In 1937 the first Governor was appointed when it became a Crown Colony (see note 29).

¹⁹ For text, see *Oriente Moderno*, March, 1932.

²⁰ The area of the Ismaili tribe of Yam, who owed allegiance to Ibn Sa'ud.

²¹ For terms of the Treaty, see Appendix No. 17.

²² An appraisal of what this Treaty meant in the way of Arab unity is given in the chapter on the Arab League.

²³ Text in Appendix 18.

²⁴ The full text was published in Rome in January, 1938. The Italian Government confirmed their recognition of the "full and absolute independence of the Yemen" and undertook not to interfere in any way in its affairs. The Government of the Yemen declared their wish to continue to obtain technical material and personnel from Italy and the Italian Government undertook to supply them, but this provision was not to have any restrictive effect on either party. The two parties agreed to grant each other most-favoured-nation treatment and to afford protection to each other's nationals on their territory. The duration of the Treaty was for twenty-five years. The Yemen had recognised Italy's conquest of Abyssinia. *Giornale d' Italia*, quoted by *Keesings*.

²⁵ *British White Paper, Cmd. 5726*.

²⁶ Article 3.

²⁷ Article 4.

²⁸ Italian attacks on Aden in 1940-43 and the position of the Protectorate during the war do not fall within the scope of this chapter.

²⁹ On April 1st, 1937, Aden Settlement was transferred from the jurisdiction of the India Office to the Colonial Office as a Crown Colony and the Western and Eastern Aden Protectorates, consisting of those tribes which had signed Protective Treaties with Great Britain, were also placed under the Colonial Office.

³⁰ For an account of the Yemen and the League and Palestine see Chapter X.

CHAPTER IX

THE PERSIAN GULF STATES

THESE consist of Muscat and Oman, Kuwait, Qatar, the area of the Trucial States and Bahrein. All are situated on the eastern coast of Arabia, bordering on the Persian Gulf.

The history of Anglo-Arab relations in the Persian Gulf is somewhat different from the others which have been considered. These were established in their present form during the 19th century. The story of domination of the Gulf has been bound up with Indian history since the Portuguese under Albuquerque captured Hormuz in 1507, the most important town and the controlling factor in trade of that part of the world.¹ The Portuguese were replaced by the Dutch and the Dutch by the British as controllers of the Indian Ocean and the trade routes to India. This led to the Indian Navy taking action in the Persian Gulf to suppress piracy and to stop the slave trade and gun-running. Among the Arab questions in the Persian Gulf not dealt with in this chapter is that of the rise of the Wahhabis, which is covered by the chapter on Saudi Arabia.

OMAN AND MUSCAT

Of these states the most important is the Sultanate of Oman and Muscat. This has an estimated area of 82,000 square miles and a population of 500,000, who are mainly Arabs. On the coast there is a strong admixture of negro and Indian elements. Its importance lies mostly in its position as a trading centre for the interior, the trade being mainly carried on with India. Dates and dried fish are the principal exports.

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British treaty relations with Muscat began as early as 1798.² This was four years after Sayyid Sultan had usurped the powers of the Imams of Oman and made himself master of the coast by seizing Muscat and the adjoining ports.

In October, 1798, the East India Company concluded a treaty with Sayyid Sultan, by which they obtained the right to establish a factory at Bandar Abbas,^{2*} while attempting to exclude the French and Dutch from this area. This was the period of the Napoleonic wars and the Anglo-French rivalry was not least intense in the Indian Ocean, where Mauritius served as an excellent base for the French forces*.

The British interest in the Persian Gulf was largely commercial, and their police action arose out of the necessity for preventing the onslaughts carried out on East Indiamen by the pirates of the Trucial coast.³

In this they were at times assisted and at times opposed by the rulers of Oman before they finally obtained a pre-eminent position on the coast and in the Gulf. In 1800 the first British Resident,⁴ an agent of the East India Company, was appointed to Muscat and in 1839 a commercial treaty was signed with Oman.⁵ There were also other treaties in 1822 and 1845 for the suppression of the slave trade and, in 1846, a customs agreement.

In March, 1862, Great Britain and France issued a joint guarantee of the independence of Muscat and two years later an agreement was signed whereby the British Government could construct a telegraph line through the Sultan's dominions.

In 1891, a Treaty of Friendship, Commerce and Navigation superseded the 1839 commercial treaty, which contained the proviso that the Sultan was precluded from prohibiting the import or export of any article of trade, and the levy of export dues was made provisional upon British consent.

This was followed in March, 1891, by the conclusion of a secret agreement between the Sultan Faisal and the Government of India. Under this Faisal bound " himself

his heirs and successors never to cede, to sell or to mortgage save to the British Government, the dominions of Muscat and Oman or any of their dependencies."⁶ This agreement was ratified in 1892. It is likely that, but for the Anglo-French Agreement of 1862, a British Protectorate over Muscat and Oman would have been declared.

In 1898 the first test of this arrangement was made when the French tried to establish a coaling station at Muscat. Following an ultimatum presented by Lieut.-Colonel Meade, the British Resident in the Persian Gulf, and the arrival of British warships off Muscat, the concession was withdrawn.⁷ The actual cause of this dispute with France was the coaling station, but there were other causes of friction, not the least of which was the granting of the French flag to native vessels who thus escaped search for arms and slaves by the Royal Navy.

Ultimately this friction came to a head in two disputes between a sailing vessel flying French colours which was detained by the Shaikh of the Banu-bu-Ali and five inhabitants of Sur who attempted to break the quarantine regulations and claimed French protection. The matters were referred for arbitration to the Hague Tribunal who gave judgment in August, 1905, substantially in favour of the British claim,⁸ while Omani subjects who flew the French flag were not granted any extra-territorial rights.

In 1902 the British Government obtained from the Sultan an engagement that he would not grant any concession for working the coalfields of Sur to any foreign company without extending an option to the British first. Three years later a British firm took up a fifteen-year concession for the fishing for sponges in the Gulf.

During the 1914-18 war the control of Sayyid Faisal over the outlying tribes was weak and in 1915 they broke into rebellion, but were defeated by Indian and British troops. The British troops were withdrawn in 1921.

Two years later, in 1923, the Sultan gave an undertaking that he would not explore or exploit petroleum in Muscat and Oman without consulting the British Political

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Agent.⁹ In 1925 an exploratory concession was granted to the D'Arcy Exploitation Company and this was later renewed annually.

It was felt that the commercial treaty of 1891 was not entirely suitable and the question of its revision came up in 1903. A revised draft was approved in 1905, but the matter remained in abeyance after that date until 1939, when a new Treaty of Friendship, Commerce and Navigation was signed at Muscat on February 4th, 1939, between His Majesty's Government, the Government of India and the Sultan of Muscat to replace the treaty of 1891 which expired on February 1st. The new treaty reaffirmed the close ties which had existed between His Majesty's Government and that of Muscat for 150 years. By it the Sultanate obtained a large measure of tariff autonomy, but British imports benefited by a most-favoured-nation clause based on the earlier treaties.¹⁰

KUWAIT

The State of Kuwait is situated at the head of the Persian Gulf on the north-western side. The population, which is Arab, is estimated at between 60,000 and 80,000, but these figures are only approximate and do not include Bedouin. The area of the state is over 20,000 square miles.

There were disputes over the frontiers with Nejd and Iraq. In 1922, at the Uquair Conference, the southern boundary of Kuwait was demarcated in the Kuwait-Nejd Boundary Convention signed on December 2nd, 1922. In 1923 the Kuwait-Iraq boundary was settled in favour of claims made by Kuwait.

The chief industries are pearling, boat-building and now the production of oil.

British Relations with Kuwait

These began in 1775 when, with the investment of Basra by the Persians, the British desert mail from the Persian Gulf to Aleppo was diverted through Kuwait, an

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arrangement which continued until 1779. After various negotiations during the early 19th century, in 1841, the Shaikh of Kuwait signed the Maritime Truce for one year only. In 1897 Shaikh Mubarak asked the British Government for protection in order to avoid annexation by the Turks. This was refused, as was a similar request made the following year.

It was not until January 23rd, 1899, that the Shaikh signed an agreement with Lieut.-Colonel Meade, pledging himself not to receive the Agents of any other Power and binding himself "not to lease, cede, sell or give any portion of his territory to the Government or subjects of any other Power, without the previous consent of Her Majesty's Government for this purpose."¹¹ Her Majesty's Government undertook in return to use their good offices on behalf of Kuwait. In 1900 the importation of arms into Kuwait was prohibited. In the same year Mubarak, who had been supporting the exiled family of Ibn Sa'ud, who had taken refuge in Kuwait, undertook an expedition into Central Arabia on their behalf. The results were inconclusive, but this stirred the Turks into taking action and, in December, 1901, a Turkish sloop delivered an ultimatum to Mubarak, requiring him to accept a Turkish garrison or to be exiled in Constantinople. The Shaikh returned an evasive answer and appealed for permanent British protection. This was supplied by British naval forces, and the forces of Ibn Rashid, if they had been about to invade Kuwait in conjunction with the Turks, were thwarted. In September, 1902, a similar attempt to invade Kuwait from the Persian side was made by the Shaikh of Dorah, but this was dispersed by the action of the British Navy. In 1903, Lord Curzon, Viceroy of India, visited Kuwait, thus showing the cordial relations existing between the two countries.

These relations were maintained until the death of Mubarak in 1915 and under his son, Jabr, who died in 1917. Meanwhile a British Agent to Kuwait had been appointed in 1904 and, in 1911, the Shaikh signed an

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undertaking not to reply to requests for pearling and sponge-fishing concessions without consulting the Resident. In 1913 a similar undertaking was given with regard to the granting of oil concessions in Kuwait.¹²

The 1914-18 war had little effect on Kuwait, but a letter from the Political Resident in the Persian Gulf to Shaikh Mubarak, dated November 3rd, 1914, guaranteed him against the consequences of any attack on the Turks with the object of capturing Basra, and agreed "that the British Government does recognize and admit that the Shaikhdom of Kuwait is an independent Kingdom under British protection."¹³ Thus it had taken a war and the threat of Turkish invasion for the British Government to accede to the oft-repeated Kuwait request for official British protection.

Shaikh Salim, who succeeded his brother in 1917, was not wholly satisfactory to the British in his attitude during the latter part of the war, and from February, 1918 until the Turkish armistice the blockade of Kuwait was enforced. Salim also had strained relations with Ibn Sa'ud, who was at that time the rising power in the Arabian peninsula. There were difficulties over the payment both of customs and transit dues and, in 1920, Ibn Sa'ud placed an embargo on trade with Kuwait; this is still in force at the present day¹⁴ and has seriously affected the prosperity of the state. In 1921 Salim died and was succeeded by the present ruler, Shaikh Ahmad al Jabr al Subah.

The relations of Kuwait with Iraq have also not been good. After the settlement of the boundary dispute in 1923 came the question of the date groves in Iraq. These had been guaranteed tax free by the British to the Shaikh of Kuwait in return for his help in the capture of Basra but on the termination of the mandate no suitable arrangement was made for continuing this concession, with the result that the Iraq Government has been charging the Shaikh high taxes.

The discovery of oil in Kuwait, however, may solve the financial question* for this small state which previously

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depended on its boat-building and transit trade for existence. In May, 1924, the Sultan of Nejd and the Shaikh of Kuwait jointly granted an oil concession to the Eastern and General Syndicate, Ltd., a London company, for the neutral zone between the two principalities, but the concession lapsed as it was never taken up. In 1934, the Kuwait Oil Company, an Anglo-American concern, took out a concession and it was reported in the press that they were about to start production in 1946.¹⁶

Enough has been said to show that in Kuwait at least the British have prevented an independent state from being swamped by its larger neighbours. The discovery of oil, however, has complicated rather than simplified the position, and it may be that in the future Kuwait will be annexed by a stronger power because of its underground wealth.

QATAR

This state included the whole of the Qatar peninsula and also extends along the shores of the Persian Gulf to the frontier at Hasa ; in area it is about 80 by 40 miles. The population is about 30,000,¹⁶ but no recent estimate has been made and no reliable count of the Bedouin has been undertaken.

Prior to 1868 the Shaikh of Bahrein claimed to be the suzerain of Qatar, but negotiations carried out by the United Kingdom Government limited the influence of Bahrein and, on the Ottoman occupation of 1872, all Al Khalifah control ceased.¹⁷ The British Government never recognized the Turkish occupation of Qatar and until 1882 the Government of India had an agreement with the paramount Shaikh similar to that signed with the Shaikhs of the Trucial States ; in that year, however, it was allowed to lapse.

On November 3rd, 1916, a formal treaty was signed with Great Britain, whereby the Shaikh Abdullah ibn Jasim ibn Thani undertook not to have relations with, or receive the

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agents of, any other Power without the consent of the British Government. He also undertook not to lease, sell or dispose of land to any other Power, or the subjects of any other power.¹⁸ •

So far Qatar has remained independent, but it is in a precarious condition and liable to be absorbed at any time by Saudi Arabia.

THE TRUCIAL STATES

The possessions of the Trucial Shaikhs extend along the shores of the Persian Gulf from Oued on the borders of Al Qatar, beyond the island of Bahrein and eastward to Ras al Khaimah. The population is approximately 80,000. The Trucial Shaikhs are all independent rulers in treaty relations with His Majesty's Government and are Said bin Maktum, elected 1912, Shaikh of the Dibai area ; Muhammad Sultan bin Salim of Ras al Khaimah ; Ahmad bin Rashid, elected 1929, of the Umm al Qarwain ; Muhammad Sultan bin Sagar, elected 1924, of Shargah ^ Rashid bin Humaid (1928) of the Asman ; and Shakbut bin Sultan of Abu Dhabi (1921).

At one time or another the Shaikhs were directly or indirectly under the control of the Wahhabis, to whom they paid tribute before the advent of the Turks. The British Government came into contact with them while attempting to suppress piracy in the Persian Gulf during the early years of the 19th century. After an expedition against the Qawasim, who occupied Shargah, a treaty was signed in 1806 binding them to assist Britain and protect British property, but piracy soon became rampant again and, in 1819, a larger expedition had to be sent to subdue this area. In 1820 a general treaty was signed with the Trucial Shaikhs in an effort to check piracy and the slave trade.¹⁹

The agreement of 1820 was followed by a series of treaties which Her Majesty's Government signed with the Shaikhs, both collectively and individually, and which were designed to give British war vessels the right to search and detain

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suspected slave traders and to prohibit the African slave trade. In 1835 a maritime truce between the Shaikhs was arranged for six months and this was later extended annually until 1853. In that year a Treaty of Perpetual Peace²⁰ was signed, providing that there should be a complete cessation of hostilities at sea between the contracting parties, any disputes to be referred to the British authorities.

In 1892 the Trucial Shaikhs signed agreements promising not to enter into any arrangement with any Power other than the British,²¹ while in 1911 they undertook to consult the British Resident on the subject of any pearl concessions asked for by other Powers. In 1922 this undertaking was extended to cover oil concessions. Since then there have been minor difficulties between the various rulers and the British Government, but no major difficulty has arisen.

BAHREIN

The Bahrein Islands²² lie in the Persian Gulf some twenty miles from Al Hasa on the Arabian coast. The population is estimated at about 120,000, and is chiefly Arab, three-quarters being Shi'ah and the rest Sunni.

Bahrein is the centre of the Persian Gulf pearl-fishing industry and, as a result, has been a source of contention between the neighbouring powers ; in addition, the trade of Nejd and Hasa passes in great part through Bahrein. One of the principal products is oil, which is held as a concession by the Bahrein Petroleum Company, owned by the Standard Oil Company of California.²³ By 1938 Bahrein was the fourteenth on the list of oil producing countries.

British relations with Bahrein

The Shaikh of Bahrein is nominally independent, but is bound by close treaty ties to Great Britain. This situation came about in the following manner :—In about 1783 the family of Al Khalifah of the Atbi (Utabi) tribe crossed from Kuwait and conquered the islands from the Persians,

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who had held the archipelago since 1622, when they had seized it from the Portuguese. From 1773 until 1816 there were disputes over the possession of the islands, the rival claimants being the Wahhabis, the Sultan of Muscat and the Al Khalifahs. From this struggle the latter emerged triumphant.

Although direct relations between the United Kingdom and Bahrein were first established in 1805, it was not until 1820 that the two countries entered into treaty relations.²⁴ This took place after a British expedition, sent to suppress piracy, had captured Ras al Khaimah and, under the preliminary engagement, the Shaikh of Bahrein undertook to forbid the sale in Bahrein of property gained by plunder and piracy and also to restore all Indian prisoners. He also signed the Treaty of January, 1820, for the General Pacification of the Persian Gulf²⁵; under Clause 4 the tribes agreed to continue their former relations but to be at peace with the British Government.

Between 1847 and 1892 further treaties were signed under which the British Government acquired certain rights over the foreign relations of the Shaikh of Bahrein, while leaving him nominally independent.²⁶ In 1861 the Shaikh, who had been blockading the Wahhabi ports in violation of his engagements, was forced by the British Resident to withdraw and to sign a perpetual treaty of peace and friendship on May 31st.²⁷ On December 22nd, 1880, a final agreement was made, whereby Isa ibn Ali al Khalifah bound himself and his successors "to abstain from entering into negotiations or making treaties of any sort with any State or Government other than the British without the consent of the said British Government."²⁸

This was followed by a further agreement on March 13th, 1892, by which Shaikh Isa promised not to allow the residence of any foreign agents within his territory and that he would not "cede, mortgage or give for occupation any part of this territory save to the British Government."²⁹ Ratification by the Viceroy and Governor General of India followed on May 12th, 1892. In the following year the

PERSIAN GULF

Porte put forward further claims to be regarded as suzerain of Bahrein without success.

In 1900 the British established a Political Agency at Bahrein, subordinate to the Political Resident in the Persian Gulf, and during the early part of the present century the Shaikh entered into several important undertakings with the British Government. In 1912 he granted land for the establishment of a cable and wireless station and, in May, 1914, he agreed not to embark on a search for oil concessions or the exploitation of oil fields without their prior consent.³⁰

During the 1914-18 war a period of misgovernment led to the deposition of Shaikh Isa in 1917. The present ruler of Bahrein is Shaikh Sulaiman, who came into power on February 3rd, 1942.

¹ The rise of the Wahhabis on the mainland at first presented a threat to the independence of Bahrein and this was succeeded by a dispute with Persia over the sovereignty of the islands.

Following the signature of the British treaty with Ibn Sa'ud in May, 1927, the Persian Government, on November 22nd of the same year, addressed a note to the British Government, protesting that the sovereignty over Bahrein was vested in Persia and that this claim had been recognized by Lord Clarendon in a note of April, 1869, to the Persian Government. This matter was circulated to members of the League of Nations.

In a note of January 18th, 1928, the United Kingdom Government refused to accept the Persian contention. It is not the place here to enter into the exchange of notes which took place at this juncture, but it is clear that Persia had no justifiable claim to the islands, which are almost entirely Arab, and that her pretensions were largely due to the discovery of oil on Bahrein and to the granting of a concession to the Bahrein Petroleum Company.

Like the other Persian Gulf States, Bahrein was hard hit by the 1939-45 war. Prices rose and commodities became difficult to obtain, the greatest problem being the lack

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of rice and the consequent necessity of replacing it by wheat in the diet of the people. The British Government, however, succeeded in supplying the necessary food throughout the war, although the islands depend entirely on imports. Pearl fishing came practically to an end but many of the owners of large dhows netted considerable profits by running cargoes between India and Iraq.³¹

During April, 1946, according to press reports,³² the Persian Prime Minister, Qawam es Sultaneh, again raised the question of Persian sovereignty over the Bahrein Islands.

NOTES

¹ For an historical account, see A. T. Wilson, *The Persian Gulf*, Clarendon Press, 1928.

² Previous to this the East India Company had endeavoured to establish trading relations with the Imams of Oman, but without success.

^{2a} Bandar Abbas was at that time leased by Sultan from Persia.

³ Formerly known as the Pirate Coast, it received its present name as the result of the permanent truce established between the ruling Shaikhs of the Abu Dhabi, Dibai, Sharjah, Ajam and Umm al Qaiweim the 1853 agreement with the British.

⁴ In 1798 the Sultan had refused to admit a British Political Agent to Muscat, but after Captain (later Sir) John Malcolm had been sent to Persia, a new agreement was signed which arranged for an Agent at Muscat. From 1809 to 1830 there was no political officer at Muscat and the British interests were administered from Bushire.

⁵ The United States Government concluded a commercial treaty with Oman in 1843.

⁶ Aitchison's *Treaties*, No. XVII, p. 317.

⁷ The French were afterwards offered part of a site in Makalla Cove.

⁸ It was decided that, after January, 1892, France was not entitled to authorise vessels belonging to subjects of His Highness the Sultan to fly the French flag, unless their owners had been protégés of France prior to 1863,

⁹ Aitchison's *Treaties*, No. XX, p. 319.

¹⁰ Signed by Sir Trenchard Fowle, Political Resident in the Persian Gulf; Keesings *Contemporary Archives*, quoting *The Times*, 3438E. *League of Nations Treaty Series*, Vol. 196, No. 4592 (1939) and *Treaty Series No. 29* (1939) *Muscat, Cmd.* 6037. The treaty was ratified on February 11th, 1939, and was to remain in force for twelve years.

¹¹ Aitchison's *Treaties*, No. XXXVI, p. 262.

¹² *Ibid*, No. XLI, p. 264.

¹³ *Ibid*, No. XLII, p. 265.

¹⁴ In spite of an agreement signed in May, 1942, between Saudi Arabia and the United Kingdom, acting on behalf of Kuwait. This arranged for friendly and neighbourly relations, the extradition of criminals and the regulation of trade between Saudi Arabia and Kuwait.

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¹⁵ Production was to begin at the rate of between **i and IJ million tons a year**, but reserves were estimated at 9,000 million barrels.

¹⁶ This only includes the settled population.

¹⁷ It had previously been largely nominal on the receipt of certain **tribute**.

¹⁸ Aitchison's *Treaties*, No. XX XIII, p. 258.

¹⁹ For text, see Aitchison's *Treaties*, Nos. XVIII and XIX, p. 239.

²⁰ *Ibid*, No. XXIV, p. 252.

²¹ *Ibid*, No. XXX, p. 256.

²² These consist of the Islands of Bahrein, Muharraq, Setrah, Nebi Salih and Umm Ma'asan.

²³ This Company was registered in Canada.

²⁴ This was with the East India Company : *Preliminary Treaty with the Shaikhs of Bahrein, February 5th, 1820*, Aitchison's *Treaties*, Vol. XI, No. VIII, P. 233.

²⁵ Aitchison's *Treaties*, Vol. XI, No. XIX, p. 245.

²⁶ In 1839 the British Government rejected Egyptian claims to Bahrein as part of Nejd ; in 1843 the Persians put forward similar claims which were also rejected. In 1847 the Turkish Government endeavoured to obtain the allegiance of the Shaikh of Bahrein, but were informed that Her Majesty's Government could not agree to any arrangement which placed the island un'er the protection of the Porte. In 1911 the Turks annexed Zakhuniyah Island, part of the possessions of the Shaikh of Bahrein, but evacuated it after British protests.

²⁷ Aitchison's *Treaties*, Vol. XI, No. XIX, p. 254.

²⁸ *Ibid*, No. XII, p. 237 ; ratified in 1881.

²⁹ *Ibid*, No. XIII, p. 238.

³⁰ *Ibid*, No. XVI, p. 239.

³¹ *The Times*, December 22nd, 1945.

³² *The New York Herald Tribune*, April 19th, 1946. It was announced at the same time that all oil produced in the Bahrein Islands and shipped to the Persian mainland would be taxed at the same rate as that produced by the Anglo-Iranian Oil Company.

CHAPTER X

THE ARAB LEAGUE

ORIGINS OF THE LEAGUE

THE organization known as the Arab League has far-reaching roots. The inception of the present idea of a loose federation of sovereign states goes back in theory to the Ummayyid and Abbassid Caliphates of A.D. 661-750, when most of the area now known as the Near and Middle East was under the domination of the Arabs.

Under the Ottoman Empire the idea of Pan-Arabism developed with the object of translating the cultural unity of the Arabic-speaking peoples into a political union. The years 1920—22 saw most of the Arab countries released from Turkish control, but divided by artificial boundary lines and parcelled out among the Great Powers as mandated territories.

The idea of Pan-Arabism did not die with the Turkish Empire and in the Arab Covenant signed in Jerusalem on December 13th, 1931, it found expression. The first article was :—" The Arab lands are a complete and indivisible whole, and the divisions of whatever nature to which they have been subjected are not approved nor recognized by the Arab nation." Under Article 2 the Arab nationalists were pledged to direct their efforts in all Arab lands " towards the single goal of their complete independence." These aims were in the main vague : the liberation of all Arab countries from foreign control and the establishment of independent governments. It was not clear at first what states would be included, whether Saudi Arabia and the Yemen would be omitted, and whether Egypt would form part of this Arab federation.

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Apart from the political separation of the Arab states, there were other causes of disunity, such as dynastic rivalries, sectarian and communal antagonisms and regional economic interests.

SAUDI-ARABIAN MOVES

The first step towards a closer political and military unity was the signature on April 2nd, 1936, of the Saudi-Iraqi Treaty of Arab Brotherhood and Alliance, although the terms of this treaty were foreshadowed by the generous peace terms imposed on the Yemen after the seven weeks' war in 1934.¹ These agreements were the result of a growing feeling of Arab solidarity.

The terms of the Saudi-Iraqi Treaty of Arab Brotherhood and Alliance of 1936 provided for the peaceful settlement of disputes and prevented the use of their territories for expeditions against neighbouring states by rebels or agitators. "Considering the ties of Islamic brotherhood and of Arab race that bind the kingdom of the Yemen to the two High Contracting Parties both will work to obtain the adherence of the Yemeni Government to the present Treaty. And it will be granted also to any other independent Arab State to request the right of adherence The two High Contracting Parties will collaborate to unify Arab and Islamic culture and the military systems in their respective countries by means of the exchange of scientific and military missions. . . ."

The treaty rights of both states under existing treaties were carefully preserved under Article 11.

It was left open to other Arab states to join in this, particularly Yemen, which on April 29th, 1937, adhered to the treaty, as stated in the preamble :—"Considering the bonds of Islamic fellowship and the national unity which unites us with' their Majesties and by reason of the fact that we feel, as do their Majesties, the urgent need of cooperation between us and of reciprocal understanding regarding the affairs which concern the interests of their two Kingdoms

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and of our Kingdom ; and being desirous of defending the security of our country and of their two countries ; we declare our adherence to the aforesaid Treaty of Arab , Brotherhood and Alliance. . . ."² •

The union between the Arab states was further cemented by the Treaty of Friendship between Egypt and Saudi Arabia signed on May 7th, 1936, in Cairo.

The importance of this treaty should not be underestimated since at the time of its inception Saudi Arabia and Egypt were not in official diplomatic relations.³ The scope of the Saudi-Egyptian Treaty was not so wide as that of the other two treaties, being mainly concerned with recognizing the Wahhabi regime and regulating the treatment of Egyptian pilgrims, but it was nevertheless a move towards the unifying of the main Arabic-speaking states. It was a move towards patching up old quarrels, and once this was done better relationships between the states could be established.

Another factor which cannot be ignored in discussing Arab unity was the effect of the establishment of a Jewish national home in Palestine, an event which was regarded by the surrounding Arabic countries as an unjustifiable encroachment into Arab territory.

The states of the Trucial Coast were not at this point drawn much into the Pan-Arab orbit for, as has been seen in a previous chapter, their connections with Great Britain were particularly close, and their foreign policy was controlled by treaties established with her. The growth of nationalism and the economic nearness of Saudi Arabia did, however, exert a strong pull on these states, and it was suggested at one time that they might join the Arab Pact.⁴

The Saadabad Pact,^{4a} linking Iraq, Persia, Turkey and Afghanistan and signed on July 7th, 1937, was not an inter-Arab pact, as it affected only one Arab state, although it did improve relations between the Middle Eastern countries. It was primarily a pact of non-aggression and bon voisinage.

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MR. EDEN ON ARAB UNION

Between 1936 and 1939 moves towards Arab federation did not achieve much, and the 1941 Iraqi revolt found Arab national thought still divided. It seemed that some outside encouragement was needed.

It was then that Mr. Eden spoke on May 22nd, 1941, at the Mansion House, of Anglo-Arab relations in the following terms :—

" This country has a long tradition of friendship with the Arabs, a friendship that has been proved by deeds not words alone. We have countless well wishers among them as they have many friends here. Some days ago I said in the House of Commons that His Majesty's Government had great sympathy with Syrian aspirations for independence. I should like to repeat that now. But I would go further. The Arab World has made great strides since the settlement reached at the end of the last war, and many Arab thinkers desire for the Arab peoples a greater degree of unity than they now enjoy. In reaching out towards this unity they hope for our support. No such appeal from our friends should go unanswered. It seems to me both natural and right that the cultural and economic ties between the Arab countries, yes and the political ties too, should be strengthened. His Majesty's Government for their part will give their full support to any scheme that commands general approval."⁶

This speech of Mr. Eden followed closely on one he had delivered in the House of Commons on a foreign affairs debate on May 6th, 1941, when he warned the Arab peoples of the danger of an Axis victory : " Arabs in every land must know that the approach of Axis rule means the end of their liberties which they have jealously guarded and which in alliance with us are safe to-day."⁶

During the major portion of the next two years little was accomplished, due to the exigencies of the war situation and the closeness of the war to the Middle East countries. No

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apparent signs were visible that the Arab states wished 'to make a move.

Affairs were in this state when Mr. Eden, Secretary of State for Foreign Affairs, in reply to a question in the House of Commons on February 24th, 1943, as to whether any steps were being taken to promote greater political and economic co-operation⁷ between the Arab states of the Middle East with a view to the ultimate creation of an Arab Federation, said :—

" As they have already made plain His Majesty's Government would view with sympathy any movement among Arabs to promote their economic, cultural or political unity. But clearly the initiative in any scheme would have to come from the Arabs themselves, and so far as I am aware no such scheme which would command general approval has yet been worked out."⁸ *

FORMATION OF THE LEAGUE

From July 31st to August 5th, 1943, a preliminary meeting was held in Cairo between Nahhas Pasha, the Egyptian Prime Minister and Nuri es Sa'id, the Iraqi Prime Minister, to discuss the question of Arab unity. A statement issued at the close of the meeting was as follows :—

" The talks on federation and collaboration among the Arab States which opened on July 31st, 1943, have been concluded. Six meetings were held, in the course of which the subject was examined in all its aspects. A spirit of full cordiality and determination to ensure the happiness of the Arab nations, to raise their prestige and to revive their aspirations was demonstrated during the talks. Nahhas Pasha will resume his conversations with the leaders of other Arab countries with a view to securing a working agreement. A congress will be held at which these nations will be able to express their demands."•

Nuri, in a press conference on August 8th, commented on the talks as follows :—

" The talks have already led to important results, which

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will be realized in the near future. While these talks, and those which Nahhas will continue with the Arab States, were concerned only with collaboration, there is no reason why another name such as Arab union, alliance or federation, should not be chosen later, according to the results of the discussions, to describe more accurately the situation as it finally emerges."¹⁰

Following the conversations in Cairo it was announced that agreement had been reached with Egypt, Iraq and Transjordan and that an Egyptian representative had gone out to Saudi Arabia to discuss the question, while Syrian representatives were expected in Cairo.¹¹

Meanwhile the British reiterated their support and interest in Arab federation.

In January, 1944, Riyadh as Solh, the Lebanese Prime Minister, visited Cairo and conferred with Nahhas Pasha, the Egyptian Prime Minister, on Arab unity ; similar talks were held in Baghdad between the Syrian and Iraqi Premiers and official statements issued after both these conversations emphasized the identity of views and the necessity for calling an early conference. In February, 1944, a Syrian delegation went to Ryadh to discuss with Ibn Sa'ud closer co-operation between the Arab States.

THE ALEXANDRIA PROTOCOL

It was not till September 25th that the preparatory conference of Arab States opened in Alexandria under the Presidency of Nahhas Pasha. The conference ended on October 10th, 1944.

Five delegations, those from Egypt, Syria, Transjordan, Iraq and Lebanon signed a protocol, of which one article described a plan formulated for a " League of Arab States." The league would have a council on which all member States would be represented on an equal footing, and its mission would be " to execute agreements reached between member states ; to organize periodical meetings to reaffirm their relations and coordinate their political programmes,

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with a view to effecting cooperation between them, so as to safeguard their independence and sovereignty against aggression ; and to concern itself with the general interests of the Arab countries." A commission was to be formed to elaborate the statutes of the council.

It was understood that the representatives of both Saudi Arabia and the Yemen concurred in the general results of the conference, but neither was empowered to sign the protocol the contents of which were being submitted to the Wahhabi King and the Imam.¹² These two states seem to have held back in the early days of the League, as if they were uncertain which states would be in control.

The protocol adopted at Alexandria fell under five main headings. These were as follows :—

(i) *The League of Arab States.*

This was to consist of such independent Arab states who wished to join it. The League was to have a Council where all would be equally represented. The Council was to have the following functions :—

- (a) to be responsible for interstate agreements ;
- (b) to organise periodical conferences ;
- (c) to protect the states' independence ;
- (d) "to concern itself generally with the interests of the Arab countries ".

The use of force was to be prohibited between member states. States might conclude treaties with members or non-members provided they were in agreement with the Protocol.

The statutes of the League Council was to be drafted without delay by a commission formed of the members of the Preparatory Committee.

(2) *Economic, Cultural and Social Co-operation.*

The member states were to co-operate closely on economic and financial affairs including agriculture, industry, currency, communications, transport, health, social and cultural questions. Six commissions were to be set up to draft the machinery of co-operation in these fields.

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(3) *Future strengthening of these bonds.*

It was hoped to consolidate the States " especially if after the present war events in the world lead to institutions uniting States by closer and stronger ties."

(4) *The Lebanon.*

The Arab States represented on the Preparatory Commission unanimously approved their respect for the independence and sovereignty of the Lebanon within the existing frontiers.

(5) *Palestine.*

(a) The Committee considered that Palestine was an important element in the Arab countries and that the rights of the Palestinian Arabs could not be infringed without danger to the peace and stability of the Arab world. The Committee also desired that Great Britain would carry out the engagements she had entered into in regard to the cessation of Jewish immigration and land purchase and the evolution of Palestine towards independence.¹³ While sympathising with the Jews of Europe " nothing would be more arbitrary and more unjust than to wish to settle the problem of the Jews in Europe by means of another injustice, the victims of which would be the Arabs of Palestine."

(b) A proposal for an Arab National Fund to which the Arab governments and peoples would contribute for buying land in Palestine.

From February 14th to March 2nd, 1945, the Foreign Ministers of Iraq, Egypt, Lebanon, Syria, Transjordan and Saudi Arabia met in Cairo to draft the statutes of the proposed League.¹⁴ On March 17th a Preparatory Committee of Prime Ministers and Foreign Ministers met in Cairo and, on March 22nd, signed the Charter of the Arab League, after having transformed itself into the General Arab Congress. The Charter was signed by six of the seven foundation members of the League : Egypt, Iraq, Syria, Lebanon, Saudi Arabia and Transjordan.¹⁶ The Yemen, although listed at the head of the Charter, did not sign, owing to the non-arrival of the Yemeni

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delegate. The Charter consisted of twenty-two articles and two annexes.¹⁶

The League was to consist of independent Arab states and every independent state had the right to join (Article, 1). Under Article 2 the aims of the League were given as the strengthening of relations between the members, protection of their independence and full co-operation in matters of trade, finance, communications, culture, nationality, social and health questions. Committees were to be established to deal with each of these (Article 4). The Council of the League was to consist of one representative from each member state and the seat of the League was to be in Cairo.

There was a special annex on Palestine which was represented by a delegate, though it could not join the League, owing to the provisions of Article 1.

An interesting feature of the movement for Arab federation was the way in which the leadership in Arab affairs had passed from Saudi Arabia, who made the pre-war moves, to Egypt, where Nahhas Pasha, leader of the Wafd, had been instrumental in the actual formation of the League. Much has been said of the British part in forming this league of Arab States, but the impetus came, not from Britain, but from the Arab States themselves, and it is doubtful if Britain could have stopped this union even if she had wished to do so. As it was, the move went forward under British auspices and with official sanction.

Thus on May 9th, 1945, Mr. Richard Law, Secretary of State, said in the House of Commons :—

" His Majesty's Government have welcomed the successful formation of the League of Arab States. They will await with sympathy and interest the results of the detailed conversations which are now to be begun for reducing the various barriers which divide the Arab peoples and for promoting cooperation between them. They hope that these discussions will yield useful and practical results."¹⁷

The Charter was as favourably received by the Press of the Arab states as the earlier Protocol had been, although each tended to stress the line of greatest interest to the

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countries concerned. Some regret was expressed that the Council would not have greater authority and that the provision for concerting foreign policy was not more adequate*

The Yemen signed the Charter on May 10th, 1945, and it was ratified by four signatories ; the League thus came into being.

THE ARAB LEAGUE IN ACTION

Three major issues confronted the Arab League on its formation in 1945. These were, first, the issue of independence of the Levant States ; secondly, the future of Tripolitania ; and, thirdly, the Palestine problem.

The first opportunity the Arab States had of showing their unity was at the United Nations Conference at San Francisco in April, 1945. There they deposited a copy of their Charter, in accordance with the Dumbarton Oaks proposals governing regional arrangements.

The earliest issue to be settled was that of the Levant States. This was discussed at the first meeting of the Arab League in Cairo on June 6th, 1945, presided over by Nokrashi Pasha. The meeting was attended by Iraq, Lebanon, Syria, Egypt, Transjordan and Saudi Arabia. The League passed a resolution asking for the evacuation of French troops from the Levant. The Arab League backed the Lebanese and Syrian request to the United Nations for the withdrawal of foreign troops from the two States. The decision to withdraw after this had been discussed by the Security Council is dealt with in another chapter.¹⁸ Here it is sufficient to say that the British troops withdrew by June 30th and the French were by December, 1946.

The second issue, that of the future of Tripolitania, lies outside the scope of this subject, but serves to show the unity of the Arab world. The interest shown by the Arab League was indicated by the statement made in January, 1946, by the Secretary General of the League, Abderraham Bey Azzam, when it was suggested that, if independence

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apparent signs were visible that the Arab states wished to make a move.

Affairs were in this state when Mr. Eden, Secretary of State for Foreign Affairs, in reply to a question in the House of Commons on February 24th, 1943, as to whether any steps were being taken to promote greater political and economic co-operation⁷ between the Arab states of the Middle East with a view to the ultimate creation of an Arab Federation, said :—

" As they have already made plain His Majesty's Government would view with sympathy any movement among Arabs to promote their economic, cultural or political unity. But clearly the initiative in any scheme would have to come from the Arabs themselves, and so far as I am aware no such scheme which would command general approval has yet been worked out."⁸

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Nuri, in a press conference on August 8th, commented on the talks as follows :—

" The talks have already led to important results, which

THE ARAB LEAGUE

trusteeship of the area by foreign states. Here again the Arab States pursued a uniform policy.

It is with regard to Palestine that the Arab League has taken more decisive action. In November, 1945, the Council set up a sub-commission to examine the proposals of the Anglo-American Commission ; as a result it was decided to boycott Zionist goods imported into Arab countries as from January 1st, 1946.²¹

On December 6th, 1945, the Arab League issued its reply to Mr. Bevin's statement of November 13th on Palestine. It expressed an appreciation of the British Government's will to implement their promise to consult the Arab States with regard to Palestine and noted Mr. Bevin's sincere effort to understand both Palestine and the Jewish ^problem, and his clearness in distinguishing between the Zior'st and Jewish problems. The Arab League saw no case for further exceptional immigration but did not reject Mr. Bevin's proposals.²²

On March 25th, 1946, a further Council meeting was held and Palestine was again on the agenda. Among matters discussed were proposals to prevent land in Palestine being purchased by Jews by means of the establishment of an Arab Bank and Company with a capital of ^4,000,000 ; the attitude of the League to the Anglo-American Committee was also considered.

On May 5th, it was announced that a special session of the League Council would meet at Bludan, near Damascus, on May 18th, to discuss the Anglo-American Committee's report on Palestine. The meeting was later postponed and did not take place until June 8th. Five day;s later representatives of five Arab States visited the State Department and made a charge that the recommendations of the Anglo-American Committee violated the promises given to the Arabs by President Roosevelt.²³

A bulletin issued after the close of the Bludan Conference on June 12th stated that some of the decisions of the Conference were to remain secret. Among the points released were :

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(i) The establishment of a special committee to be called the Palestine Committee with H.Q. in Cairo and containing representatives of all the Arab States to supervise all activities relating to Palestine ;

(2) The foundation of a higher executive in Palestine, consisting of Jamal Husseini, Ahmad Helmi, Hussein Khalidi and Emile Ghorl :

(3) To demand the dissolution of Zionist forces and the disarmament of terrorists :

(4) To recommend Arab Governments to adopt penal measures against those selling land to the Jews ;

(5) To use all means to save Arab lands in Palestine ;

(6) To recommend to the Arab Governments the issue of postal and fiscal stamps for the benefit of the Palestinian Arabs ;

(7) To establish a special fund for Palestine ; „

(8) To organize and extend propaganda ;

(9) To strengthen the boycott of Zionist goods and extend its control.²⁴

These resolutions were followed, on July 8th, by an Arab States memorandum sent to the British and American Governments. The note to the United States stated that the Arab League could not recognize the legality of the Anglo-American Committee of Enquiry. It accused some of the members of evident Zionist partiality, but added that the League co-operated and did not boycott the Committee. The Palestine problem was not the result of Nazi persecution of the Jews, but the direct result of British policy since the Balfour declaration.

The memorandum invited the United Kingdom Government to enter into negotiations with the Arab States as soon as possible with a view to settling the matter before the next session of the United Nations General Assembly.²⁵ Pending these negotiations the United Kingdom Government was urged to avoid taking measures contrary to the 1935 White Paper.²⁶

The notes rejected the Anglo-American Committee's recommendation for the entry of a further 100,000 Jews in te

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Palestine and described the whole report as contradictory. It concluded by condemning Jewish terrorist activities and contrasted the lenient treatment of Jews with the severe treatment of Arabs during the 1936-39 rebellion. The notes asked in addition for the immediate stopping of all immigration, the deportation of illegal immigrants and the establishment of a provisional Arab Government for Palestine.²⁷

With a view to holding negotiations with the British Government as soon as possible, the Arab Governments transmitted notes to the United Kingdom Government on June 18th.²⁸ The text of the Syrian note read in part as follows :—

" The Syrian Government, being one of those directly interested in Palestine in accordance with the Charter . . . by agreement with the other Arab States, that is to say Transjordan, Iraq, Saudi Arabia, Lebanon, Egypt and the Yemen, the Syrian Government has the honour to invite the British Government to enter into negotiations with a view to concluding an agreement which will put an end to the present state of affairs in Palestine and the substitution for it of a new situation in conformity with the terms and purposes of the charter."²⁹

These negotiations were to be undertaken as quickly as possible. Notes from the other Arab Governments were couched in similar terms.

In August the Foreign Ministers of the Arab States met in Alexandria to discuss the attitude of their Governments towards the Conference it was proposed to hold in London.³⁰ Meanwhile the recommendations of the Anglo-American Committee of experts had been received unfavourably by the Arab Governments. They had accepted the third recommendation of the Anglo-American Committee that Palestine as a whole can neither be a Jewish nor an Arab State and proposed that Palestine should be" divided into four areas, namely one Arab province, one Jewish province, Jerusalem and the Negeb. Provisional Governments were to be set up in the two provinces while the Central

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Government should reserve to itself the powers of defence, foreign relations, customs and excise and, in its initial stages, the maintenance of law and order. An elected legislature was to be set up. The provinces were to be responsible for their own immigration arrangements but the 100,000 Jews mentioned in the original Committee's report were to receive immediate admission. The carrying out of the plan, however, was to depend upon the full co-operation of the United States.³¹

The Palestine Conference met on September 10th, 1946, and was addressed by Mr. Attlee. It began its private sessions on September 12th. The Conference was not complete as neither the Arab Higher Executive Committee nor the Jewish Agency was represented. Proposals and counter-proposals were put forward and the Conference then adjourned until December 10th to consider the Arab proposals.³²

The text of the Arab proposals was released at a Press Conference on October 3rd.

The main terms of these proposals were as follows :—³³

First, that the High Commissioner should establish a Provisional Government of seven Arab and three Jewish ministers to which the legislative and executive power should be transferred ; secondly, that elections for a Constituent Assembly of sixty members should be held as soon as possible ; thirdly, that a draft constitution should be prepared for Palestine by the Provisional Government and submitted to the Assembly ; and, fourthly, that the Provisional Government, in drafting, and the Constituent Assembly, in voting on, the Constitution should be bound by directives issued by the High Commissioner.

The Constitution would be required to provide, among other principles, that Palestine should be a unitary state ; that nationalization should be granted only after ten years' residency ; that full rights of citizenship should be guaranteed ; that the Holy Places should be guaranteed ; that all Jewish immigration should be prohibited for the present ; and that during the interim period substantial

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numbeis of Palestinians should be brought ihto the administration.⁸⁴

It has become clear from this that, as Mr, Bevin said to the Labour Party at Bournemouth, this is " a part of the Middle Eastern Problem. You cannot deal with the Palestinian Arabs alone."

A further political question with which the League was concerned was the Anglo-Egyptian Treaty and, after various meetings had discussed the matter, a memorandum on behalf of the League was sent to the United Kingdom Government during 1946. It was not, however, until January 3rd, 1947, that the Arab League came out strongly on behalf of the Egyptian case. In an official statement issued on that day the League said :—

" The Anglo-Egyptian negotiations have been the subject of several meetings of the Arab League Council, and a resolution was passed supporting the Egyptian point of view. It was at first hoped that negotiations would end quickly and would satisfy the interests of both British and Arab by strengthening the bonds of friendship between the two peoples. But this hope has unfortunately not been realised, and difficulties have arisen. The Arab League, which was set up to obtain the rights of Arabs to full independence, now supports Egypt's demands for permanent unity with the Sudan. This wish for unity is in accordance with the will of the Sudanese and Egyptian peoples. The Arab League also backs Egypt in its desire to prepare the Sudanese for self-government under the Egyptian Crown."

The statement concluded by asserting that the League considered Egypt's case the most important question under consideration and was determined to defend it with the support of all the Arab States.³⁶

OTHER WORK OF THE LEAGUE

The political questions raised in the last section are not the only ones with which the League has had to deal and its

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plans for economic and social development have gone forward steadily.

True to its Charter, meetings of the Committee of Economic and Agricultural Affairs were held in July, 1945.³⁶

The Council next set up Arab offices in Britain, the United States and Jerusalem, with a controlling office in Cairo³⁷; in this connection the Secretary General of the League, Abderraham Bey Azzam, visited London and Washington.

In January, 1946, King Abdul Aziz ibn Sa'ud visited King Faruq in Egypt and, on January 16th, a joint statement was issued on the aims of the League with regard to co-operation, unity, justice and independence for the Arab States.³⁸ This was important, as both the Yemen and Saudi Arabia had tended to hold back on the formation of the League and had not given it their whole-hearted support.

It was reported in February that Sir Gilbert Clayton had been appointed British Representative to the Arab League.⁸⁹ On March 25th a further Council meeting was held. This time further subjects for discussion were added to the agenda ; these included certain technical matters, such as passports, customs, communications and the extradition of criminals, in addition to political subjects.

ACHIEVEMENTS OF THE LEAGUE

During its existence of thirty months the Arab League has accomplished much. A large portion of its work has been unspectacular and concerned with social, economic, health and educational matters. It has had to meet serious opposition, both from within and from vested interests in various countries of the Middle East.⁴⁰ Criticisms have been levelled at the Council, alleging that it is in the hands of a few elder Arab statesmen who are unprogressive, but, as the representatives are not permanent and change with the frequently changing Near Eastern governments, they are not likely to remain at the League indefinitely.

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Outside the Arab League has met opposition from France, on account of the policy in Lebanon and Syria, and from the Soviet Union, who were suspicious that it was an eastern bloc directed against them and controlled by Britain.⁴¹

So far the League has had a number of concrete problems to deal with and so far it has formulated a definite policy on them. It has, in fact, done much to disprove the argument that the disunity of interests of the Arab States was greater than their unity ; it has also achieved much by the moderation with which its views have been expressed.

As Mr. Bevin said at the Labour Party Conference in Bournemouth : " The Arab League has become a fact and you cannot ignore it."

NOTES

¹ The Yemeni-Saudi Treaty, or Treaty of Taif, see under Yemen, p. 200. For full terms see Appendix 17.

² For full text of Treaty see Appendix 19.

³ These had been broken off since June, 1926, as the result of a shooting incident in connection with the despatch of the Egyptian Mahmal to Mecca.

⁴ The Saudi-Iraqi-Yemeni Treaty.

^{4a} See appendix 20.

⁵ *White Paper, Misc. No. 2* (1941) *Cmd.* 6289.

⁶ *Hansard, Commons*, 6.5.41, cols. 737-738.

⁷ An attempt had already been made to promote the economic unity of the Middle East by the establishment of the Middle East Supply Centre in May, 1941.

⁸ *Hansard, Commons*, 24.2.43, col. 139.

• *The Times*, August 7th, 1943.

¹⁰ *Ibid.*

¹¹ *The Times*, October 1st, 1943.

¹² *The Times*, October 9th, 1944.

¹⁸ *The 1939 British White Paper, Cmd.* 6019 : *Palestine : A Statement of Policy.*

¹⁴ The delay between the Alexandria Protocol and the convening of the meeting for the signature of the Charter was due to negotiations with Ibn Sa'ud and the Imam Yahya in order to obtain their signatures to the Protocol. The work of various sub-committees set up by the Protocol, such as cultural relations and propaganda, continued and it was suggested that Arab offices should be opened in London and Washington for the purpose of supplying information on the Arab cause.

¹⁵ The delegates were as follows : Egypt—Nokrashi Pasha, Badawi Pasha, Harkal Pasha, Makram Pasha, Ramadhan Pasha, As Sanhuri Bey and Azzam Bey. Syria—Faris al Khuri, Prime Minister, and Jamil Mardam, Foreign Minister. Lebanon—Abdul Hamid Karani, Prime Minister. Iraq—Arshad al Umari, Foreign Minister. Transjordan—Samir al Rifa'i Pasha, Prime Minister. Saudi Arabia—Sheikh Yusef Al Yassin. Palestine—Musa Al Alami (who did not sign the Covenant).

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¹⁶ See Appendix 21 for full text of the Charter, taken from the Ca/o Radio of March 22nd, 1945. This text is not exactly the same as the Ftench text published by the Egyptian Government, or the Arabic text of *Al Akram* of March 23rd, 1945.

¹⁷ *Hansard, Commons*, 9.5.45, col. 1885. On June 2nd, 1945, Mr. Phillips, - Assistant to the Secretary of State, announced that the United States Government welcomed the formation of the Arab League.

¹⁸ See p. 115

¹⁹ The Arab News Agency, 29.4.46.

²⁰ The Draft Peace Treaty for Italy. Mr. Byrnes' broadcast of July 15th, 1946: *U.S. Information Service*, 16.7.46.

²¹ A clear distinction was drawn between Judaism and political Zionism by the Secretary-General of the League.

²² *The Times*, December 7th, 1945.

²³ In a letter to Ibn Sa'ud dated April 5th, 1945, President Roosevelt gave assurances that no decisions on Palestine would be taken without full consultation with both Arabs and Jews and that in his capacity as Chief Executive of the United States Government he would take no action " which might prove hostile to the Arab people ".

²⁴ *Arab News Bulletin*, No. 15, June 28th, 1946.

²⁶ This met in New York on October 23rd, 1946.

²⁶ *Cmd. 6019* (1939)-

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²⁷ *The Times*, September 9th, 1946, and *The Arab News Bulletin*, No. 17, July 26th, 1946.

²⁸ The text was not released until August 9th.

²⁹ *The Arab News Bulletin*, No. 18, August 19th, 1946.

³⁰ The Foreign Office announced on August 26th that the London Conference on Palestine would open on September 9th. Invitations were sfint to the Arab Governments, the Arab Higher Executive for Palestine, and the Jewish Agency.

⁸¹ *Hansard, Commons*, 30.7.41, cols. 961-976.

³² The length of the adjournment was dictated by the meeting of the United Nations Assembly in New York, which was to be attended in part by the same delegates.

³³ For full text see Appendix 11.

³⁴ *The Arab News Bulletin*, No. 23, October 18th, 1946.

³⁵ *The Times*, January 4th, 1947.

³⁶ Under the Presidency of Tawfiq es Suwaidi (Iraq).

³⁷ See footnote No. 14. For its constitution see *Manchester Guardian*, August 4th, 1945.

³⁸ Cairo Radio, January 16th, 1946.

³⁹ Beirut Radio, February 7th, 1946. Mr. Bevin, in his speech to the Labour Party at Bournemouth on June 12th, 1946, said that the United Kingdom had not entered into diplomatic relations with the Arab League, but that the Government was in touch with the League.

⁴⁰ A case in point is the difficulty, due to customs regulations, etc., of transporting and selling Jaffa oranges to Egypt from Palestine.

⁴¹ *Trudy* the Moscow organ of the Soviet Trades Union, March 19th, 1946.

APPENDIX I

GENERAL MAUDE'S PROCLAMATION IN BAGHDAD, MARCH 19TH, 1917

To the People of the Baghdad Vilayet

In the name of my King and in the name of the peoples over whom he rules, I address you as follows :

Our military operations have as their object the defeat of the enemy and the driving of him from these territories. In order to complete this Task I am charged with absolute and supreme control of all regions in which British forces operate, but our armies have not come into your Cities and Lands as conquerors or enemies but as liberators.

Since the days of Hulaku your citizens have been subject to the tyranny of strangers, your palaces have fallen into ruins, your gardens have sunken in desolation and yourselves have groaned in bondage. Your sons have been carried off to wars not of your seeking, your wealth has been stripped from you by unjust men and squandered in distant places. Since the days of Midhat Pasha the Turks have talked of reforms yet do not the ruins and wastes of to-day testify to the vanity of these promises ?

It is the wish not only of my King and his peoples, but it is also **the** wish of the great nations with whom he is in alliance that you should prosper, even as in the past, when your lands were fertile, when your ancestors gave to the world literature, science and art, and Baghdad was one of the wonders of the world.

Between your people and the Dominions of my King there has been a close bond of interest and for 200 years have the merchants of Baghdad and Great Britain traded together in mutual profit and friendship. On the other hand, the Germans and the Turks who have despoiled you and yours, have for twenty years made Baghdad a centre of power from which to assail the power of the British and the Allies of the British in Persia and Arabia. Therefore, the British Government cannot remain indifferent as to what takes place in your country, now or in the future, for in duty to the interests of the British people and their Allies, the British Government cannot risk that being done in Baghdad again which has been done by the Turks and Germans during the war.

But you, the people of Baghdad, whose commercial professions and whose safety from oppression and invasion must ever be a matter of the closest concern to the British Government, are not **to** understand **that it** is the wish of **the British Government**

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to impose upon you alien institutions. It is the hope of ^Jthe British Government that the aspirations of your philosophers and writers shall be realised again. The people of Baghdad shall flourish and enjoy their wealth and substance under institutions which are in consonance with their sacred laws and racial ideals. In[^]the Hejaz the Arabs have expelled the Turks and the Germans who oppressed them and have proclaimed Sharif Husain as their King and his lordship rules in independence and freedom and is the ally of the Nations who are fighting against the power of Turkey and Germany. So, indeed, are the noble Arabs, the Lords of Nejd, Kuwait and Asir.

Many noble Arabs have perished in the cause of freedom at the hands of these alien rulers, the Turks who oppressed them. It is the determination of the Government of Great Britain and the Great Powers Allied to Great Britain that these noble Arabs shall not have suffered in vain. It is the desire and hope of the British people and nations in alliance with them that the Arab race may rise once more to greatness and renown among the peoples of the Earth and that it shall bind itself to this in unity and concord.

O 1 people of Baghdad. Remember that for 26 generations you have suffered under strange tyrants who have even endeavoured to set one Arab house against another in order that they might profit by your dissensions. Therefore I am commanded to invite you, through your Nobles and Elders and Representatives to participate in the management of your civil affairs in collaboration with the Political Representatives of Great Britain who accompany the British Army so that you may unite with your kinsmen in the North, East, South and West in realising the Aspirations of your race.

APPENDIX 2

THE ANGLO-FRENCH DECLARATION,
NOVEMBER 8TH, 1918¹

THE end which France and Great Britain have in view in their prosecution in the East of the war let loose by German ambition the complete and definitive liberation of the peoples so long oppressed by the Turks and the establishment of national Governments and Administrations drawing their authority from the initiative and free choice of indigenous populations.

In order to give effect to these intentions France and Great Britain are agreed to encourage and assist the establishment of indigenous Governments and Administrations in Syria and Mesopotamia, which have already in fact been liberated by the Allies, and in countries whose liberation they are endeavouring to effect, and to recognise the latter as soon as they shall be effectively established. Far from wishing to impose any particular institution on these lands, they have no other care but to assure by their support and effective aid the normal working of the Governments and Administrations which they have adopted of their own free will to ensure impartial and equal justice, to facilitate economic development by evoking and encouraging indigenous initiative, to foster the spread of education and to put an end to the divisions too long exploited by Turkish policy—such is the role which the two Governments assume in the liberated countries.

Proclamations 1914-1919: Proclamation No. 32, p. 21.

APPENDIX 3

TEXT OF THE TREATY OF ALLIANCE BETWEEN GREAT BRITAIN AND IRAQ, BAGHDAD, JUNE 30TH,

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Article 1. There shall be perpetual peace and friendship between His Britannic Majesty and His Majesty the King of Iraq. There shall be established between the High Contracting Parties a close alliance in consecration of their friendship, their cordial understanding and their good relations and there shall be full and frank consultation between them on all matters of foreign policy which may affect their common interests.

Each High Contracting Party undertakes not to adopt in foreign countries an attitude which is inconsistent with the Alliance or might create difficulties for the other party thereto.

Article 2. Each High Contracting Party will be represented at the Court of the other High Contracting Party by a diplomatic representative properly accredited.

Article 3. Should any dispute between Iraq and a third State produce a situation which involves the risk of rupture with that State, the High Contracting Parties will concert together with a view to the settlement of the said dispute by peaceful means in accordance with the provisions of the Covenant of the League of Nations and of any other international obligations which may be applicable to the case.

Article 4. Should, notwithstanding the provisions of Article 3 above, either of the High Contracting Parties become engaged in war the other High Contracting Party will, subject to the provisions of Article 9 below, immediately come to his aid in the capacity of an ally. In the event of the immediate menace of war the High Contracting Parties will immediately concert together the necessary means of defence. The aid of His Majesty the King of Iraq in the event of war or the imminent menace of war will consist in furnishing to His Britannic Majesty on Iraq territory all facilities and assistance in his power including the use of railways, rivers, ports, aerodromes and means of communication.

Article 5. It is understood between the High Contracting Parties that the responsibility for the maintenance of internal order in Iraq and subject to Article 4 above, for the defence of Iraq from external aggression rests with His Majesty the King of Iraq. Nevertheless His Majesty the King of Iraq recognises that the permanent maintenance of protection in all circumstances of the

¹ *White Paper, Cmd. 3675.*

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essential communications of His Britannic Majesty is in the common interest of the High Contracting Parties. For this purpose and in order to facilitate the discharge of the obligations to His Britannic Majesty under Article 4 above His Majesty the King of Iraq undertakes to grant to His Britannic Majesty for the duration of the Alliance sites for air bases to be selected by His Britannic Majesty at or in the vicinity of Basra and for an air base to be selected by His Britannic Majesty to the west of the Euphrates. His Majesty the King of Iraq further authorises His Britannic Majesty to maintain forces upon Iraq territory at the above localities in accordance with the provisions of the Annexure of this Treaty on the understanding that the presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Iraq.

Article 6. The Annexure hereto shall be regarded as an integral part of the present Treaty.

Article 7. This Treaty shall replace the Treaties of Alliance signed at Baghdad on October 10th, 1921, January 13th, 1926, and the subsidiary agreements thereto, which shall cease to have effect upon the entry into force of this Treaty. It shall be executed in duplicate, in the English and Arab languages of which the former shall be regarded as the authoritative version.

Article 8. The High Contracting Parties recognise that, upon the entry into force of this Treaty, all responsibilities devolving under the Treaties and Agreements referred to in Article 7 hereof upon His Britannic Majesty in respect of Iraq, will so far as His Britannic Majesty is concerned, then automatically and completely come to an end, and that all such responsibilities, in so far as they continue at all will devolve upon His Majesty the King of Iraq alone.

It is also recognised that all responsibilities devolving upon His Britannic Majesty in respect of Iraq under any other international instrument, in so far as they continue at all should similarly devolve upon His Majesty the King of Iraq alone, and the High Contracting Parties shall immediately take such steps as may be necessary to secure the transference to His Majesty the King of Iraq of these responsibilities.

Article 9. Nothing in the present treaty is intended to or shall in any way prejudice the rights and obligations which devolve or may devolve upon either of the High Contracting Parties under the Covenant of the League of Nations or the Treaty for the Renunciation of War signed at Paris on August 27th, 1928.

Article 10. Should any difference arise relative to the application or interpretation of the Treaty and should the High Contracting Parties fail to settle such difference by direct negotiation, then it shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

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Article n. This Treaty shall be ratified and ratifications exchanged as soon as possible.

The Treaty to come into force as soon as Iraq has been admitted to the League. The Treaty to remain in force for 25 years. "At any time from that date of the coming into force of this Treaty, the High Contracting Parties will, at the request of either of them, conclude a new Treaty which shall provide for the continued maintenance and protection in all circumstances of the essential communications of His Britannic Majesty."

APPENDIX 4

TREATY OF ALLIANCE BETWEEN HIS MAJESTY,
IN RESPECT OF THE UNITED KINGDOM,
AND HIS MAJESTY THE KING OF EGYPT;
LONDON, AUGUST 26TH, 1936

Article 1

The military occupation of Egypt by the forces of His Majesty the King and Emperor is terminated.

Article 2

His Majesty The King and Emperor will henceforth be represented at the Court of His Majesty the King of Egypt and His Majesty the King of Egypt will be represented at the Court of St. James's by Ambassadors duly accredited.

Article 3

Egypt intends to apply for membership to the League of Nations, His Majesty's Government in the United Kingdom, recognising Egypt as a sovereign independent State, will support any request for admission which the Egyptian Government may present in the conditions prescribed by Article 1 of the Covenant.

Article 4

An alliance is established between the High Contracting Parties with a view to consolidating their friendship, their cordial understanding and their good relations.

Article 5

Each of the High Contracting Parties undertakes not to adopt in relation to foreign countries an attitude which is inconsistent with the alliance, nor to conclude political treaties inconsistent with the provisions of the present treaty.

Article 6

Should any dispute with a third State produce a situation which involves a risk of a rupture with that State, the High Contracting Parties will consult each other with a view to the settlement of the said dispute by peaceful means, in accordance with the provisions of the Covenant of the League of Nations and of any other international obligations which may be applicable to the case.

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Article 7

Should, notwithstanding the provisions of Article 6 above, either of the High Contracting Parties become engaged in war, the other High Contracting Party will, subject always to the provisions of Article 10 below, immediately come to his aid in the capacity of an ally.

The aid of His Majesty the King of Egypt in the event of war, imminent menace of war or apprehended international emergency will consist in furnishing to His Majesty The King and Emperor on Egyptian territory, in accordance with the Egyptian system of administration and legislation, all the facilities and assistance in his power, including the use of his ports, aerodromes and means of communication. It will accordingly be for the Egyptian Government to take all the administrative and legislative measures including the establishment of martial law and an effective censorship, necessary to render these facilities and assistance effective.

Article 8

In view of the fact that the Suez Canal, whilst being an integral part of Egypt, is a universal means of communication as also an essential means of communication between the different parts of the British Empire, His Majesty the King of Egypt, until such time as the High Contracting Parties agree that the Egyptian Army is in a position to ensure by its own resources the liberty and entire security of navigation of the Canal, authorises His Majesty The King and Emperor to station forces in Egyptian territory in the vicinity of the Canal, in the zone specified in the Annex to this Article, with a view to ensuring in co-operation with the Egyptian forces the defence of the Canal. The detailed arrangements for the carrying into effect of this Article are contained in the Annex hereto. The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt.

It is understood that at the end of the period of twenty years specified in Article 16 the question whether the presence of British forces is no longer necessary owing to the fact that the Egyptian Army is in a position to ensure by its own resources the liberty and entire security of navigation of the Canal may, if the High Contracting Parties do not agree thereon, be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present treaty or to such other person or body of persons for decision in accordance with such other procedure as the High Contracting Parties may agree.

A P P E N D I C E S

Annex to Article 8

1. Without prejudice to the provisions of Article 7, the numbers of the forces of His Majesty The King and Emperor to be maintained in the vicinity of the Canal shall not exceed, 01 the land forces, 10,000, and of the air forces, 400 pilots, together with the necessary ancillary personnel for administrative and technical duties. These numbers do not include civilian personnel, e.g. clerks, artisans and labourers.

2. The British forces to be maintained in the vicinity of the Canal will be distributed (a) as regards the land forces, in Moascar and the Ceneifa area on the south-west side of the Great Bitter Lake, and (b) as regards the air forces, within 5 miles of the Port Said-Suez railway from Kantara in the north, to the junction of the railway Suez-Cairo and Suez-Ismailia in the south, together with an extension along the Ismailia-Cairo railway to include the Royal Air Force Station at Abu Sueir and its satellite landing grounds ; together with areas suitable for air firing and bombing ranges, which may have to be placed east of the Canal.

3. In the localities specified above there shall be provided for the British land and air forces of the number specified in paragraph 1 above, including 4,000 civilian personnel (but less 2,000 of the land forces, 700 of the air forces and 450 civilian personnel for whom accommodation already exists), the necessary lands and durable barrack and technical accommodation, including an emergency water supply. The lands, accommodation and water supply shall be suitable according to modern standards. In addition amenities such as are reasonable, having regard to the character of these localities, will be provided by the planting of trees and the provision of gardens, playing fields, etc., for the troops, and a site for the erection of a convalescent camp on the Mediterranean coast.

4. The Egyptian Government will make available the lands and construct the accommodation, water supplies, amenities and convalescent camp, referred to in the preceding paragraph as being necessary over and above the accommodation already existing in these localities, at its own expense, but His Majesty's Government in the United Kingdom will contribute (1) the actual sum spent by the Egyptian Government before 1914 on the construction of new barracks as alternative accommodation to the Kasr-el-Nil Barracks in Cairo, and (2) the cost of one-fourth of the barrack and technical accommodation for the land forces. The first of these sums shall be paid at the time specified in paragraph 8 below for the withdrawal of the British forces from Cairo and the second at the time for the withdrawal of the British forces from Alexandria under paragraph 18 below. The Egyptian Government may charge a fair rental for the residential accommodation provided for the civilian personnel. The amount of the rent will be agreed between

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His Majesty's Government in the United Kingdom and the Egyptian Government.

5. The two Governments will each appoint, immediately the present treaty comes into force, two or more persons who shall together form a committee to whom all questions relating to the execution of these works from the time of their commencement to the time of their completion shall be entrusted. Proposals for, or outlines of, plans and specifications put forward by the representatives of His Majesty's Government in the United Kingdom will be accepted, provided they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. The plans and specifications of each of the works to be undertaken by the Egyptian Government shall be approved by the representatives of both Governments on this committee before the work is begun. Any member of this committee, as well as the Commanders of the British forces or their representatives, shall have the right to examine the works at all stages of their construction, and the United Kingdom members of the committee may make suggestions as regards the manner in which the work is carried out. The United Kingdom members shall also have the right to make at any time, while the work is in progress, proposals for modifications or alterations in the plans and specifications. Effect shall be given to suggestions and proposals by the United Kingdom members, subject to the condition that they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. In the case of machinery and other stores, where standardization of type is important, it is agreed that stores of the standard type in general use by the British forces will be obtained and installed. It is, of course, understood that His Majesty's Government in the United Kingdom may, when the barracks and accommodation are being used by the British forces, make at their own expense improvements or alterations thereto and construct new buildings in the areas specified in paragraph 2 above.

6. In pursuance of their programme for the development of road and railway communications in Egypt, and in order to bring the means of communications in Egypt up to modern strategic requirements, the Egyptian Government will construct and maintain the following roads, bridges and railways :—

(A)—Roads

- (i) Ismailia-Alexandria, via Tel-el-Kebir, Zagazig, Zifta, Tanta, Kafr-el-Zayat, Damanhour.
- (ii) Ismailia-Cairo, via Tel-el-Kebir and thence continuing along the Sweet Water Canal to Heliopolis.
- (iii) Port Said-Ismailia-Suez.
- (iv) A link between the south end of the Great **Bitter Lake** and the Cairo-Suez road about 15 miles west of Suez,

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In order to bring them up to the general standard of good-class roads for general traffic, these roads will be 20 feet wide, have bye-passes round villages, etc., and be made of such material as to be permanently utilisable for military purposes, and will be constructed in the above order of importance. They will comply with the technical specifications set out below which are the ordinary specifications for a good-class road for general traffic.

Bridges and roads shall be capable of carrying a double line of continuous columns of either heavy four-wheeled mechanical transport, six-wheeled mechanical transport or medium tanks. With regard to four-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of the vehicle next ahead shall be calculated at 20 feet, the load on each rear axle to be 14 tons, on each front axle to be 6 tons, and the distance between axles 18 feet. With regard to six-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of that next ahead shall be calculated to be 20 feet, between rear axle and middle axle to be 4 feet and between middle axle and front axle 13 feet; the load on each rear and middle axle to be 8.1 tons and on each front axle to be 4 tons. Tanks shall be calculated for as weighing 19.25 tons, to be 25 feet over all in length and to have a distance of 3 feet between the front of one tank and the rear of the next ahead; the load of 19.25 tons to be carried by tracks which have a bearing of 13 feet upon the road or bridge.

(B)—Railways

(i) Railway facilities in the Canal Zone will be increased and improved to meet the needs of the increased garrison in the zone and to provide facilities for rapid entrainment of personnel, guns, vehicles and stores according to the requirements of a modern army. His Majesty's Government in the United Kingdom are hereby authorised to make at their own expense such subsequent additions and modifications to these railway facilities as the future requirements of the British forces may demand. Where such additions or modifications affect railway lines used for general traffic, the permission of the Egyptian Government must be obtained.

(ii) The line between Zagazig and Tanta will be doubled.

(iii) The Alexandria-Mersa Matruh line will be improved and made permanent.

7. In addition to the roads specified in paragraph 6 (A) above, and for the same purposes, the Egyptian Government will construct and maintain the following roads :—

(i) Cairo south along the Nile to Kana and Kus ;

(ii) Kus to Kosseir ;

(iii) Kena to Hurghada.

These roads and the bridges thereon will be constructed to satisfy the same standards as those specified in paragraph 6 above.

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It may not be possible for the construction of the roads referred to in this paragraph to be undertaken at the same time as *the* roads referred to in paragraph 6, but they will be constructed as soon as possible.

8. When, to the satisfaction of both the High Contracting Parties, the accommodation referred to in paragraph 4 is ready (accommodation for the forces retained temporarily at Alexandria in accordance with paragraph 18 below not being included) and the works referred to in paragraph 6 above (other than the railways referred to in (ii) and (iii) of part (B) of that paragraph) have been completed, then the British forces in parts of Egypt other than the areas in the Canal Zone specified in paragraph 2 above and except for those maintained temporarily at Alexandria, will withdraw and the lands, barracks, aircraft landing grounds, seaplane anchorages and accommodation occupied by them will be vacated and, save in so far as they may belong to private persons, be handed over to the Egyptian Government.

9. Any difference of opinion between the two Governments relating to the execution of paragraphs 3, 4, 5, 6, 7 and 8 above will be submitted to the decision of an Arbitral Board, composed of three members, the two Governments nominating each a member and the third being nominated by the two Governments in common agreement. The decision of the Board shall be final.

10. In order to ensure the proper training of British troops, it is agreed that the area defined below will be available for the training of British forces : (a) and (b) at all times of the year, and (c) during February and March for annual manoeuvres :—

- (a) West of the Canal: From Kantara in the north to the Suez-Cairo railway (inclusive) in the south and as far as longitude 31 degrees 30 minutes east, exclusive of all cultivation ;
- (b) East of the Canal as required;
- (c) A continuation of (a) as far south as latitude 29 degrees 52 minutes north, thence south-east to the junction of latitude 29 degrees 30 minutes north and longitude 31 degrees 44 minutes east and from that point eastwards along altitude 29 degrees 30 minutes north.

The areas of the localities referred to above are included in the map (scale 1 : 500,000) which is annexed to the present Treaty.

11. Unless the two Governments agree to the contrary, the Egyptian Government will prohibit the passage of aircraft over the territories situated on either side of the Suez Canal and within 20 kilometres of it, except for the purpose of passage from east to west or vice versa by means of a corridor 10 kilometres wide at Kantara. This prohibition will not, however, apply to the forces of the High Contracting Parties, or to genuinely Egyptian air organisations or to air organisations genuinely belonging to

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any part of the British Commonwealth of Nations operating under the authority of the Egyptian Government.

12. The Egyptian Government will provide when necessary reasonable means of communication and access to and from the localities where the British forces are situated, and will also accord facilities at Port Said and Suez for the landing and storage of material and supplies for the British forces, including the maintenance of a small detachment of the British forces in these ports to handle and guard this material and these supplies in transit.

13. In view of the fact that the speed and range of modern aircraft necessitate the use of wide areas for the efficient training of air forces, the Egyptian Government will accord permission to the British air forces to fly wherever they consider it necessary for the purpose of training. Reciprocal treatment will be accorded to Egyptian air forces in British territories.

14. In view of the fact that the safety of flying is dependent upon provision of a large number of places where aircraft can alight, the Egyptian Government will secure the maintenance and constant availability of adequate landing grounds and seaplane anchorages in Egyptian territory and waters. The Egyptian Government will accede to any request from the British air forces for such additional landing grounds and seaplane anchorages as experience may show to be necessary to make the number adequate for allied requirements.

15. The Egyptian Government will accord permission for the British air forces to use the said landing grounds and seaplane anchorages, and in the case of certain of them to send stocks of fuel and stores thereto, to be kept in sheds to be erected thereon for this purpose, and in case of urgency to undertake such work as may be necessary for the safety of aircraft.

16. The Egyptian Government will give all necessary facilities for the passage of the personnel of the British forces, aircraft and stores to and from the said landing grounds and seaplane anchorages. Similar facilities will be afforded to the personnel, aircraft and stores of the Egyptian forces at the air bases of the British forces.

17. The British military authorities shall be at liberty to request permission from the Egyptian Government to send parties of officers in civilian clothes to the Western Desert to study the ground and draw up tactical schemes. This permission shall not be unreasonably withheld.

18. His Majesty the King of Egypt -authorises His Majesty The King and Emperor to maintain units of his forces at or near Alexandria for a period not exceeding eight years from the date of the coming into force of the present treaty, this being the approximate period considered necessary by the two High Contracting Parties.

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(a) For the final completion of the barrack accommodation in the Canal zone ;

(b) For the improvement of the roads—

- (i) Cairo-Suez ;
- (ii) Cairo-Alexandria via Giza and the desert;
- (iii) Alexandria-Mersa Matruh;

so as to bring them to the standard specified in part (A) of paragraph 6 ;

(c) The improvement of the railway facilities between Ismailia and Alexandria, and Alexandria and Mersa Matruh referred to in (ii) and (iii) of part (B) of paragraph 6.

The Egyptian Government will complete the work specified in (a), (b) and (c) above before the expiry of the period of eight years aforesaid. The roads and railway facilities mentioned above will, of course, be maintained by the Egyptian Government.

19. The British forces in or near Cairo shall, until the time for withdrawal under paragraph 8 above, and the British forces in or near Alexandria until the expiry of the time specified in paragraph 18 above, continue to enjoy the same facilities as at present. •

Article 9

The immunities and privileges in jurisdictional and fiscal matters to be enjoyed by the forces of His Majesty The King and Emperor who are in Egypt in accordance with the provisions of the present treaty will be determined in a separate convention to be concluded between the Egyptian Government and His Majesty's Government in the United Kingdom.

Article 10

Nothing in the present treaty is intended to or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Covenant of the League of Nations or the Treaty for the Renunciation of War signed at Paris on the 27th August, 1928.

Article II

1. While reserving liberty to conclude new conventions in future, modifying the agreements of the 19th January and the 10th July, 1899, the High Contracting Parties agree that the administration of the Sudan shall continue to be that resulting from the said agreements. The Governor-General shall continue to exercise on the joint behalf of the High Contracting Parties the powers conferred upon him by the said agreements.

The High Contracting Parties agree that the primary aim of their administration in thp Sudan must be the welfare of the Sudanese.

Nothing in this article prejudices the question of sovereignty over the Sudan.

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2. Appointments and promotions of officials in the Sudan will in consequence remain vested in the Governor-General, who, in making new appointments to posts for which qualified Sudanese are not available, will select suitable candidates of British and Egyptian nationality.

3. In addition to Sudanese troops, both British and Egyptian troops shall be placed at the disposal of the Governor-General for the defence of the Sudan.

4. Egyptian immigration into the Sudan shall be unrestricted except for reasons of public order and health.

5. There shall be no discrimination in the Sudan between British subjects and Egyptian nationals in matters of commerce, immigration or the possession of property.

6. The High Contracting Parties are agreed on the provisions set out in the Annex to this Article as regards the method by which international conventions are to be made applicable to the Sudan.

Annex to Article n

1. Unless and until the High Contracting Parties agree to the contrary in application of paragraph I of this Article, the general principle for the future shall be that international conventions shall only become applicable to the Sudan by the joint action of the Governments of the United Kingdom and of Egypt, and that such joint action shall similarly also be required if it is desired to terminate the participation of the Sudan in an international convention which already applies to this territory.

2. Conventions to which it will be desired that the Sudan should be a party will generally be conventions of a technical or humanitarian character. Such conventions almost invariably contain a provision for subsequent accession, and in such cases this method of making the convention applicable to the Sudan will be adopted. Accession will be effected by a joint instrument, signed on behalf of Egypt and the United Kingdom respectively by two persons duly authorized for the purpose. The method of depositing the instruments of accession will be the subject of agreement in each case between the two Governments. In the event of its being desired to apply to the Sudan a convention which does not contain an accession clause, the method by which this should be effected will be the subject of consultation and agreement between the two Governments.

3. If the Sudan is already a party to a convention, and it is desired to terminate the participation of the Sudan therein, the necessary notice of termination will be given jointly by the United Kingdom and by Egypt.

4. It is understood that the participation of the Sudan in a convention and the termination of such participation can only be effected by joint action specifically taken in respect of the Sudan,

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and does not follow merely from the fact that the United Kingdom and Egypt are both parties to a convention or have both ddhounced a convention.

5. At international conferences where such conventions are negotiated, the Egyptian and the United Kingdom delegates would naturally keep in touch with a view to any action which they may agree to be desirable in the interests of the Sudan.

Article 12

His Majesty The King and Emperor recognizes that the responsibility for the lives and property of foreigners in Egypt devolves exclusively upon the Egyptian Government, who will ensure the fulfilment of their obligations in this respect.

Article 13

His Majesty The King and Emperor recognizes that the capitulatory regime now existing in Egypt is no longer in accordance with the spirit of the times and with the present state of Egypt.

His Majesty the King of Egypt desires the abolition of this regime without delay.

Both High Contracting Parties are agreed upon the arrangements with regard to this matter as set forth in the Annex to this Article.

Annex to Article 13

1. It is the object of the arrangements set out in this Annex :—

- (i) To bring about speedily the abolition of the Capitulations in Egypt with the disappearance of the existing restrictions on Egyptian sovereignty in the matter of the application of Egyptian legislation (including financial legislation) to foreigners as its necessary consequence ;
- (ii) To institute a transitional regime for a reasonable and not unduly prolonged period to be fixed, during which the Mixed Tribunals will remain and will, in addition to their present judicial jurisdiction, exercise the jurisdiction at present vested in the Consular Courts.

At the end of this transitional period the Egyptian Government will be free to dispense with the Mixed Tribunals.

2. As a first step, the Egyptian Government will approach the Capitulatory Powers as soon as possible with a view to (a) the removal of all restrictions on the application of Egyptian legislation to foreigners, and (b) the institution of a transitional r6gime for the Mixed Tribunals as provided in paragraph 1 (ii) above.

3. His Majesty's Government in the United Kingdom, as the Government of a Capitulatory Power and as an ally of Egypt, are in no way opposed to the arrangements referred to in the preceding paragraph and will collaborate actively with the Egyptian Govern-

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ment in giving effect to them by using all their influence with the Powers exercising capitulatory rights in Egypt.

4. It is understood that in the event of its being found impossible to bring into effect the arrangements referred to in paragraph 2, the Egyptian Government retains its full rights unimpaired with regard to the capitulatory regime, including the Mixed Tribunals.

5. It is understood that paragraph 2 (a) involves not merely that the assent of the Capitulatory Powers will be no longer necessary for the application of any Egyptian legislation to their nationals, but also that the present legislative functions of the Mixed Tribunals as regards the application of Egyptian legislation to foreigners will terminate. It would follow from this that the Mixed Tribunals in their judicial capacity would no longer have to pronounce upon the validity of the application to foreigners of an Egyptian law or decree which has been applied to foreigners by the Egyptian Parliament or Government, as the case may be.

6. His Majesty the King of Egypt hereby declares that no Egyptian legislation made applicable to foreigners will be inconsistent with the principles generally adopted in modern legislation or, with particular relation to legislation of a fiscal nature, discriminate against foreigners, including foreign corporate bodies.

7. In view of the fact that it is the practice in most countries to apply to foreigners the law of their nationality in matters of "statut personnel", consideration will be given to the desirability of excepting from the transfer of jurisdiction, at any rate in the first place, matters relating to "statut personnel" affecting nationals of those Capitulatory Powers who wish that their Consular authorities should continue to exercise such jurisdiction.

8. The transitional regime for the Mixed Tribunals and the transfer to them of the jurisdiction at present exercised by the Consular Courts (which regime and transfer will, of course, be subject to the provisions of the special convention referred to in Article 9) will necessitate the revision of existing laws relating to the organisation and jurisdiction of the Mixed Tribunals, including the preparation and promulgation of a new Code of Criminal Procedure. It is understood that this revision will include amongst other matters :—

- (i) The definition of the word "foreigner" for the purpose of the future jurisdiction of the Mixed Tribunals ;
- (ii) The increase of the personnel of the Mixed Tribunals and the Mixed Parquet, which will be necessitated by the proposed extension of their jurisdiction.
- (iii) The procedure in the case of pardons or remissions of sentences imposed on foreigners and also in connection with the execution of capital sentences passed on foreigners.

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Article 14

The present treaty abrogates any existing agreements or other instruments whose continued existence is inconsistent with its provisions. Should either High Contracting Party so request, a list of the agreements and instruments thus abrogated shall be drawn up in agreement between them within six months of the coming into force of the present treaty.

Article 15

The High Contracting Parties agree that any difference on the subject of the application or interpretation of the provisions of the present treaty which they are unable to settle by direct negotiation shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

Article 16

At any time after the expiration of a period of twenty years from the coming into force of the treaty, the High Contracting Parties will, at the request of either of them, enter into negotiation with a view to such revision of its terms by agreement between them as may be appropriate in the circumstances as they then exist. In the case of the High Contracting Parties being unable to agree upon the terms of the revised treaty, the difference will be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present treaty or to such other person or body of persons for decision in accordance with such procedure as the High Contracting Parties may agree. It is agreed that any revision of this treaty will provide for the continuation of the Alliance between the High Contracting Parties in accordance with the principles contained in Articles 4, 5, 6 and 7. Nevertheless, with the consent of both High Contracting Parties, negotiations may be entered into at any time after the expiration of a period of ten years after the coming into force of the treaty, with a view to such revision as aforesaid.

Article 17

The present treaty is subject to ratification. Ratifications shall be exchanged in Cairo as soon as possible. The treaty shall come into force on the date of the exchange of ratifications, and shall thereupon be registered with the Secretary-General of the League of Nations.

In witness whereof the above-named plenipotentiaries have signed the present treaty and affixed thereto their seals.

Done in London in duplicate this 26th day of August, 1936.

APPENDIX 5

THE SYKES-PICOT AGREEMENT,
MAY 16TH, 1916

*(Also known as the Anglo-Franco-Russian Agreement)*¹

1. France and Great Britain are prepared to recognise an independent Arab State or a Confederation of Arab States in the areas shown as A and B on the annexed map, under the suzerainty of an Arab chief. France in Area (A) and Great Britain in Area (B) shall have the right to priority in enterprises and local loans. France in Area (A) and Great Britain in Area (B) shall alone supply foreign advisers or officials on the request of the Arab State or the Confederation of Arab States.

2. France in the Blue Area and Great Britain in the Red Area shall be at liberty to establish such direct or indirect administration or control as they may desire or as they deem fit to establish after agreement with the Arab State or Confederation of Arab States.

3. In the Brown Area there would be established an international administration of which the form would be decided upon after consultation with Russia, and after subsequent agreement with the other Allies and the representatives of the Sharif of Mecca.

4. There shall be accorded to Great Britain :—

(a) The ports of Haifa and Acre ;

(b) Guarantee of a specific supply of water from the Tigris and the Euphrates in Area (A) for Area (B).

His Majesty's Government, on their part, undertake that they would at no time initiate negotiations for the concession of Cyprus to any third Power without the previous consent of the French Government.

5. Alexandretta should be a free port as regards the trade of the British Empire and there shall be no differentiation in treatment with regard to port dues or the extension of special privileges affecting British shipping and commerce ; there shall be freedom of transit for British goods through Alexandretta and over railways through the Blue Area, whether such goods are going to or coming from the Red Area, Area (A) or Area (B) ; and there shall be no differentiation in treatment direct or indirect, at the expense of British goods on any railway or of British goods and shipping in any port serving the area in question.

¹Text from A. Geannini, *Documenti per la Storia della Pace Orientale*, Rome, 1933. This is taken from the French text.

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Haifa shall be a free port as regards the trade of France, her colonies and protectorates, and there shall be no differentiation in treatment or privilege with regard to port dues against French shipping and commerce.

There shall be freedom of transit through Haifa and over British railways through the Brown Area, whether such goods are coming to or going to the Blue Area, Area (A) or Area (B) and there shall be no differentiation in treatment direct or indirect at the expense of French goods on any railway or of French goods and shipping in any port serving the areas in question.

6. In Area (A) the Baghdad railway shall not be extended southwards beyond Mosul, and in Area (B) it shall not be extended northwards beyond Samarra, until a railway connecting Baghdad with Aleppo along the basin of the Euphrates will have been completed, and then only with the concurrence of the two Governments.

7. Great Britain shall have the right to build, administer and be the sole owner of the railway connecting Haifa with Area (B). She shall have in addition the right in perpetuity of carrying troops on that line. It is understood by both Governments that this railway is intended to facilitate communication between Baghdad and Haifa and that it is further understood that in the event of technical difficulties and the expenditure incurred in the maintenance of this line in the Brown Area rendering the execution of the project impracticable the French Government will be prepared to consider plans for enabling the line in question to traverse the polygon formed by the line Banias-Umm Quais-Salkhad-Tell 'Osda-Mismieh before reaching Area (B).

8. For a period of 20 years the Turkish Customs tariff shall remain in force throughout the Blue and Red Areas as well as in Areas A and B, and no increase in the rates of duties and no alteration of 'ad valorem' duties into specific duties shall be made without the consent of the two Powers.

There shall be no external customs barriers between any of the areas mentioned above. The customs duties to be levelled on goods destined for the interior shall be levied at the ports of entry and remitted to the Administration of the area of destination.

9. It is understood that the French Government will at no time initiate any negotiations for the cession of their rights and will not cede their prospective rights in the Blue Area to any third Power other than the Arab State or Confederation of Arab States, without the previous consent of His Majesty's Government who on their part, give the French Government a similar undertaking in respect of the Red Area.

10. The British and the French Governments shall agree to abstain from acquiring and to withhold their consent to a third Power, acquiring territorial possessions in the Arabian **Peninsula**;

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nor shall they consent to the construction by a third Power of a naval base in the islands on the eastern seaboard of the Red Sea. This, however, will not prevent such rectification of the Aden boundary as might be found necessary in view of the recent Turkish attack.

11. The negotiations with the Arabs concerning the frontiers of the Arab State or Confederation of Arab States shall be pursued through the same channel as heretofore in the name 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.

APPENDIX 6

ANGLO-FRENCH AGREEMENT ON THE LEVANT STATES,
DECEMBER, 1945

ON December 13th, 1945, in the House of Commons Mr. Bevin, United Kingdom Secretary for Foreign Affairs, made the following statement with regard to the withdrawal of French and British troops from Syria and the Lebanon :—

" The exchanges of views relating to Levant and Near Eastern questions which took place between Mr. Bevin and M. Bidault last September on the occasion of the Five Foreign Ministers' Conference, have since continued through the diplomatic channel. Carried on in a spirit of friendship and mutual confidence, these discussions have just resulted in an Agreement on the various aspects of the problems under consideration.

" Inspired by the desire to eliminate in a lasting manner all differences of policy capable of prejudicing their respective interests, and damaging the good understanding which they propose to make even closer, the two Governments have recognised that it was in their joint interest to encourage, within the framework of international collaboration, the economic well-being and security of the peoples of the Middle East.

" Moreover, equally desirous of assuring to Syria and the Lebanon the full exercise of the independence proclaimed by France in 1941 and consecrated by the admission of these States into the United Nations, and in the wish to draw the natural conclusions arising from the end of hostilities with regard to the Allied military dispositions in the Levant, they have decided jointly to examine the conditions for a methodical re-grouping and withdrawal of their military forces in this zone.

" British and French military experts will meet for this purpose at Beirut on December 21st, 1945. One of their essential tasks will be to fix a very early date for the first measures of evacuation."¹

Hansard, Commons, December 13th, 1945, Cols. 627-628.

APPENDIX 7

ANGLO-FRENCH POLICY IN THE LEVANT

THE following texts represent the statements of policy with regard to the joint withdrawal of British and French troops from the Levant States and the desirability of contributing to the welfare of the Middle East as a whole, which were agreed by His Majesty's Government and the French Government. They were communicated in an exchange of letters between His Majesty's Principal Secretary of State for Foreign Affairs and the French Ambassador, dated December 13th, 1945.

" British and French military experts will meet at Beirut on December 21st, 1945, to draw up the details of a programme for evacuation by stages, with a corresponding re-grouping of forces.

" One of the objects of this discussion will be to fix a very early date on which the withdrawal will begin.

" It is understood that the evacuation of Syria shall be carried out *pari passu*, in such a way as to be completed at the same time by the British and French forces.

" The programme of evacuation will be drawn up in such a way that it will ensure the maintenance in the Levant of sufficient forces to guarantee security, until such time as the United Nations Organisation has decided on the organisation of collective security in this zone.

" Until these arrangements have been carried out, the French Government will retain forces re-grouped in the Lebanon.

" His Majesty's Government in the United Kingdom and the French Government will inform the Lebanese and Syrian Governments of the details of the evacuation, and will invite those Governments to appoint as soon as possible representatives empowered to discuss the dispositions to be jointly agreed upon as a result of these decisions.

" The discussions will also deal with the measures to be taken in order to enable the Lebanese and Syrian Governments to discharge their duty of maintaining order.

" The Provisional Government of the French Republic and His Majesty's Government in the United Kingdom, having examined the situation in the Middle East, declare that they are animated by the same intention to do what is required of them to ensure that the independence which has been promised to the countries in question, shall be assured and respected.

" The two Governments are agreed that it is in their mutual

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interest to promote, in collaboration with other Governments, the economic well-being of the peoples of this region in conditions of peace and security. They will exchange information as may be required regarding the best means by which this object may be attained. It is their desire that by such exchanges of information they will be able to avoid divergences of policy which might impair their mutual interests. Each Government affirms its intention of doing nothing to supplant the interests or responsibilities of the other in the Middle East, having full regard to the political status of the countries in question.

" It is in this spirit that they will examine any proposals submitted to the United Nations Organisation on the subject of collective security."¹

'Foreign Office News Department, 21.12.45.

THE PALESTINE MANDATE

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 connection 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 afore-mentioned 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.

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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 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 co-operation 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,

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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 afore-mentioned 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 Wakfs 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 need 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.

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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 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 concerned 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.**

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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 organise 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.

BRITAIN AND THE ARAB STATES

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 nations of all States Members of the League of Nations.

(1)

"Antiquity " means any construction or any product of human activity earlier than the year A.D. 1700.

(2)

The law for the protection of antiquities shall proceed by encouragement rather than by threat.

Any person who, having discovered an antiquity without being furnished with the authorisation referred to in paragraph 5, reports *> the same to an official of the competent Department, shall be rewarded according to the value of the discovery.

(3)

No antiquity may be disposed of except to the competent Department, unless this Department renounces the acquisition of any such antiquity.

No antiquity may leave the country without an export licence from the said Department.

(4)

Any person who maliciously or negligently destroys or damages an antiquity shall be liable to a penalty to be fixed.

(5)

No clearing of ground or digging with the object of finding antiquities shall be permitted, under penalty of fine, except to persons authorised by the competent Department.

A P P E N D I C E S

Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archaeological interest.

(7)
Authorisation to excavate shall only be granted to persons who show sufficient guarantees of archaeological experience. The Administration of Palestine shall not, in granting these authorisations, act in such a way to exclude scholars of any nation without good grounds.

(8)
The proceeds of excavations may be divided between the excavator and the competent Department in a proportion fixed by that Department. If division seems impossible for scientific reasons, the excavator shall receive a fair indemnity in lieu of a part of the find.

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 recognise 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.

BRITAIN AND THE ARAB STATES

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 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.

APPENDIX 9

TERMS OF REFERENCE OF THE ANGLO-AMERICAN COMMITTEE¹

The terms of reference that have been agreed between the United States Government and His Majesty's Government are as follows :—

(1) To examine political, economic and social conditions of 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 view 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 paragraph 1 and paragraph 2 above, and by other relevant facts and circumstances, and to make recommendations to His Majesty's Government and to the Government of the United States for *ad interim* handling of those problems, as well as for their permanent solution.

(4) To make such other recommendation 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.

¹ *Hansard, Commons*, 13.11.45, cols. 1930-1936.

APPENDIX 10

PALESTINE : REPORT OF THE ANGLO-AMERICAN COMMITTEE OF ENQUIRY

THE report of the Anglo-American Committee of Enquiry regarding the problems of European Jewry and Palestine was presented simultaneously to His Majesty's Government and the United States Government and issued as a *Blue book*, Cmd. 6808 by His Majesty's Stationery Office on April 20th, 1946.

The Committee's report contains ten recommendations and comment together with detailed appendices. The recommendations are as follows :—

THE EUROPEAN PROBLEM

Recommendation No.i.

" 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 endeavour 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 endeavour 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 ' ."

REFUGEE IMMIGRATION INTO PALESTINE

Recommendation No. 2.

" We recommend (a) that 100,000 certificates be authorised immediately for the admission into Palestine of Jews who have been the victims of Nazi and Fascist persecution; (b) that these

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certificates be awarded as far as possible in 1946 and that actual immigration be pushed forward as rapidly as conditions will permit."

PRINCIPLES OF GOVERNMENT : NO ARAB, NO JEWISH STATE

Recommendation No. 3.

" In order to dispose, once and for all, of the exclusive claim 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 ; (hi) 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."

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."

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.**"

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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 defines 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 V

LAND POLICY

Recommendation No. 7.

" (a) 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, (b) 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, (c) 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."

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 co-operation 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 co-operation not only with the Jewish Agency but also with the Governments of neighbouring Arab States directly affected."

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EDUCATION

Recommendation No. 9.

"We recommend that, in the interests of the conciliation of the two peoples and of the general improvement of the Arab standard of living, the education system of both Jews and Arabs be reformed, including the introduction of compulsory education within a reasonable time."

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 organisation 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 co-operation 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."

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PROPOSALS SUBMITTED BY THE DELEGATIONS OF THE ARAB GOVERNMENTS TO THE PALESTINE CONFERENCE, 1946¹

(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 Palestinian nationality. The legislative and executive powers of the 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) Simultaneously, the High Commissioner would initiate the preparation by the Provisional Government of an electoral lagister on the basis of one stage adult male suffrage. As soon as this register was prepared, the 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 numbers.

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 Arab§ and Jews in the Legislative Assembly. The method of election of the Constituent Assembly would similarly be without prejudice to the permanent electoral law (see paragraph 5 below).

(3) The Provisional Government would prepare and submit to the Constituent Assembly a draft constitution for Palestine. If the Constituent Assembly proved unable to reach decision on the terms of the constitution within a period of six months from the date of its opening, the Provisional Government would reconsider their draft in the light of the Assembly's debates, would revise it if necessary, and would then enact it themselves.

(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,

¹ *Arab News Bulletin*, No. 23, October, 1946.

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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 should 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 naturalization should provide amongst other conditions 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 :—
 - (1) Any person falling under Part I and subject to (3) below any person falling under Part II of the Palestinian Citizenship Order, 1925-41.
 - (2) Any person who acquired Palestinian citizenship by naturalization 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.
 - (4) Any person who in future acquires Palestinian citizenship by naturalization under the new law of naturalization referred to in sub-paragraph (v) above.
 - (b) The right of any resident in Palestine to apply for and acquire Palestinian citizenship on the same terms and conditions without discrimination on the 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**.

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- (d) The right of Jews to employ the Hebrew language as second official language in districts where they form an absolute majority.
 - (e) i. 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 members of the Legislative Assembly,
 - (viii) The guarantees concerning the Holy Places should be embodied in a declaration made to the General Assembly of the United Nations by the independent Palestine State, which would bind itself thereby that those guarantees should not subsequently be modified without the consent of that Assembly,
 - (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 should be provided, through the establishment of a Supreme Court, for determining whether any legislation is inconsistent with the provisions of the constitution, and it should be open to any citizen of Palestine to have recourse to that tribunal.
- (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 recognise 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.

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(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 not later than the 31st December, 1948.

TEXT OF TREATY OF ALLIANCE BETWEEN HIS MAJESTY
IN RESPECT OF THE UNITED KINGDOM
AND HIS MAJESTY THE KING OF THE HASHEMITE
KINGDOM, TRANS JORDAN, SIGNED AT AMMAN,
15TH MARCH, 1948¹

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas and His Majesty the King of Trans-Jordan ;

Animated by the most sincere desire to consolidate the friendship and good relations which exist between them and to establish these relations on the foundations best calculated to ensure the development of this friendship ;

Desiring to conclude a new Treaty of Alliance with these objects and in order to strengthen by co-operation and mutual assistance the contribution which each of them will be able to make to the maintenance of international peace and security in accordance with the provisions and principles of the Charter of the United Nations : have accordingly appointed as their plenipotentiaries:—(follows list) who having exhibited their full powers found in good and due form have agreed as follows :—

Article 1. There shall be perpetual peace and friendship between His Britannic Majesty and His Majesty the King of Transjordan.

A close alliance shall continue between the High Contracting Parties in consecration of their friendship, their cordial understanding and their good relations.

Each of the High Contracting Parties undertakes not to adopt in regard to foreign countries an attitude, which is inconsistent with the Alliance or might create difficulties for the other party thereto.

Article 2. Should any dispute between either High Contracting Party and a third State produce a situation which would involve the risk of a rupture with that State, the High Contracting Parties will concert together with a view to the settlement of the said dispute by peaceful means in accordance with the provisions of the Charter of the United Nations and of any other international obligations which may be applicable to the case.

Article 3. Should either High Contracting Party not with-
¹ *White Paper, Cmd. 7368.*

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standing the provisions of Article 2 become engaged in war, the other High Contracting Party will, subject always to the provisions of Article 4 immediately come to his aid as a measure of collective defence.

In the event of an imminent menace of hostilities the High Contracting Parties will immediately concert together the necessary measures of defence.

Article 4. Nothing in the present Treaty is intended to, or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Charter of the United Nations or under any other existing international agreements, conventions or treaties.

Article 5. The present Treaty of which the Annex is an integral part shall replace the Treaty of Alliance signed in London on 22nd March, 1946, of the Christian Era, together with its Annex and all Letters and Notes, interpreting or otherwise exchanged in 1946 in connexion therewith, provided however, that Article 9 of the said Treaty shall remain in force in accordance with and as modified by the notes exchanged Oil this day on this subject.

Article 6. Should any difference arise relative to the application or interpretation of the present Treaty and should the High Contracting Parties fail to settle such difference by direct negotiation, it shall be referred to the International Court of Justice unless the parties agree to another mode of settlement.

Article 7. The present Treaty shall be ratified and shall come into force upon the exchange of instruments of ratification which shall take place in London as soon as possible. It shall remain in force for a period of 20 years from the date of its coming into force. At any time after 15 years from the date of the coming into force of the present Treaty, the High Contracting Parties will at the request of either of them, negotiate a revised Treaty which shall provide for the continued co-operation of the High Contracting Parties in the defence of their common interest. The period of 15 years shall be reduced if a complete system of security agreements under Article 43 of the Charter of the United Nations is concluded before the expiry of this period. At the end of 20 years, if the present Treaty has not been revised, it shall remain in force until the expiry of one year after notice of termination has been given by either High Contracting Party to the other through the diplomatic channel.

In witness whereof the above-named plenipotentiaries have signed the present Treaty and affixed thereto their seals.

Done in duplicate at Amman, this 15th day of March, 1948, in the English and Arabic languages, both the texts being equally authentic.

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Article 1 (a) The High Contracting Parties recognise that, in the common interests of both, each of them must be in a position to discharge his obligations under Article 3 of the Treaty.

(b) In the event of either High Contracting Party becoming engaged in war, or of a menace of hostilities, each High Contracting Party will invite the other to bring to his territory or territory controlled by him the necessary forces of all arms. Each will furnish to the other all the facilities and assistance in his power, including the use of all means and lines of communication, and on financial terms to be agreed upon.

(c) His Majesty the King of Transjordan will safeguard, maintain and develop as necessary the airfields, ports, roads, and other means and lines of communication in and across Transjordan as may be required for the purposes of the present treaty and its annex and will call upon His Britannic Majesty's assistance as may be required for this purpose.

(d) Until such time as the High Contracting Parties agree that the state of world security renders such measures unnecessary, His Majesty the King of Transjordan invites His Britannic Majesty to maintain units of the Royal Air Force at Amman and Mafrak airfields. His Majesty the King of Transjordan will provide all the necessary facilities for the accommodation and maintenance of the units mentioned in this paragraph, including facilities for the storage of their ammunition and supplies and the lease of any land required.

Article 2. In the common defence interests of the High Contracting Parties a permanent joint advisory body will be set up immediately on the coming into force of the present Treaty to co-ordinate defence matters between the Governments of the High Contracting Parties within the scope of the present Treaty.

This body, which will be known as the Anglo-Trans Jordan Joint Defence Board, will be composed of competent military representatives of the Governments of the High Contracting Parties in equal numbers, and its functions will include :—

- (a)* The formulation of agreed plans in the strategic interests common to both countries.
- (b)* Immediate consultation in the event of any threat of war.
- (c)* The co-ordination of measures to enable the forces of either High Contracting Party to fulfil their obligations under Article 3 of the present Treaty and in particular measures for the safeguarding, maintenance and development of the airfields, ports and lines of communication referred to in Article 1 (c) of this Annex.

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- (d)' Consultation regarding training and the provision of equipment. The Joint Defence Board shall submit annual reports thereon and recommendations to the Governments of the two High Contracting Parties. •
- (e) Arrangements regarding the Joint training operations referred to in Article 6 of this Annex.
- (f) The consideration of and if necessary recommendation for the location of His Britannic Majesty forces at places in Transjordan other than those provided for in Article 1 (d) of this Annex.

Article 3. His Britannic Majesty will reimburse to His Majesty the King of Transjordan all expenditure which the Transjordan Government may incur in connexion with the provision of facilities under Article 1 (c) and (d) of the present Annex and will repair or pay compensation for any damage due to the actions of members of His Britannic Majesty's armed forces, other than damage caused in military operations undertaken in accordance with Article 3 of the present Treaty.

Article 4. His Majesty the King of Transjordan agrees to atford on request all necessary facilities for the movement of units of His Britannic Majesty's forces in transit across Transjordan, with their supplies and equipment, on the same financial terms as those applicable to the forces of His Majesty the King of Transjordan.

Article 5. Pending the conclusion of an agreement between the High Contracting Parties defining in detail the jurisdictional and fiscal immunities of members of the forces of His Britannic Majesty in Transjordan, they will continue to enjoy the immunities which are accorded to them at present, including the provision that, in accordance with the established principles of international law governing the immunities of sovereigns and sovereign states no demand will be made for the payment by His Britannic Majesty of any Transjordan taxation in respect of immovable property leased or owned by His Britannic Majesty or in respect of his movable property, including customs duty on goods imported or exported by or on behalf of His Britannic Majesty. The privileges and immunities to be extended to the units and personnel of the armed forces of His Majesty the King of Transjordan visiting or present in British territory shall be defined in similar agreements on a reciprocal basis.

Article 6. In order that the armed forces of the High Contracting Parties should attain the necessary efficiency in co-operation with each other and in view of the desirability of establishing identity between the training and methods employed by the Transjordan and British forces respectively :—

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- (1) His Britannic Majesty offers appropriate facilities, in the United Kingdom and in any British colony or protectorate administered by the Government of the United Kingdom for the training of the armed forces of His Majesty the King of Transjordan.
- (2) His Britannic Majesty will make available operational units of his armed forces to engage in joint training operations with the armed forces of His Majesty the King of Transjordan for a sufficient period in each year.
- (3) His Majesty the King of Transjordan agrees to make available facilities in Transjordan for the purposes of this joint training.
- (4) His Britannic Majesty will provide on request any British service personnel whose services are required to ensure the efficiency of the military units of the forces of the King of Transjordan.
- (5) His Britannic Majesty will (a) afford all possible facilities to His Majesty the King of Transjordan for the military instruction of Transjordan officers at schools of instruction maintained for His Britannic Majesty's forces, and (b) provide arms, ammunition, equipment and aircraft and other war material for the forces of His Majesty the King of Transjordan.
- (6) His Majesty the King of Transjordan will (a) meet the cost of instruction and equipment referred to in paragraph (5) (a) and (b) above, (b) ensure that the armament and essential equipment of his forces shall not differ in type from those of the forces of His Britannic Majesty, (c) send any personnel of his forces, that may be sent abroad for training, to military schools, colleges and training centres maintained for His Britannic Majesty's forces.

Article 7. His Majesty the King of Transjordan gives permission for ships of His Britannic Majesty's navy to visit the ports of Transjordan at any time upon giving notification to the Government of Transjordan.

EXCHANGE OF NOTES

LETTER FROM H.M. MINISTER TO THE PRIME MINISTER OF TRANSJORDAN

Your Excellency,

On the occasion of the signature of the Treaty of Alliance between the United Kingdom of Great Britain and Northern Ireland and Transjordan I have the honour to assure Your Excellency that with a view to assisting the Transjordan Government in their desire

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to carry Out extensive plans in economic and social development His Majesty's Government in the United Kingdom will do all in their power to meet the requests of the Transjordan Government for the services of any experts or officials with technical qualifications of whom the Transjordan Government may stand in need.

LETTER FROM THE PRIME MINISTER OF TRANSJORDAN TO HIS
MAJESTY'S MINISTER

Your Excellency,

At the moment of the signature of the revised Treaty of Alliance I have the honour to state that although the new Treaty contains no provisions similar to those contained in Articles 2, 3, 8 and 10 of the Treaty of Alliance signed on the 22nd March, 1946, their omission does not imply any intention to derogate from the principles set forth in these Articles.

TO PRIME MINISTER, TRANSJORDAN, FROM HIS MAJESTY'S MINISTER
15th March, 1948.

Your Excellency,

In connection with Article 5 of the Treaty signed by us to-day I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom regret that they are not yet in the position to be able to negotiate a Commercial and Establishment Agreement with the Government of Transjordan, as provided in Article 9 of the Treaty of March 22nd, 1946.

I therefore have the honour to propose that the period of two years mentioned in paragraph 2 of Article 9 of the Treaty of 1946 shall be regarded as having been extended as from the 22nd March, 1948 for a further period of two years, and that subject to this amendment the said Article 9 shall continue to be operative for this further period.

TO His MAJESTY'S MINISTER FROM TAWFIK PASHA

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of to-day's date informing me that His Majesty's Government in the United Kingdom are not yet in a position to be able to negotiate a Commercial and Establishment Agreement with the Government of Transjordan as provided in Article 9 of the Treaty of Alliance of the 22nd March, 1946, and propose that the period of two years mentioned in paragraph 2 of Article 9 of that Treaty shall be extended as from the 22nd March, 1948, for a further period of two years and that subject to this amendment the said Article 9 shall continue to be operative for this further period.

I have the honour to inform you that the Transjordan Government agrees to this proposal.

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LETTER FROM HIS MAJESTY'S MINISTER TO THE TRANSJORDAN
PRIME MINISTER

In connexion with the Treaty signed by us to-day, I have the honour to inform Your Excellency that, as long as the Treaty is in force, His Britannic Majesty will in accordance with arrangements to be agreed upon annually by the High Contracting Parties afford financial assistance to His Majesty the King of Transjordan to enable him to carry out the obligations undertaken in Article 3.

TRANSJORDAN PRIME MINISTER TO HIS MAJESTY'S MINISTER
Your Excellency,

With reference to Article 4 of the Treaty signed by us to-day I desire on behalf of my Government to state that the Covenant of the League of Arab States signed on the 22nd March, 1945, is included among the existing international agreements to which this Article refers and is an agreement to which in this connexion my Government attaches particular importance.

TRANSJORDAN PRIME MINISTER TO HIS MAJESTY'S MINISTER

In connexion with Article 3 of the Annex to the Treaty of Alliance signed this day I have the honour to inform you that on the final evacuation of the British forces the Transjordan Government will either themselves take over at a fair valuation, having regard to the use to which they have been put, any buildings, installations or permanent structures which may have been constructed under the terms of Articles 1, 2 and 4 of the Annex to the Treaty of Alliance signed on the 22nd March, 1946, or which may be constructed under the terms of Articles 1 (c) and 1 (d) of the Annex to the Treaty of Alliance signed this day, or will afford such facilities as may reasonably be necessary to enable the Government of the United Kingdom to dispose thereof to the best advantage.

THE HADDA AGREEMENT¹

THE High British Government on its own part and His Highness 'Abdu'l-'Aziz ibn 'Abdu'r-Rahman al-Faisal al Sa'ud, Sultan of Nejd and its Dependencies on behalf of the Government of Nejd on his part, in view of the friendly relations which exist between them, being desirous of fixing the frontier between Nejd and Trans-Jordan and of settling certain questions connected therewith. The High British Government have named and appointed Sir Gilbert Clayton, K.B.E., C.B., C.M.G., as their Commissioner and Plenipotentiary, to conclude an Agreement for this purpose with Sultan 'Abdu'l-'Aziz ibn 'Abdu'r-Rahman al-Faisal al Sa'ud on behalf of Nejd.

In virtue of which the said Sultan 'Abdu'l-'Aziz ibn 'Abdu'r-Rahman al-Faisal al Sa'ud and the said Sir Gilbert Clayton, have agreed upon and concluded the following Articles :—

Article 1. The frontier between Nejd and Trans-Jordan starts in the north-east from the point of intersection of meridian 39° E. and parallel 32° N., which marks the termination of the frontier between Nejd and 'Iraq, and proceeds in a straight line to the point of intersection of meridian 37° E. and parallel $31^{\circ} 30'$ N., and thence along meridian 37° E. to the point of its intersection with parallel $31^{\circ} 25'$ N. From this point, it proceeds in a straight line to the point of intersection of meridian 38° E. and parallel 30° N., leaving all projecting edges of the Wadi Sirhan in Nejd territory; and then proceeds along meridian 38° E. to the point of its intersection with parallel $29^{\circ} 35'$ N.

The Map referred to in this Agreement is that known as the " International " Asia Map, 1 :1,000,000.

Article 2. The Government of Nejd undertake not to establish any fortified post at Kaf or utilise Kaf or the district in its neighbourhood as a military centre; and should they at any time consider it necessary to take exceptional measures in the neighbourhood of the frontier with a view to the maintenance of order or for any other purpose, involving the concentration of armed forces, they engage to notify His Majesty's Government without delay.

¹ Report by His Britannic Majesty's Government to the Council of the League of Nations on the Administration of Palestine and Transjordan for the Year 1926 (Colonial No. 26), also White Paper Cmd. 2566.

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The Government of Nejd undertake to prevent, by all the means at their disposal, any incursions by their forces into the territory of Trans-Jordan.

Article 3. In order to avoid misunderstanding over incidents which may arise in the neighbourhood of the frontier, and to promote mutual confidence and full co-operation between His Majesty's Government and the Government of Nejd, the two parties agree to maintain constant communication between the Chief British Representative in Trans-Jordan or his delegate and the Governor of the Wadi Sirhan.

Article 4. The Government of Nejd undertake to maintain all established rights that may be enjoyed in the Wadi Sirhan by tribes not under their jurisdiction, whether such rights appertain to grazing or to habitation, or to ownership, or the like ; it being understood that those tribes, so long as they reside within Nejd territory, will be subject to such internal laws as do not infringe those rights.

The Government of Trans-Jordan undertake to extend identical treatment to Nejd subjects who may enjoy similar established rights in Trans-Jordan territory.

Article 5. The Governments of Nejd and Trans-Jordan severally recognise that raiding by tribes settled in their territories into the territory of the other State is an aggression which necessitates the severe punishment of the perpetrators by the Government to which they are subject, and that the chief of the tribe committing such aggression is to be held responsible.

Article 6. (a) A special tribunal shall be set up, by agreement between the two Governments of Nejd and Trans-Jordan, which shall meet from time to time to enquire into the particulars of any aggression committed across the frontier between the two States, to assess the damages and losses and to fix the responsibility. This tribunal shall be composed of an equal number of representatives of the Governments of Nejd and Trans-Jordan, and its presidency shall be entrusted to an additional person, other than the aforesaid representatives, to be selected by the two Governments in agreement. The decision of this tribunal shall be final and executory.

(b) When the tribunal has fixed the responsibility, assessed the damages and losses resulting from the raid, and issued its decision in that respect, the Government to whom those found guilty are subject shall execute the aforesaid decision in accordance with tribal customs, and shall punish the guilty party in accordance with Article 5 of the present Agreement.

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Article 7. Tribes subject to one of the two Governments may not cross the frontier into the territory of the other Government except after obtaining a permit from their own Government and after the concurrence of the other Government, it being stipulated, however, in accordance with the principle of the freedom of grazing, that neither Government shall have the right to withhold such permit or concurrence if the migration of the tribe is due to grazing necessities.

Article 8. The two Governments of Nejd and Trans-Jordan undertake to stand in the way, by all the means at their disposal other than expulsion and the use of force, of the emigration of any tribe or section of a tribe from one of the two countries into the other unless its emigration takes place with the knowledge and consent of its Government. The two Governments undertake to abstain from offering any present of whatsoever kind to refugees from the territories of the other Government, and to look with disfavour on any of their subjects who may seek to entice tribes belonging to the other Government or to encourage them to emigrate from their country into the other country.

Article 9. The Governments of Nejd and Trans-Jordan may not correspond with the Chiefs and Sheikhs of tribes subject to the other State on official or political matters.

Article 10. The forces of Nejd and Trans-Jordan may not cross the common frontier in the pursuit of offenders, except with the consent of both Governments.

Article 11. Sheikhs of tribes who hold an official position or who have flags showing that they are the leaders of armed forces may not display their flags in the territory of the other State.

Article 12. Free passage will be granted by the Governments of Nejd and Trans-Jordan to travellers and pilgrims, provided they conform to those regulations affecting travel and pilgrimage which may be in force in Nejd and Trans-Jordan. Each Government will inform the other of any regulation issued by it in this matter.

Article 13. His Britannic Majesty's Government undertake to secure freedom of transit at all times to merchants who are subjects of Nejd for the prosecution of their trade between Nejd and Syria in both directions: and to secure exemption from Customs and other duty for all merchandise in transit which may cross the Mandated Territory on its way from Nejd to Syria or from Syria to Nejd, on condition that such merchants and their caravans shall submit to whatever Customs inspection may be necessary, **and that they shall**

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be in possession of a document from their Government Certifying that they are *bona fide* merchants; and provided that trading caravans carrying merchandise will follow established routes, to be agreed upon hereafter, for their entry into and their exit from the Mandated Territory; it being understood that the above restrictions will not apply to trading caravans whose trade is confined to camels and other animals, or to tribes migrating in accordance with the preceding Articles of the present Agreement.

His Britannic Majesty's Government further undertake to secure such other facilities as may be possible to merchants who are subjects of Nejd and who may cross the area under British Mandate.

Article 14. This Agreement will remain in force for so long as His Britannic Majesty's Government are entrusted with the Mandate for Trans-Jordan.

Article 15. The present Agreement has been drawn up in the two languages, English and Arabic, and each of the high contracting parties shall sign two English copies and two Arabic copies. Both texts shall have the same validity, but in case of divergence between the two in the interpretation of one or other of the Articles of the present Agreement, the English text shall prevail.

Article 16. The present Agreement will be known as the HADDA Agreement.

Signed at Bahra Camp on the 2nd November, 1925 (corresponding to the 15th Rabi 'Thani, 1344).

(Signed) GILBERT CLAYTON.
'ABDU'L-'AZIZ.

TREATY WITH IBN SAUD, 1915

*In the Name of God the Merciful and Compassionate**Preamble*

THE High British Government, on its own part, and Abdul Aziz bin Abdur Rahman bin Faisal al Saud, Ruler of Nejd, El Hase, Qatif and Jubail, and the towns and ports belonging to them, on behalf of himself, his heirs and successors, and tribesmen, being desirous of confirming and strengthening the friendly relations, which have for a long time existed between the two parties, and with a view to consolidating their respective interests—the British Government have named and appointed Lieutenant-Colonel Sir Percy Cox, K.C.S.I., K.C.I.E., British Resident in the Persian Gulf, as their Plenipotentiary, to conclude a treaty for this purpose with Abdul Aziz bin Abdur Rahman bin Faisal al Saud.

The said Lieutenant-Colonel Sir Percy Cox and Abdul Aziz bin Abdur Rahman bin Faisal al Saud, hereafter known as "Ibn Saud" have agreed upon and concluded the following Articles:—

Article 1. The British Government do acknowledge and admit that Nejd, El Hasa, Qatif and Jubail, and their dependencies and territories, which will be discussed and determined hereafter, and their ports on the shores of the Persian Gulf are the countries of Ibn Saud and of his fathers before him, and do hereby recognise the said Ibn Saud as the independent Ruler thereof and absolute Chief of their tribes, and after him his sons and descendants by inheritance; but the selection of the individual shall be in accordance with the nomination (i.e., by the living Ruler) of his successor; but with the proviso that he shall not be a person antagonistic to the British Government in any respect; such as, for example, in regard to the terms mentioned in this Treaty.

Article 2. In the event of aggression by any Foreign Power on the territories of the countries of the said Ibn Saud and his descendants without reference to the British Government and without giving her an opportunity of communicating with Ibn Saud and composing the matter, the British Government will aid Ibn Saud to such extent and in such a manner

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as the British Government after consulting Ibn Saad may consider most effective for protecting his interests and countries.

Article 3. Ibn Saud hereby agrees and promises to refrain from entering into any correspondence, agreement, or treaty, with any Foreign Nation or Power, and further to give immediate notice to the Political Authorities of the British Government of any attempt on the part of any other Power to interfere with the above territories.

Article 4. Ibn Saud hereby undertakes that he will absolutely not cede, sell, mortgage, lease, or otherwise dispose of the above territories or any part of them, or grant concessions within those territories to any Foreign Power, or to the subjects of any Foreign Power without the consent of the British Government. And that he will follow her advice unreservedly provided that it be not damaging to his own interests.

Article 5. Ibn Saud hereby undertakes to keep open within his territories, the roads leading to the Holy Places, and to protect pilgrims to and from the Holy Places.

Article 6. Ibn Saud undertakes, as his fathers did before him, to refrain from all aggression on, or interference with the territories of Kuwait, Bahrain, and of the Shaikhs of Qatar and the Oman Coast, who are under the protection of the British Government and who have treaty relations with the said Government; and the limits of their territories shall be hereafter determined.

Article 7. The British Government and Ibn Saud agree to conclude a further detailed treaty in regard to matters concerning the two parties.

Dated 18th Safar, 1334, corresponding to 26th December, 1915.

(Signed and sealed) ABDUL AZIZ AL-SAUD.

(Signed) P. Z. Cox, Lieut.-Colonel.
British Resident in the Persian Gulf.

(Signed) CHELMSFORD.
Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India in Council at Simla on the 18th day of July, A.D. one thousand nine hundred and sixteen.

(Signed) A. H. GRANT.
*Secretary to the Government of India.
Foreign and Political Department.*

TREATY BETWEEN HIS BRITANNIC MAJESTY
AND HIS MAJESTY THE KING OF THE HEJAZ
AND OF NEJD AND ITS DEPENDENCIES
SIGNED AT JIDDAH ON MAY 20TH, 1927¹

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, the Emperor of India on the one part; and His Majesty the King of the Hejaz and of Nejd and its Dependencies on the other part;

Being desirous of confirming and strengthening the friendly relations that exist between them and of consolidating their respective interests have resolved to conclude a treaty of friendship and good understanding for which purpose His Britannic Majesty has appointed as his plenipotentiary Sir Gilbert Falkingham Clayton, and His Majesty the King of the Hejaz and of Nejd and its Dependencies has appointed His Royal Highness the Amir Faisal ibn Abdul Aziz his son and Viceroy in the Hejaz as his plenipotentiary.

His Highness the Amir Faisal ibn Abdul Aziz and Sir Gilbert Falkingham Clayton, having examined their credentials and found them to be in good and due form, have accordingly agreed upon and concluded the following articles :

Article 1. His Britannic Majesty recognises the complete and absolute independence of the dominions of His Majesty the King of the Hejaz and of Nejd and its Dependencies.

Article 2. There shall be peace and friendship between His Britannic Majesty and His Majesty the King of the Hejaz and of Nejd and its Dependencies. Each of the High Contracting Parties undertakes to maintain good relations with the other and to endeavour by all the means at its disposal to prevent his territories being used as a base for unlawful activities directed against peace and tranquillity in the territories of the other party.

Article 3. His Majesty the King of the Hejaz and of Nejd and its Dependencies undertakes that the performance of the pilgrimage will be facilitated to British subjects and British protected persons of the Moslem faith to the same extent as to other pilgrims, and announces that they will be safe as regards their property and their person during their stay in the Hejaz.

¹ *British Parliamentary Paper, Cmd. 2951-, 1927,*

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Article 4. His Majesty the King of the Hejaz and of Nejd and its Dependencies undertakes that the property of the aforesaid pilgrims who may die within the territories of His Majesty and who have no lawful trustee in those territories shall hand over to the British agent in Jiddah or to such authority as he may appoint for the purpose, to be forwarded by him to the rightful heirs of the deceased pilgrims ; provided that the property shall not be handed over to the British representative until the formalities of the competent tribunals have been complied with and the dues prescribed under Hejazi or Nejdi laws have been duly collected.

Article 5. His Britannic Majesty recognises the national (Hejazi or Nejdi) status of all subjects of His Majesty the King of the Hejaz and of Nejd and its Dependencies who may at any time be within the territories of His Britannic Majesty or territories under the protection of His Britannic Majesty. Similarly His Majesty the King of the Hejaz and of Nejd and its Dependencies recognises the national (British) status of all subjects of His Britannic Majesty ; it being understood that the principles of international law in force between independent Governments shall be respected.

Article 6. His Majesty the King of the Hejaz and of Nejd and its dependencies undertakes to maintain friendly and peaceful relations with the territories of Kuwait and Bahrain, and with the Sheikhs of Qatar and the Oman Coast, who are in special treaty relations with His Britannic Majesty's Government.

Article 7. His Majesty the King of the Hejaz and of Nejd and its Dependencies undertakes to co-operate by all the means at his disposal with His Britannic Majesty in the suppression of the slave trade.

Article 8. The present treaty shall be ratified by each of the High Contracting Parties and ratifications shall be exchanged as soon as possible. It shall come into force on the day of the exchange of ratifications and shall be binding during seven years from that date. In case neither of the High Contracting Parties shall have given notice to the other six months before the expiration of the said period of seven years of his intention to terminate the treaty it shall remain in force and shall not be held to have terminated until the expiration of six months from the date on which either party shall have given notice of the termination to the other party.

Article 9. The treaty concluded between His Britannic Majesty and His Majesty the King of the Hejaz and of Nejd

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and its Dependencies on December 26th, 1915, shall cease to have its effect as from the date on which the present treaty is ratified.

Article 10. The present treaty has been drawn up in English and Arabic. Both texts shall be of equal validity ; but in case of divergence in the interpretation of any part of the treaty the English text shall prevail.

Article n. The present treaty shall be known as the Treaty of Jiddah.

Signed at Jiddah on May 20th, 1927 (18th Zul Qa'da 1345).

TREATY OF FRIENDSHIP AND MUTUAL CO-OPERATION
BETWEEN HIS MAJESTY
IN RESPECT OF THE UNITED KINGDOM AND OF INDIA
AND THE KING OF YEMEN

FEBRUARY 11TH, 1934¹

Preamble

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, on the one part and His Majesty the King of Yemen, the Imam, on the other part, being desirous of entering into a treaty on a basis of friendship and co-operation for their mutual benefit, have resolved to conclude this treaty and have appointed as their plenipotentiaries (follows list of names)

Article 1. His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, acknowledges the complete and absolute independence of His Majesty the King of the Yemen, the Imam, and his Kingdom in all affairs of whatsoever kind.

Article 2. There shall always be peace and friendship between the High Contracting Parties, who undertake to maintain good relations with each other in every respect.

Article 3. The settlement of the question of the Southern frontier of the Yemen is deferred pending the conclusion, in whatever way may be agreed upon, by both High Contracting Parties in a spirit of friendship and complete concord, free from any dispute or difference, of the negotiations which shall take place between them before the expiry of the period of the present treaty.

Pending the conclusion of the negotiations referred to in the preceding paragraph, the High Contracting Parties agree to maintain the situation existing in regard to the frontier on the date of the signature of this treaty, and both High Contracting Parties undertake that they will prevent, by all means at their disposal, any violation by their forces of the above mentioned frontier and any interference by their subjects or from their side of that frontier, with the affairs of the people inhabiting the other side of the said frontier.

¹ *British White Paper*, Cmd. 4752 ; *Documents of International Affairs* 1934, PP. 455-7.

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Article 4. After the coming into force of the present treaty, the High Contracting Parties shall by mutual agreement and concord, enter into such agreements as shall be necessary for the regulation of commercial and economic affairs, based on the principles of general international practice.

Article 5. (1) The subject of each of the High Contracting Parties who wish to trade in the territories of the other shall be amenable to the local laws and decrees, and shall receive equal treatment to that enjoyed by the subjects of the most favoured Power.

(2) Similarly, the vessels of each of the High Contracting Parties and their cargoes shall receive, in the port of the territory of the other, treatment equal to that accorded to the vessels and their cargoes of the most favoured Power, and the passengers in such vessels shall be treated in the ports of the territory of the other party in the same manner as those in the vessels of the most favoured Power therein.

(3) For the purposes of this Article in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the seas

- (a) defines dependencies;
- b) defines subjects;
- c) defines vessels.

Article 6. This treaty shall be the basis of all subsequent agreements that may be concluded between the High Contracting Parties now and in the future for the purpose of friendship and amity. The High Contracting Parties undertake not to assist or to connive at any action directed against the friendship and concord now sincerely existing between them.

Article 7. The present treaty shall be ratified as soon as possible after signature, and the instruments of ratification shall be exchanged at San'a. It shall come into force on the date of the exchange of ratifications, and shall thereafter remain in force for a period of forty years.

And in witness whereof the respective plenipotentiaries have signed the present treaty and have therefore affixed their seals.

This treaty is done in two copies, in the English and Arabic languages and should doubts arise as to the interpretation of any of these Articles, both the High Contracting Parties shall rely on the Arabic text.

Done at San'a in the Yemen this n t h day of February, 1934 A.D., corresponding to the 26th day of Shawwal, 1352.

Signed by

MUDAMONAD BAGHET SIN RAFIG.

and

B. R. REILLY.

TREATY OF ISLAMIC FRIENDSHIP AND ARAB
FRATERNITY BETWEEN THE KINGDOM OF SA'UDI
ARABIA AND THE KINGDOM OF YEMEN, MAY 20th, 1934

(*Treaty of Taif*)¹

His Majesty the Imam Abdul Aziz ibn Abd'ur Rahman al Faisal al Sa'ud, King of the Kingdom of Saudi Arabia of the one part and His Majesty the Imam Yahya ibn Muhammad Hamid ud Din, King of the Yemen on the other part.

Desirous of bringing to an end the state of war unfortunately existing between their two Governments and between their two peoples, and desirous of affording peace to the Islamic nation, of enhancing its dignity and safeguarding its honour and its independence;

Considering the necessity for establishing relations between their two Governments upon a firm treaty basis and to their common advantage and reciprocal interests;

Desirous of fixing the boundaries between their two countries, of establishing neighbourly relations and bonds of Islamic friendship between them and reinforcing the structure of peace and tranquility between their two countries and their two peoples;

Desirous of forming a common front in the face of unforeseen events and a strong bulwark for the Security of the Arab Peninsula.

Have decided to conclude a Treaty of Islamic Friendship and Arab Fraternity and have appointed the following plenipotentiaries (follows list of representatives).

Article 1. The signature of the present treaty shall bring to an end the state of war existing between the Kingdom of Sa'udi Arabia and the Kingdom of Yemen which shall henceforth give way to perpetual peace, firm friendship and perpetual Arab Islamic fraternity, unshakeable in whole or in part, between the two Kings, and their countries and peoples. The two High Contracting Parties undertake to settle in a spirit of affection and friendship all disputes and disagreements arising between them, and to cause their relations in all circumstances and situations to be governed by a spirit of Arab Islamic fraternity

¹ *Oriente Moderno*, July, 1934, translated in *Documents of International Affairs*, 034, p. 458.

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Article 2. The High Contracting Parties mutually recognise the full and absolute independence of each of the two Kingdoms and the Sovereignty of each . . . each renounces all rights claimed over any part or parts of the territory of the other . . .

Article 3. The High Contracting Parties agree as to the ways and means of safeguarding their mutual relations . . . •

Article 4. Defines the boundaries.

Article 5. Agrees no fortifications within 5 kilometres of the frontier.

Article 6. To prevent hostile acts against one another.

Article 7. Refrain from resort to force.

Article 8. Prevent one's territory being used as a base for hostile acts against the other.

Article 10. Not to harbour refugees.

Article 16. " The two High Contracting Parties, bound by ties of Islamic brotherhood and of the Arab race, proclaim that their two nations are a single nation, that they desire ill to no-one and they will strive to further the affairs of the nations in peace and tranquillity and that they will make every effort in all circumstances to operate for the benefit of their two countries and their nations, at the same time entreating no hostile intentions towards any other nation."

THE TREATY OF ARAB BROTHERHOOD **AND** ALLIANCE
BETWEEN IRAQ AND THE KINGDOM OF SAUDI ARABIA,
APRIL 2nd, 1936¹

IN the name of God, the Compassionate, the Merciful.

His Majesty the King of 'Iraq and His Majesty the King of the Kingdom of Sa'udi Arabia, considering the bonds of Islamic friendship and national unity which unite them, desirous of safeguarding the security of their two countries, and considering the urgent need for co-operation between them and reciprocal understanding to the common advantage of both their countries.

Have decided to conclude a Treaty of Islamic Friendship and Alliance between them and have appointed for this purpose two delegates furnished with full powers:

His Majesty the King of 'Iraq: His Excellency Nuri Pasha As-Sa'id, Minister for Foreign Affairs of 'Iraq, decorated with the Military Order er-Rafidani First Class.

His Majesty the King of the Kingdom of Sa'udi Arabia: His Lordship Sheikh Yusuf Yasin, Private Secretary to H*s Majesty the King and Chief of the Political Section of His Majesty's Cabinet;

Who, having exchanged their full powers, found in good and due form, have agreed to the Alliance and the Treaty in accordance with the following Articles:

Article 1. (a) Each of the two High Contracting Parties undertakes not to conclude any understanding or agreement with a third Party in any way prejudicial to the interests of the other High Contracting Party, its Kingdom, or its interests, or which might have the effect of exposing to danger or to harm the safety or the interests of the other Kingdom.

(b) The two High Contracting Parties will consult together, whenever it may be necessary, to achieve the ends which are the object of this present Treaty.

Article 2. The two High Contracting Parties undertake to liquidate any disagreements which may arise between them by means of friendly negotiations, and, in the event of it proving impossible to settle the dispute, to have recourse to the procedure to be established in a Protocol which will be annexed to the present Treaty, and to be agreed upon in the shortest possible time after the ratification of **the Treaty**.

^x *Dominants of International Affairs*, 1Q37, pp. 522-526.

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Article 3. In the event of there arising between one **of** the Contracting Parties and a third State a dispute of such a kind as to involve the danger of war, the two Contracting Parties will then unite their efforts to compose this dispute by peaceful means, in conformity **with** the international agreements applicable to the case.

Article 4. (a) In the event of an act of aggression being committed against one of the two High Contracting Parties by a third State, in spite of the efforts made according to Article 3, and similarly in the event of sudden aggression that does not leave time to apply the provisions of Article 3 mentioned above, it is obligatory for the High Contracting Parties to consult each other regarding the nature of the measures to be taken in order to unify their efforts in taking suitable measures to repel the aforesaid aggression.

(b) The distinction between a case of aggression and non-aggression is:

- (1) Declaration of war.
- (2) Seizure by a third State with its armed forces of the territories of one of the Contracting Parties, even without a declaration of war.
- (3) An attack by a third State employing its land, sea, and air forces against the territory of one of the two Contracting Parties or against the ships or the aeroplanes of one of the Contracting Parties, even without declaration of war.
- (4) The affording help or direct or indirect assistance to the aggressor.

(c) The following shall not be considered as acts of aggression:

- (1) The exercise of the legitimate right of defence or of resistance to one of the acts of aggression specified above.
- (2) The application of Article 16 of the Covenant of **the** League of Nations.
- (3) The carrying out of acts based on decisions emanating from the League of Nations or from the Council of the League of Nations, or the application of the seventh paragraph of Article 15 of the Covenant of the League of Nations, provided that, in this last instance, the acts be directed against the State that has taken the initiative of aggression.
- (4) Help given by a third State to another State, which has been attacked or whose frontiers have been violated by one of the High Contracting Parties in violation of the Treaty for the Renunciation **of** War, signed on August 27th, 1928, at Paris, to which both Contracting Parties have adhered.

Article 5. In the event of **unrest or sedition occurring**

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in the territory of one of the High Contracting Parties, they agree reciprocally to the following:

- (i) To take every possible precaution :
- (a) To make it impossible for rebels to utilize the territory of the one against the interests of the other High Contracting Party ;
- (b) to prevent its own subjects from making common cause with the rebels or agitators and from affording them encouragement or help;
- (c) to prevent the rebels in its territory receiving any help whatsoever, whether directly or indirectly.
- (2) In the event of the rebels taking refuge in the territory of one of the High Contracting Parties, the Party is obliged to disarm them and confine them immediately where it will be no longer possible for them to cause any damage to the territory of the other Party, until their fate be decided upon by the two High Contracting Parties.
- (3) In case of necessity, precautions will be taken in common to suppress unrest and sedition, by consultation between the two Parties regarding the method of collaboration that is necessary to maintain order.

Article 6. Considering the ties of Islamic brotherhood and of the Arab race that bind the Kingdom of the Yemen to the two High Contracting Parties, both will work to obtain the adherence of the Yemeni Government to the present Treaty.² And it will be granted also to any other independent Arab State to request the right of adherence.

Article 7. The two High Contracting Parties will collaborate to unify Arab and Islamic culture and the military systems in their respective countries by means of the exchange of scientific and military missions whose aim it will be to acquaint themselves with the systems in use in both countries, to unite what it is possible to unite in them, to profit by the military and scientific institutions and to practise in them. The number of members in each mission will be settled from time to time by conversations between the two High Contracting Parties.

Article 8. The diplomatic or consular representatives of each of the two High Contracting Parties are authorized to represent the interests of the other Party, in the event of this being asked of them, in foreign countries where the said Party has no representative. This does not prejudice in any way whatsoever the liberty of that Party to nominate its own independent representatives if it desires to do so.

Article 9. The two High Contracting Parties are in agreement that the present Treaty does not contain anything

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prejudicial to the rights and obligations of the Government of Iraq, contained in the Covenant of the League of Nations and in the Treaty of Alliance concluded between Iraq and Great Britain in 1930. The two High Contracting Parties are also in agreement regarding the observation of the principles contained in Article 17 of the Covenant of the League of Nations, and regarding the observation of the principles contained in the Treaty for the Renunciation of War, signed on August 27th, 1928, at Paris, to which both Contracting Parties have adhered.

Article 10. In the event of one of the two High Contracting Parties committing an act of aggression against another State, the other High Contracting Party shall be able to denounce the present Treaty without further notice ; but this denunciation shall not affect the friendship that binds the two States and shall be without prejudice to the Treaties and the Agreements with which Article 11 of the present Treaty deals.

Article 11. Of the provisions in the following Treaties and Agreements concluded between the two States, until they are amended or abrogated by other Treaties, there remain in force all that are not incompatible with the provisions of the present Treaty:

- (1) Treaty of el-Muhammarah signed on 7 Ramadan 1340 [May 5, 1922].
- (2) The Protocol of el-'Oqeir No. 1 signed on 12 Rabi-eth-thani [December 2, 1922].
- (3) The Protocol of el-'Oqeir No. 2 signed on the same date.
- (4) The Agreement of Bahrah signed on 14 Rabi-eth-thani 1344 [November 1, 1925].
- (5) The Treaty of Friendship and of *Bon Voisinage* and the Protocol of Arbitration signed on 20 Dhu-'l-qa'dah 1349 [April 7, 1931].
- (6) The Treaty of Extradition signed on 21 Dhu-'l-qa'dah 1349 [April 8, 1931].

Article 12. The two High Contracting Parties undertake to begin within a year of the coming into force of the present Treaty negotiations to conclude agreements on the following :

- (1) Residence, permits for travel and transit.
- (2) Financial and economic matters, Customs.
- (3) Facilitation of postal and telegraphic communication.

Article 13. The present Treaty will come into force as from the date of the exchange of ratifications.

Article 14. The present Treaty shall remain in force for ten years as from the date of its entry into force, and shall be considered to have been renewed for a further period of ten years if neither of the two Parties communicates to the other a desire to terminate it a year before its expiry.

Done at Baghdad on 10 Muharram 1355 [April 2, 1930],

THE ACT OF APRIL 29, 1937, DECLARING THE ADHERENCE
OF YEMEN TO THE TREATY OF ARAB ALLIANCE
CONCLUDED ON APRIL 2, 1936,
BETWEEN IRAQ AND THE KINGDOM OF SAUDI ARABIA¹

IN the name of God, the Compassionate, the Merciful.

We, King of Yemen, Imam Yahya, son of Imam Mohammed Hamided-Din;

Having regard to the Treaty of Arab Brotherhood and Alliance between His Majesty the King of Iraq and His Majesty the King of the Kingdom of Saudi Arabia signed in Baghdad on 10 Muharram 1355 [April 2, 1936] ;² and

Considering the bonds of Islamic fellowship and the national unity which unite us with their Majesties ; and

By reason of the fact that we feel, as do their Majesties, the urgent need of co-operation between us and of reciprocal understanding regarding the affairs which concern the interests of their two Kingdoms and of our Kingdom ; and

Being desirous of defending the security of our country and of their two countries ;

We declare our adherence to the aforesaid Treaty of Arab Brotherhood and Alliance, inserting those articles with which we associate ourselves and of which we approve the texts and the sense in detail and as a whole. These articles are the following :

Article 1. [Virtually the same text as Article 1 of the Iraq-Saudi Arabian Treaty, the last sentence, however, reading as follows : ' . . . to achieve the aims relative to the bonds of Islamic fellowship and Arab race which are the object of the Preamble of the Treaty of Alliance/]

Article 2. [Virtually the same text as Article 2, the word ' difficult' being substituted for ' impossible ', and the last part reading : ' . . . to have recourse to the arbitration provided for by Article 8 of the Treaty of Ta'if concluded between the Kingdom of the Yemen and the Kingdom of Saudi Arabia on 6 Safar 1353 (May 20, 1934) .]³

Article 3. [Identical with Article 3 omitting, however,

¹ *Documents of International Affairs*, 1937, PP. 527-528.

² See Appendix 18.

³ SEE *Documents* for 1934, P. 458.

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the words : '... in conformity with the interatioaal agreements applicable to the case.']

Article 4. [Identical with Article 4 but omitting section (c) i.e. list of acts not considered to be acts of aggression.]

Article 5. [Identical with Article 5.]

Article 6. [Identical with Article 8.]

Article 7. [Corresponds with Article 9, omitting mention of the League, the Anglo-Traqi Treaty and the Pact of Paris.]

Article 8. [Corresponds with Article 10.]

Article 9. [Corresponds in part with Article 7.]

When one of the Parties requests the despatch of a scientific mission by the other two Parties for the purpose of strengthening Islamic and Arab culture, or of a military mission, or desires to send a mission into the Kingdom of the other Parties for improvement and instruction, it shall be allowed to do so after making the necessary application.

Article 10. This adherence to the Treaty of Alliance shall be considered to be in force as from the date of its confirmation on the part of the Governments of 'Iraq and of the Kingdom of Sa'udi Arabia, and shall remain in force for a period of ten years as from the date of the putting into force of the aforesaid Treaty by the aforesaid Governments, and it shall be regarded as having been renewed for a further period of ten years if none of the High Contracting Parties has communicated to another its desire to terminate it one year before the date of its expiry.

Conclusion. These are declared to be the ten Articles which we have signed and to which we have set our seal in conformity with the annexed preamble, in confirmation of our adherence to the Treaty of Arab Brotherhood and Alliance. They conform with the original articles inserted in the aforesaid Treaty, with the exception of certain Articles which do not concern the affairs of our Kingdom. This Treaty is open to the adherence of the independent Arab States which so desire. We pray God for his help. God is the best protector and the most merciful of the merciful.

Done at San'a in the Yemen the 17 Safar 1356 (corresponding to April 29, 1937).

Note. A copy furnished with the seal and signature of this confirmation shall be presented to His Majesty the King of the Kingdom of Sa'udi Arabia to be attached to the other copy of the original Treaty of Alliance which is deposited with His Majesty.

APPENDIX 20

THE MIDDLE EAST PACT (SAADABAD PACT),
8TH JULY, 1937

SA Majesty Imperiale le Chah in Chah de l'Iran, Sa Majesty le Roi de l'Afghanistan, Sa Majeste le Roi de l'Iraq et le President de la Republique Turque ;

Desireux de contribuer par tous ses moyens en leur pouvoir au maintien des relations d'amitie et de bonne entente entre eux ;

Animés du desir d'assurer la paix et la securite dans le Proche-Orient au moyen de garanties additionnelles dans le cadre du Pacte de la Society des Nations et de contribuer ainsi à la paix generate ;

Penetres de leurs obligations en vertu du traite de renonciation à la guerre, signé à Paris le 27 Aout 1928, et des autres traités auxquels ils sont parties, qui sont tous en harmonie avec le Pacte de la Societe des Nations et le traite de renonciation à la guerre ;

Ont decide de conclure le present Traite et ont, dans ce but, nommés . . . (names follow)

Qui, ayant echange leurs pleins pouvoirs, trouves en bonne et due forme, sont convenus des dispositions suivantes :

Article 1. Les Hautes Parties Contractantes s'engagent à poursuivre une politique d'abstention absolue de toute ingerence dans leurs affaires intérieures.

Article 2. Les Hautes Parties Contractantes s'engagent expressément à respecter l'inviolabilite de leurs frontieres communes.

Article 3. Les Hautes Parties Contractantes conviennent de se consulter dans tous les conflits d'ordre international ayant trait à leurs interets communs.

Article 4. Chacune des Hautes Parties Contractantes s'engage vis-a-vis de l'autre, à ne recourir en aucun cas, soit isolément, soit conjointement avec une ou plusieurs tierces puissances à aucun acte degression dirigé contre l'une d'elles.

Sont consideres comme actes degression :

- (1) la declaration de guerre ;
- (2) l'invasion, par les forces armées d'un Etat, mene sans declaration de guerre, du territoire d'un autre Etat ;
- (3) l'attaque, par les forces terrestres, navales ou aeriennes d'un Etat, meme sans declaration de guerre, du territoire, des navires ou des aeronaves d'un autre Etat ;

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- (4) l'aise et assistance, soit directe, soit indirecte, a l'agresseur.

Ne constituent pas des actes degression.

- (1) L'exercice du droit de legitime defense, c'est a dire la resistance a un acte degression tel qu'il est defini ci-dessus ;
- (2) L'action en application de l'article 16 du Pacte de la Societe des Nations ;
- (3) L'action en raison d'une decision juste par l'assemblee ou par le conseil de la Societe des Nations, ou en application de l'article 15, paragraphe 7 du Pacte de la Societe des Nations pourvu que dans ce dernier cas cette action soit dirigee contre l'Etat qui le premier s'est livre a une attaque ;
- (4) L'action d'aide a un Etat soumis a l'attaque, l'invasion ou le recours a la guerre, par une autre des Hautes Parties Contractantes, contrairement au Traite de renonciation a la guerre signe a Paris le 27 Aout 1928.

Article 5. Si l'une des Hautes Parties Contractantes estime qu'une violation de l'Article 4 du present Traite a ete ou est sur le point d'etre commise, elle portera immediatement la question devant le conseil de la Societe des Nations. La disposition qui precede ne porte pas atteinte au droit de cette Haute Partie Contractante de prendre toute mesure qu'elle juge necessaire dans les circonstances.

Article 6. Si l'une des Hautes Parties Contractantes se livre a une agression contre une tierce puissance, l'autre Haute Partie Contractante pourra, sans preavis, denoncer le present Traite, vis-a-vis de l'agresseur.

Article 7. Chacune des Hautes Parties Contractantes s'engage a prevenir dans ses limites respectives, la formation ou l'action de bandes armees, associations ou organisations pour le reversement des institutions etablies en vue de porter atteinte a l'ordre ou a la securite de toute partie, frontaliere ou autre, du territoire de l'autre Partie ou en vue de porter atteinte au regime de gouvernement de cette autre partie.

Article 8. Les Hautes Parties Contractantes ayant deja reconnu dans le Pacte general de renonciation a la guerre du 27 Aout 1928 que le reglement et la solution de tous les differends ou conflits, quelle que soit leur nature ou leur origine, qui pourront surgir contre elles, ne devra jamais etre recherchee que par des moyens pacifiques, confirment cette disposition et declarent s'en referer aux procedures crees ou a creer a cet egard entre les Hautes Parties Contractantes.

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Article 9. Aucun des articles du present Traits ne peut etre considere comme diminuant et quoi que ce soit les obligations assumes par chacune des Hautes Parties Contractantes en vertu du Pacte de la Society des Nations.

Article 10. Le present Traite redige en francais, signe en quatre exemplaires, . . . est conclu pour la duree de cinq annees. . . .

(Signes) ARAS (Turkey)
NADJI AL ASIL (Iraq)
SANNY (Iran)
FAIZ (Afghanistan)

CHARTER OF THE ARAB LEAGUE

THE President of the Syrian Republic, the Emir of Trans-Jordan, the King of Iraq, the King of Saudi Arabia, the President of the Lebanese Republic, the King of Egypt and the King of Yemen, in confirmation of the strong relations and ties existing between the Arab countries, mindful of strengthening these relations on the basis of respect of their individual integrity and independence, in fulfilment of the hopes of the Arab countries and in response to the wish of Arab public opinion, have agreed to conclude a Charter for this purpose and have authorised the following to act as their representatives. (List of plenipotentiaries follows)

Having exchanged their credentials, these plenipotentiaries have agreed as follows:

Article 1. The Arab League consists of the signatory Arab independent States. Every independent Arab State has the right to join it. Applications for admission are to be lodged with the permanent secretariat and are to be submitted to the Council of the League on its first meeting following the date of the application.

Article 2. The object of the League is the strengthening of relations between the members, the organisation of their political plans aimed at collaboration among them, the protection of their independence and integrity, and the general discussion of the affairs and interests of the Arab world. Members of the League are to co-operate fully in the following matters: (a) Questions of finance, including trade, customs, currency, agriculture and industry; (b) communications, including railways, roads, airways, navigation, telegraphs and posts; (c) culture; (d) nationality, passports, visas, mutual legal aid and the extradition of criminals; (e) social questions; (f) health questions.

Article 3. The Council of the League represents the members, each of which shall have only one representative on the Council. The Council's task is to promote the realisation of the League's aims and to give effect to agreements reached by members on various matters, including those in Article 2. The Council also decides on means of co-operation with international organisations which might be established in future for the preservation of peace, security and the organisation of social and economic relations.

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Article 4. Committees shall be established for each of the subjects specified in Article 2. They will prepare drafts on co-operation between members, phrasing these as proposals and agreements for the consideration of the Council. Members of the League shall sit on these Committees, whilst representatives of other Arab countries may take part in the Committee's deliberations. The conditions under which such countries may be represented in proceedings of the Committees shall be determined by the Council.

Article 5. In case of disputes between members of the League, force is not to be used. If a dispute does not affect the integrity and security of the parties to the dispute, and if they entrust the Council with the settlement of their differences, the Council's decision shall be final. The disputing parties shall have no right to take part in the Council's discussions and decisions. In the case of disagreements which might lead to war between a member of the League and another member or another country, the Council shall mediate with a view to conciliation. Decisions on arbitration and mediation will be made by simple majority.

Article 6. If a member of the League is attacked or threatened with attack, such member shall summon the Council to meet. The Council will decide on the measures to be taken. In the event of aggression by a member, the aggressor shall not attend the Council meeting.

Where the attack is such that the Government of the attacked country cannot contact the Council, its representative shall be entitled to summon the Council. If such representative fail to summon the Council, any member shall have the right to ask for a meeting of the Council.

Article 7. Majority decisions of the Council shall bind all members. Decisions of the Council will be carried out in the individual Member States in accordance with their respective laws.

Article 8. Members of the League shall respect the existing regimes in other countries belonging to the League and consider them as rightful, resolving not to take any action which might lead to their overthrow.

Article 9. Countries of the Arab League desiring fuller collaboration than that provided in this Charter, shall have the right to conclude appropriate agreements. Agreements in force between or to be concluded by a member of the League and another country, are not binding on other members.

Article 10. The permanent seat of the Arab League is Cairo. The League's Council has the right to meet in any place it decides upon.

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Article n. The Council of the League shall meet regularly twice a year, during March and October, and also whenever occasion demands on the request of two members of the League.

Article 12. The Administration of the League shall consist* of a Secretary-General, Assistant Secretaries and an adequate number of officials. The Council shall by a majority of two-thirds of the members appoint the Secretary-General, who in turn appoints his assistants and the principal officials, subject to the Council's consent. The Council forms a system for the Administration. The Secretary-General shall hold the rank of an Ambassador and his assistants that of Ministers. The first Secretary-General to the League is appointed in the appendix to this Charter.

Article 13. The Secretary-General shall prepare the proposal of the League's Budget and submit it to the Council for approval at the beginning of every fiscal year. The Council shall allocate the League's expenditure among the League's members.

Article 14. The members of the League Council and of the Committees, as well as the other specified officials, shall enjoy diplomatic privileges and immunity during their term of office. The premises of the League shall be protected.

Article 15. The Council shall meet for the first time at the invitation of the Head of the Egyptian Government and afterwards at the invitation of the Secretary-General. The members of the League shall provide in turn the chairman for the regular meetings of the Council.

Article 16. Except where provided otherwise in this Charter, a majority vote shall rule for decisions made by the Council regarding the following matters : (a) Questions of personnel; (b) the Budget of the League ; (c) system for the internal administration of the Council and the Committees; (d) determining time of recess of sessions.

Article 17. The members of the League shall lodge with the Administration copies of Treaties and Agreements concluded or to be concluded with any other member of the League or any other country.

Article 18. A member of the League desiring to withdraw from the League, shall notify the Council a year in advance of its intentions. The Council of the League retains the right to regard any member of the League failing to carry out its commitments of this Charter as dismissed from the League, if so determined by a majority vote.

Article 19. Amendments to this Charter can be made if agreed to by a two-thirds vote of the members of the League, particularly if such amendment were to bring about stronger

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relations among the members, in the case of the establishment of an Arab Court of Justice, and in the case of the organisation of the relations of the League with the international establishments which might be created for security and peace. Such amendment shall be decided at the Session following the Session at which such amendment be proposed. A member country not accepting such an amendment shall have the right to withdraw when the amendment comes into effect.

Article 20. This Charter and its appendices are signed in accordances with the regimes of the signatories. These documents will be kept by the Administration of the League. The Charter shall come into effect within 15 days time from the date on which the Secretary-General received the documents.

This Charter was written in Arabic in Cairo on 22 March, 1945. A copy of the Charter will be handed to every member of the League. The original copy will be kept at the Secretariat of the League.

Appendix concerning Palestine.

Since the last Great War the Ottoman Empire's rule has collapsed in the Arab countries, including Palestine, which have become independent and not attached to any other country. The Treaty of Lausanne laid down that these countries were to conduct their own affairs. In 1919 the Covenant of the League of Nations determined a regime drafted especially for these countries on a basis of recognition of their independence. There is no doubt that these countries' independence is legal. If the external appearance of this independence remained concealed for certain reasons, this should not hinder Palestine from participating in the League's activities. Therefore, the signatories of the Charter of the Arab League take the view that in consideration of the especial circumstances of Palestine and until Palestine has achieved its independence the Council shall select an Arab delegate to represent the participation of Palestine in the Council's activities.

Appendix concerning collaboration with the other Arab countries which are not members of the League.

As the members of the Arab League are working in the interests of the Arab world, the signatories of the Charter of the Arab League especially point out that the Council ought fully to co-operate with the non-member Arab countries in order to safeguard their future and work for the materialisation of their hopes.

Appendix concerning the appointment of a Secretary-General of the League.

The signatories of this Charter have agreed on the appointment of H.E. Abd Er-Rahman Azam Bey as Secretary-General to the Arab League. His appointment is to be effective for two years. {Cairo Radio, 22.3.45.)

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