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NOTE TO THE THIRD EDITION

The first edition of this Paper described the principal factors in the Palestine problem and developments from 1915 down to the arrival of the Royal (Peel) Commission in November 1936. The second edition permitted certain revisions to be made in the original text, account to be taken of the new material relevant to the McMahon pledge which had recently become available, and the insertion of later figures in the economic sections. It also continued the record and carried it down to the issue in May 1939 of the White Paper setting out the United Kingdom Government's decision regarding the basis for a final settlement of the Palestine problem. The present edition covers the period from July 1939 to the Statement of policy by the British Foreign Secretary in the House of Commons on November 13th, 1945. The whole Paper has been revised and new material added.

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I. THE SIGNIFICANCE OF PALESTINE

THE most serious aspect of the conflict between the Jews and the Arabs in Palestine is the fact that the two communities are not local entities but form part of two groups with religious and racial affinities all over the world. Any conflict in Palestine, therefore, at once takes on international dimensions. It affects 12,000,000 Jews dispersed through most countries of the world; it is a matter of intimate concern to the Arab States and to Egypt; it is a vital problem for Great Britain as Mandatory Power, and for the whole British Commonwealth, with its tradition of friendship with both communities and its Moslem population of 100,000,000. Further, Palestine, under whatever regime it is governed, is as important as Egypt from the point of view of British Imperial communications. Strategically, it is the eastern outpost against any potential threat to the Suez Canal; it is the outlet of the oil pipe-line from Kirkuk; it is a halting place on the international air route to India and beyond, and it is a starting point for the desert motor road to Iraq.

Something more fundamental is at stake, moreover, than merely the fulfilment of British promises made during the World War or under the terms of the Mandate. It is the psychological problem of how to reconcile two powerful movements—the time-old yearning of the Jews to return to the Promised Land and to possess a home which is theirs as of right, and the desire of Palestinian Arabs for promotion to national status. The Arabs are afraid that in Palestine they will be overwhelmed by sheer force of numbers and by the superior wealth, organization and economic power of the Jews.

Although the root cause of the problem is to be found in Palestine, outside influences have had an increasingly important effect on the situation. In the first place, the emancipation of neighbouring Arab States stiffened Arab resistance. The Palestinian Arabs attributed the enviable independence of Transjordan to the absence of the Jews; they witnessed the British treaty with the Emir of 1928, that with Iraq in 1931, and that with Egypt in 1936. Especially bitter feeling was aroused by the Treaty of September 9, 1936, between France and the Mandated Territory of Syria, which the French later, in January 1939, refused to ratify. The Palestinian Arabs could not believe that events in Syria and the

Lebanon, culminating in a proclamation of their independence and sovereignty in 1941, justified so marked a differentation from themselves. The restlessness engendered in all the States of the Near East by the I talo-Abyssinian war and the success of the Italian aggression despite attempts to restrain it by the League of Nations (led by Great Britain), was naturally increased by the course of the war of 1939, during which neither fascist nor Nazi propaganda neglected the Arab world. The Arab States had begun to play a direct part in attempts to find a solution to the conflict in Palestine when they were represented at the St James's Palace Conference in January 1939. The creation of the League of Arab States in March 1945 was another sign of Arab solidarity.

The foundation of the Third German Reich in 1933, with its violent anti-Semitism and the resulting persecution of the Jews of Central Europe, emphasized not only the longing of the Jews to return to Palestine, but also the vital necessity of some land or lands of refuge, which increased the importance in their eyes of the National Home. It intensified also foreign pressure on Great Britain as Mandatory Power. Eastern European States with a large Jewish population, and those into whose territories refugees sought admission, alike watched every move in Palestine with close interest. When the war of 1939 broke out Nazi attempts to exterminate the Jews in Europe intensified their need for refuge; it also, unfortunately, intensified, on the one hand, Arab fears, and on the other, pressure on the Mandatory. Even before 1939 the United States, the Great Power with a Jewish population of 4½ million, could never be indifferent to the manner in which the Mandate was administered, or to any change of policy on the part of the Mandatory Power. The plight of the Jewish refugees from Europe and the unwillingness of the British Government to permit a number of Jews in excess of the quota laid down in the White Paper of May 1939 to enter Palestine, increased the pressure of American Jewry on the United States Government. In 1942 the Zionists in the United States, Great Britain and Palestine demanded the opening of the gates of Palestine to unlimited Jewish immigration and the creation of a Jewish Commonwealth. At the end of the European war in the autumn of 1945 a joint Anglo-American Committee was appointed to consider the position of Jews in Europe in relation to conditions in Palestine and to make recommendations to the British and American

Governments on an interim and permanent solution of the problem of Palestine. Yet, despite the immediate help thus given by the United States and the hopes centred on the Trusteeship Council of the newly created United Nations Organization as the successor to the Permanent Mandates Commission of the League of Nations,' it is still true that Great Britain cannot disinterest herself in the conflict between the Jews and Arabs in Palestine. It is still certainly no less true that the conflict itself cannot be solved except by agreement between the two committees.

II. THE WAR-TIME PROMISES TO JEWS AND ARABS

THE Arab fear of Jewish predominance which had become so evident during the last ten years is not a new development; it is an intensification of the unrest and resentment which have simmered for years, and which date back to undertakings given by the Allies during the first World War.

The Pre-War Situation

Jewish colonization was known to the Palestinian Arabs long before the War. The Holy Places have always held their special significance for many creeds. Zionism is as old as the Captivity, and even before the foundation of the Zionist Organization in 1897[1] Jewish agricultural colonies were being planted in different parts of the country. The first estate, near Jaffa, was bought as early as 1855 by Sir Moses Montefiore; and from then until the end of the century colonization "was carried on by young Jews from Russia and Rumania, enthusiastic Zionists who came to Palestine without sufficient means or knowledge, but found a patron in Baron Edmond de Rothschild," who helped them with money and expert guidance and gave their work a definite direction.* After 1900 the administration was entrusted by Baron Edmond to the Jewish Colonization Association, and independent settlement was conducted by the Zionist Organization. These

m Seep. 18.

(2) For further details of the types of colonization practised, see Ruppin, *The Jews in the Modern World,* pp. 173-7, from which the passage is quoted.

(3) This Association, usually known as the P.I.C.A., was founded in 1881 by Baron Maurice Hirsch for the purpose of settling Jews in agriculture all over the world.

agricultural settlements, which were self-governing, accounted for some 12,000 of the 85,000-95,000 Jews in Palestine in 1914; a full half of these lived in Jerusalem for religious reasons, next in importance being the communities in the "holy cities" of Safed, Tiberias, and Hebron.[1]

The post-War period, however, may be distinguished from the pre-War by two new developments in the situation. For on the one hand, while the settlement of Jews in Palestine had always been actuated by a peculiar blend of nationalist and religious sentiment, it was not until after the establishment of the Mandate that the political aspect of Zionism began to be emphasized. On the other hand, the War awakened a spirit of nationalism throughout the Near East, and the post-War Arab population was fired with sentiments to which the pre-War generation did not aspire.

The McMahon Promises to the Arabs

In 1915 the Allies, bent on harrying the Turks from every possible quarter, held out to the Arabs the hope of becoming an independent nation. Advances were made both by the Mesopotamian Expeditionary Force and through the authorities in Egypt,[2] but by 1915 the differences between the various Arab elements in Arabia had rendered the efforts of the former abortive, and the task of securing Arab co-operation was left to the Cairo authorities.[8]

The question of Arab independence was chiefly discussed in a long drawn-out correspondence in 1915 between Sir Henry McMahon, High Commissioner in Cairo, and Sharif Hussein of Mecca. The British authorities did not publish the correspondence until as late as March 1939,[4] though its gist was widely known and much discussed.[6]

The area over which independence should function was the

(1) Revusky, *The Jews in Palestine,* pp. 19-20. The number is approximate; there was no census under Turkish rule; the total population of what is now Palestine was at the time about 650,000.

(2) For a summary of the negotiations carried on by Sir Percy Cox, Chief Political Officer of the Mesopotamian Expeditionary Force, Sir Henry McMahon, High Commissioner m Cairo, and Sir Reginald Wingate, the Sirdar of the Egyptian Army and Governor-General of the Sudan, see Philby, *Arabia* (Modern World Series), pp. 231-60.

(3) For an interesting account of the energy and imagination which they applied to this task, see T. E. Lawrence's *Seven Pillars of Wisdom.*

(4) British White Paper, Cmd. 5957. See Appendix I i.

(5) e.g. *History of the Peace Conference* (ed. Temperley), vol, vi, p. 14; Graves, *Land of the Three Faiths,* pp. 50-1; Philby, *Arabia,* pp. 242-3; Loder, *The Truth about Mesopotamia, Palestine, and Syria,* pp. 19-20; Sotyanovsky, *The Mandate fir Palestine,* pp. 5-7.

Sharif's main concern, and, acting on behalf of that nebulous political entity "the Arab people," he made a very comprehensive demand in a letter dated July 14, 1915. The area, he said, should be bounded:

> on the north by Mersina and Adana up to the 37^0 of latitude, on which degree fall Birijik, Urfa, Mardin, Midiat, Jezirat, Amadia, up to the border of Persia; on the east by the borders of Persia up to the Gulf of Basra; on the south by the Indian Ocean, with the exception of the position of Aden to remain as it is; on the west by the Red Sea, the Mediterranean Sea up to Mersina,

i.e. the whole of the Arabian peninsula (except Aden) and all of what is now Iraq, Palestine, Transjordan and Syria, running up to the borders of Persia on the east and slightly into the present Turkish State on the north.

Sir Henry's reply, dated October 25, 1915, contains the passage which was regarded by the Arabs as their Magna Carta:

> 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:—
>
> "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."[1]

Since the "boundaries proposed by the Sharif" had included the Mediterranean as the western limit, and since Damascus (which is in Syria) was the southernmost point mentioned in the first paragraph, the Arabs assumed that Palestine was included in the independence area. Indeed, if the British intended to exclude Palestine from this area, then of the wording of the McMahon

(1) British White Paper, Cmd. 5957. In addition to the McMahon Correspondence, "Statements made on behalf of His Majesty's Government during the year 1918 in regard to the Future Status of certain parts of the Ottoman Empire" were also published as a White Paper (Cmd. 5964) in 1939. See Appendix I 2.

correspondence it must at least be admitted that "the language in which its exclusion was expressed was not so specific and unmistakable as it was thought to be at the time."[1]

But the British Government have always contended that their intention had from the first been to exclude Palestine from Sir Henry McMahon's pledges; this was stated by Mr Winston Churchill, Secretary of State for the Colonies, in a Memorandum on the Palestine Mandate dated June 3, 1922[2]; while, in letters written in 1922 and 1937, Sir Henry McMahon himself placed on record the fact that he had intended to exclude Palestine.[8] There is also evidence that the British Government had in fact made their intention plain, in an interview between Commander Hogarth and King Hussein in January 1918,[4] and that the King appeared to acquiesce in the exclusion of Palestine from the area of Arab independence. Moreover, Hussein's son, the Emir Feisal, is reported to have stated at the Paris Peace Conference[5] that "Palestine for its universal character should be left on one side for mutual consideration of all parties interested," although in 1921 he made a claim (which he afterwards withdrew) in a conversation at the Foreign Office on January 20, 1921, that Palestine had been included in the area within which the British Government recognized Arab independence.[6] But the Palestinian Arabs do not accept this view and have since persistently brought forward the original argument in their petitions and complaints.[7]

It should be noted that in 1915, when Sir Henry was in correspondence with the Sharif, there was as yet no question of a promise to the Jewish people. Nevertheless the Allies were alive

(1) During the Palestine Conference held in London in February-March 1939, a Committee of British and Arab representatives was set up to consider the McMahon Correspondence and failed to reach agreement upon the questions of its interpretation. The United Kingdom representatives informed the Arabs that H.M. Government had always regarded the phrase "portions of Syria lying to the west of the districts of Damascus, Hama, Horns and Aleppo" as embracing all that portion of Syria (including what is now called Palestine) lying to the west of *(inter alia)* the administrative area known as the Vilayet of Syria. They agreed that "Arab contentions regarding the meaning of the disputed phrase have greater force than has appeared hitherto," but maintained nevertheless that "on a proper construction of the Correspondence Palestine was in fact excluded" from the pledge. Cmd. 5974, p. 24. See map at end.

(2) British White Paper, Cmd. 1700. See Appendix I I I .

(3) Graves, p. 53, and *The Times, July* 23, 1937.

(4) British White Paper, Cmd. 5964.

(5) Hunter Miller, *My Diary at the Peace Conference of Paris,* vol, xiv, p. 230.

(6) *Hansard,* July 11, 1922, col. 1033.

(7) Notably in 1930. See *Statement by the Palestine Arab Delegation,* London, May 1930.

to the importance of the Holy Places—the question is raised in many of the secret treaties between them—and it is regrettable that the British negotiators did not from the start make the point clear to the Arabs.

The Secret Treaties

The first two of these secret agreements—in March 1915, between Britain, France and Russia, and in April 1915, between the three Allies and Italy[1]—did not specifically mention Palestine; they merely referred to future definition of the "rights" or "spheres of influence" to be allocated during any subsequent negotiations over the Asiatic territories of the Ottoman Empire.

The task of definition was delicate. The British Government had to inform its French allies of its undertakings to the Sharif, and to obtain their support for its action. "At this time the clash of interests between France and the Arabs and, therefore, between France and Britain, threatened to become acute"[2]; hence the secret negotiations towards the end of 1915 between Sir Mark Sykes and M. Georges Picot which culminated in the agreement of May 1916 which is usually known by their names.

The Sykes-Picot agreement provided for the division of the land bridge between the Mediterranean and the Persian Gulf into five distinct regions. Part of the area was to be under British control, part under French, part to be a British sphere of influence, part a French sphere of influence.[3] Palestine was to fall into none of these categories; the agreement stated that:

> With a view to securing the religious interests of the Entente Powers, Palestine, with the Holy Places, is separated from Turkish territory and subjected to a special regime to be determined by agreement between Russia, France and Great Britain.

Secrecy was regarded as the essence of this agreement, which was communicated neither to the Sharif nor to the Italians. It did not become known to these until the Bolsheviks, in November

(1) The texts of all these treaties were found by the Bolsheviks in the secret archives of the Russian Foreign Office and published by them in the Russian press. The collected texts in English, in the form of translations from the Russian press, are to be found in F. S. Cocks, *The Secret Treaties and Understandings* (Union of Democratic Control, 1918). For later publication of official texts see *inter alia* A. Giannini, *Doatmenti per la Storia delta Pace Orientate,* Rome, 1933; for the Secret Treaty of London of April 26, 1915, *British White Paper,* Cmd. 671, published in 1920.

(2) *History of the Peace Conference,* vol iii, p. 15.

(3) For an excellent map, see Bowman, *The New World,* p. 179 (1928 edition).

1917, published[1] a secret memorandum dated March 6, 1917, covering the negotiations which had taken place "in London and Petrograd" in the spring of the preceding year.

The Balfour Declaration

The claims of a world-wide movement such as Zionism meant that the Sykes-Picot ruling could not be regarded as the final word on the subject of the future of Palestine.

Attempts to provide a home for the Jewish people had already been made by the British Government; in 1903—when it was seemingly impossible to obtain from the Sultan of Turkey a concession which would enable the Jews to return to the Promised Land—it had offered them territory in Uganda. But Palestine—the historic Jewish Land—was the only place which could fulfil Jewish desires, and the 1905 Zionist Congress rejected the offer.[2]

The Zionist cause was not furthered by the Allies in the early years of the War for the obvious reason that Russia was one of their number, and Zionism was not viewed with favour by the Imperial Russian Government.

But in February 1917 the Russian revolution had begun. During that month Sir Mark Sykes entered into close relations with Dr Chaim Weizmann, a leading Jewish intellectual, who was Reader in Chemistry at Manchester University, but had been seconded to the Admiralty for special purposes.[3] As early as 1906 Dr Weizmann had interested Mr Balfour in the possibility of a Jewish National Home in Palestine, and these two men were the leading figures in the negotiations between the Zionist Organization and the British Government which were carried on throughout the summer of 1917. These, which had the full approval of the United States Government,[4] culminated on November 2, 1917, in the so-called Balfour Declaration, which was in point of fact a letter written by Mr Balfour to Lord Rothschild which contained the following statement:

(1) In Isvestia, November 24, 1917; reprinted in the *Manchester Guardian*, January 19, 1918, and in *History of the Peace Conference*, vol. vi, p. 16. The contents of the agreement were revealed to the Sharif by the Turks; Italy, who was apparently acquainted with its terms by the beginning of 1917, was compensated by the St Jean de Maurienne agreement of April 17, 1917, which later proved abortive.

(a) See Melchett, *Thy Neighbour*, pp. 112-16. Zionist opinion, however, was divided on this question, many leaders favouring acceptance of Uganda, at least as a temporary refuge.

(3) He had, while there, invented an important process yielding the acetone required for manufacturing cordite. See Melchett, pp. 120-2.

(4) See Stein, Zionism, pp. 90-1.

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

The French Government expressed its approval of the scheme on February 14, 1918[1]; the Italian Government also approved it; and the sentiment which prompted it received the warm support of public opinion in the United States.

The suggestion is often heard that the declaration was made to induce the rich American Jews to use their influence to make the United States Government enter the War. Dr Weizmann denies this, ascribing the promise to "recognition of the yearning of an old race" and to motives of redress for the position of Jews in the world. He also disclaims the suggestion that the British made the offer for imperialist reasons, pointing out that "when the British Government agreed to issue the famous Balfour Declaration, it agreed on one condition: that Palestine should not be the charge of Great Britain."[2]

Undoubtedly altruistic motives, stimulated by deep feelings on the subject of the Holy Land, contributed to the British Government's decision, for they inspired the enthusiasm and energy of men like Balfour.[8] But at a time when victory at all costs was a paramount consideration it is hardly likely that the War Cabinet would have taken the decision from wholly disinterested motives. "It was important for us to seek every legitimate help we could get. We came to the conclusion from information we received from every part of the world[4] that it was vital we should have the sympathies of the Jewish community."[5]

The value of the Declaration as a War measure is obvious if

(1) Hunter Miller, vol. v, p. 20.

(2) "Palestine To-day," in *International Affairs*, September-October 1936, p. 673.

(3) For an account of the role he played, see Blanche E. C. Dugdale, *Arthur James Balfour*, vol. ii, chapter xi; for his personal feelings on the subject, see in particular a speech quoted on p. 217.

(4) For proof that the Allies were exercised as to the attitude of the Jews of the United States, see the reports of the British Ambassador, *Letters and Friendships of Cecil Spring Rice*, vol. ii, pp. 420-2.

(5) Mr Lloyd George in the House of Commons. *Hansard*, June 19, 1936, col. 1343.

one studies the concern it caused among the enemy Powers, Germany and Turkey, the former being affected not only because of the large Jewish population within the Reich but also because of the high percentage of Jews in the parts of Eastern Europe—Ukraine, Poland and Rumania—occupied by German troops.

Rival offers were therefore contemplated. On December 31, 1917, Talaat Pasha told a correspondent of the *Volkische Zeitung* that he was prepared to offer German Zionists some form of chartered company with local self-government of a limited character and rights of immigration into Palestine; the resultant negotiations in Berlin yielded a new combination of Jewish societies called *Vereinigung Judischer Organizationen Deutschlands zur Wahrung de Rechte des Ostens,* the German Government finally securing the concessions in Constantinople in July 1918. But by this time Palestine was in the hands of the Allies, and a Zionist commission which had begun work in March was, thanks to the tact of Dr Weizmann, already on good terms with the Arab leaders.[1]

Meanwhile Arab hopes were raised by a joint Anglo-French declaration of November 7, 1918, which defined the War aims of the Allies in the East and promised "administrations deriving their authority from the initiative and free choice of the indigenous populations, in Syria and Mesopotamia."[2] This was felt among Arabs to supersede or at least to qualify the Sykes-Picot agreement.

It is often pointed out that this declaration omits Palestine; to this the reply of the Palestinian Arabs is that they did not take it as such, the main reason which they give for their interpretation being that they did not use the name Palestine, and knew the whole region as Syria, and that the declaration was distributed throughout the whole of Greater Syria (i.e. including what is now Palestine) and Mesopotamia.

The Compatibility of the Promises

There seem to have been high hopes at the Peace Conference that the promises to Jews and Arabs could be implemented simultaneously. The Jews were fully prepared that "nothing shall be done which may prejudice the civil and religious rights of

(1) The first meeting between Dr Weizmann and the Emir Feisul took place at the latter's camp at Gueira, between Aquaba and Maan, at the beginning of June 1918.

(2) For text of main passages, see *History of the Peace Conference,* vol. vi, p. 141.

existing non-Jewish communities in Palestine."[1] The Arabs, represented by the Sharif's son, the Emir Feisal, and by Colonel T. E. Lawrence, **were** equally conciliatory.

> In Palestine the enormous majority of the people are Arabs. The Jews are very close to the Arabs in blood, and there is no conflict of character between the two races. In principles we are absolutely at one. Nevertheless, the Arabs cannot risk assuming the responsibility of holding level the scales in the clash of races and religions that have, in this one province, so often involved the world in difficulties. They would wish for the effective super-position of a great trustee, so long as a representative local administration commended itself by actively promoting the material prosperity of the country.[2]

According to Dr Hunter Miller's notes, Feisal also stated, at the meeting of the Supreme Council to which he presented the Arab demands for fulfilment of the promises of the Allies, that "Palestine, for its universal character, should be left on one side for the mutual consideration of all parties interested. With this exception he asked for the independence of the Arabic areas enumerated in his memorandum."[8]

An incident of January 1919 illustrates the cordiality and optismism prevalent on all sides.[4] Feisal, then in London with Lawrence, met Dr Weizmann, of the Zionist Organization. They had met several times in the previous six months, but this time committed to paper an agreement[5] promising "the most cordial goodwill and understanding." Both were convinced that this was possible, for Article IV read:

> All necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale, and as quickly as possible to settle Jewish immigrants on the land through closer settlement and intensive cultivation of the soil. In taking such measures the Arab peasant and tenant farmers shall be protected in their rights, and shall be assisted in forwarding their economic development.

Looking back upon this incident, it seems unfortunate that neither party represented a body sovereign in Palestine. Feisal,

(1) "Statement of the Zionist Organization regarding Palestine," Hunter Miller, vol. v, p. 15.
(2) "Memorandum by the Emir Feisul," Hunter Miller, vol, iv, p. 297.
(3) Hunter Miller, vol. xiv, p. 250.
(4) **Described by Dr Weizmann in *The Times*, June 10, 1936.**
(5) The text was quoted at length in *The Times* of June 10, 1936,

as the son of the Sharif, doubtless felt entitled at the time to speak for the Arab peoples of Asia. But as their lands were subsequently divided he came, in spite of his and Lawrence's hopes, to represent Iraq only. It would seem from the wording of a reservation to the agreement that he and Lawrence foresaw this possibility; it runs:

> If the Arabs are established as I have asked in my manifesto of January 4 addressed to the British Secretary of State for Foreign Affairs, I will carry out what is written in this agreement. If changes are made, I cannot be answerable for failing to carry out this agreement.
>
> (signed) Feisul ibn Hussein.

As things turned out, Feisal could not be "answerable"; his agreement with Dr Weizmann therefore becomes a personal document of purely historic interest.

The Allocation of the Mandate

Article 22 of the Covenant of the League of Nations established the Mandates system, the guiding principle of which is that "the well-being and development" of the inhabitants of certain ex-enemy colonies and territories shall be a "sacred trust for civilization" under the tutelage of a Mandatory on behalf of the League.

The reception of this arrangement by the Jews and Arabs is interesting. Feisul's willingness to accept "the effective superposition of a great trustee" was doubtless due to the influence of Lawrence, who held this view. Not all Arabs thought likewise, and President Wilson, realizing this, attempted to fulfil the clause in the Covenant which lays down that "the wishes of these communities must be a principal consideration in the selection of the Mandatory" by securing the appointment of an Allied commission to ascertain their wishes. When the British and French failed to fall in with this plan, he sent a private American commission—under H. C. King and C. R. Crane—which received petitions and interviewed delegations all over Palestine and Syria in June-July 1919.[1]

The chief points in the report affecting Palestine were (i) "Strong sentiment favourable to complete independence for a united Syria (including Palestine) but if supervision was necessary, the United States was preferred, then Great Britain . . . (ii)

(1) For details see Stannard Baker: *Woodrow Wilson and World Settlement*, vol. ii, pp. 205-22, and also "the important minutes of March 29, 1919, in which the whole noisome business of the partition of Turkey was poured out in a secret session of the Heads of States"; vol. iii, pp. 1-19.

Strong opposition to the Zionist proposal was also indicated."[1] But the King-Crane report was not published until 1922 and was in any case unofficial, so Feisal's was the last word for the Arabs.

The Zionist Organization was more specific:

> We ask that Great Britain shall act as Mandatory of the League of Nations for Palestine. The selection of Great Britain as Mandatory is urged on the ground that this is the wish of the Jews of the world, and the League of Nations in selecting a Mandatory will follow, as far as possible, the popular wish of the people concerned.[2]

The allocation of the Mandate was for several reasons a slow process. In the first place it hung upon Anglo-French agreement as to the validity of the Sykes-Picot arrangements for the whole of the ex-Turkish territories, and this was held up by discord over Syria and Mosul, involving discussions *tres vives de tori*[3] between Clemenceau and Mr Lloyd George. As a result of the compromise Palestine, which had under the Sykes-Picot plan been destined for international administration, in the end passed by mutual consent into British tutelage. The next delay was caused by the United States, which through "participation in the victory" asserted its right to an equal voice in deciding the Mandates over Turkish territory,[4] but at the same time was not participating in the League meetings upon the subject. Finally, Italy objected to the confirmation of the Palestine Mandates until certain questions outstanding between France and Italy in regard to Syria had been disposed of.

These obstacles account for the late date of the completion of the Palestine negotiations. The Supreme Council, sitting at San Remo, allocated the Mandate to Great Britain on April 25, 1920, adding a rider to the effect that the Mandatory Power should be responsible for giving effect to the Balfour Declaration. The terms of the Mandate were the next problem; the long discussion involved included a bitter controversy as to the composition and functions of the International Commission to which it was proposed to refer certain questions relating to the Holy Places, and

(1) Quincy Wright, *Mandates under the League of Nations*', p. 45.
(2) Hunter Miller, vol. v, p. 21.
(3) The description is Monsieur Tardieu's; see L'*Illustration,* June 19, 1920.
(4) Note from Secretary Hughes to the Allied Powers, August 1921, quoted in Quincy Wright, *Mandates under the League of Nations,* p. 54. This book deals ully (pp. 48-56) with the whole incident of American delay.

the draft suggested called forth criticisms from the Papacy and from various Moslem organizations for being too pro-Jewish, from Jewish organizations as imposing too rigid a limit on Jewish privileges, and from the British House of Lords as being contrary to the wishes of the inhabitants of Palestine.

The final draft was tentatively confirmed by the League Council on July 22, 1922. But it was felt undesirable to promulgate it in advance of the French Mandate for Syria, and since this was held up pending the composing of certain Franco-Italian differences, the final entry into force of the two Mandates did not take place until September 29, 1923.

The Provisions of the Mandate

The terms of the Mandate[1] endeavoured to fulfil the promises made:

> *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.

The Balfour Declaration to the Jews was further implemented by the promise of a recognized Jewish Agency to advise the Administration on the establishment of the National Home, and by undertakings to facilitate immigration and encourage close settlement of Jews on the land, subject to the rights and position of other sections of the population. The Mandatory also promised the encouragement of local autonomy and undertook all responsibility with respect to rights and access to the Holy Places.

The only complication arising out of the war-time promises and the Mandate seemed to be the fact that the Mandatory differed from the Palestinian Arabs as to the meaning of the McMahon undertaking, and that many Arabs therefore denied the validity of the Mandate. Apart from this, there appears to have been every hope that the Mandatory would implement its triple promise under the Mandate: namely, to safeguard Arab rights, to provide a National Home for the Jews, and to secure for the joint community self-government.

(1) For the full text of the Palestine Mandates, see Appendix I I , 2.

NOTE ON TRANSJORDAN

Under the terms of Article 25 of the Mandate,[1] Transjordan was included in the Mandated Territory of Palestine, but by virtue of a saving clause in the Article the Mandatory was empowered to withhold application of any clauses of the Mandate which he might consider to be inapplicable to Transjordan, and to provide it with such administration as he might think fit.

In the British view, Transjordan did (whereas Palestine did not) fall within the area in which the McMahon promise of independence applied, and in September 1922 the British Government therefore secured the League Council's approval of a memorandum[2] proposing that Transjordan should be exempted from all those clauses dealing with the Holy Places and the Jewish National Home. On the strength of this, Jews have been refused the right to acquire land in Transjordan, a step which they resent as being an infraction of the Article of the joint Mandate which provides against discrimination on grounds of race, religion, or language.[3]

Transjordan is therefore somewhat detached from the problems with which this memorandum deals, and apart from the brief outline of its subsequent history given below, is not further dealt with.

There had been no British occupation of Transjordan after the Armistice, and no supervision except in so far as local chiefs were loosely guided by a handful of British political officers. The first step towards fulfilment of the independence promise was taken in February 1921, when the British authorities in Jerusalem negotiated an agreement under which the Emir Abdullah—son of the Sharif and elder brother to the Emir Feisal—was recognized as "administrator" under the Mandate. This arrangement was con-

(1) See Appendix I I , 2.

(2) See British White Paper, Cmd. 1785. In the Jewish view, there is no justification for this contention. If the phrase "the portions of Syria lying to the west of the districts of Damascus . . ." is held by the British Government to "embrace all that portion of Syria (including what is now called Palestine) lying to the west of *inter alia* the administrative area known as the *vilayet* of Syria," it follows, in the Jewish view, that the territories lying to the east of the Jordan which were in the same longitude (i.e. part of what is to-day Transjordan) must *ipso facto* have been included in the reservation. They therefore hold that the area in which the National Home was to be established was arbitrarily and unjustifiably reduced by Article 25 of the Mandate. (See map at end.)

(3) See Weizmann, "The Palestine White Paper," in *Week End Review*, November 1, 1930. Article 15 is the article in question.

firmed by a Conference which met in Cairo under Mr Winston Churchill, and, in 1922, by the British Cabinet. It was followed in 1923 by the recognition of an "independent Government" under British tutelage, as in Iraq.[1] In 1928 the British Government signed with the Emir Abdullah a treaty[2] laying down the principle of indirect administration;

> *Article 2.*—The powers of legislation and of administration entrusted to His Britannic Majesty as Mandatory for Palestine shall be exercised in that part of the area under Mandate known as Trans-Jordan by His Highness the Emir through such constitutional government as is defined and determined in the Organic Law of Trans-Jordan and any amendment thereof made with the approval of His Britannic Majesty.

In matters such as foreign relations, financial and fiscal policy, jurisdiction over foreigners, and freedom of conscience, the Emir agreed to be guided by British advice. This advice was exercised through the representative of the Mandatory in Transjordan—the British Resident appointed under Article I of the 1928 Treaty, who acted under the direction of the High Commissioner for Transjordan (who was also High Commissioner for Palestine).[8] The 1928 Treaty was, in June 1934, supplemented by an agreement[4] which enabled the Emir to appoint consular representatives in neighbouring Arab States. In May 1939, the British Government announced its agreement to the formation of a Council of Ministers (or Cabinet) in place of the existing Executive Council, each member of which was to be in charge of a department and to be responsible to the Emir. On July 19, 1941, a supplementary Agreement was signed between the British Government and the Emir of Transjordan by which "His Britannic Majesty may maintain armed forces in Transjordan, and may raise, organize and control in Transjordan such armed forces as may in his opinion be necessary for the defence of the country and to assist His Highness the Emir in the preservation

(1) See Toynbee, *Survey of International Affairs, 1925*, vol. i, p. 362.
(2) British White Paper, Cmd. 3069.
(3) The Annual Reports of the Mandatory for Transjordan to the Council of the League of Nations are bound in with the reports for Palestine, in which they form a separate section. For collected information, see Luke and Keith-Roach, *Handbook of Palestine and Transjordan* (3rd edition), 1934.
(4) British White Paper, Cmd. 4999.

of peace and order."[1] By 1942 there were only six British officials resident in Transjordan, and the High Commissioner of Palestine was in general control. In June 1944, the Government of Transjordan approached the British Government with a request that a new treaty more compatible with existing conditions than that of 1928 should be negotiated. The British Government replied that such negotiations could not take place until the end of the war.

III. THE CONTRASTING COMMUNITIES

A PITFALL to be avoided when weighing up the issues in Palestine is the assumption that each community is an unmixed entity. Actually the social, political or economic differences within both sections of the population often account for the development of events; so, sometimes, do their religious or political connections with communities outside Palestine. It is therefore worth while to describe the two communities before embarking on the history of Palestine under the Mandate, in spite of the drawback that to do so breaks the sequence of the chronological story.

1. POLITICAL CONTRASTS

(a) THE ORGANIZATION OF THE JEWS

The World Zionist Organization

Since at least 80 per cent, if not more, of the Palestinian Jews endorse the policy of the Zionist Organization, a description of the Jewish community in Palestine can properly begin with an account of the Organization and views of this world-wide body,[2] membership of which is open to all who advocate the creation of a Jewish National Home in Palestine secured by public law.

The ideal of a return to the Promised Land has long been cherished by Jews:

> The Jews have always hoped—it was an article of faith for religious and even for non-religious Jews—that a day might come when they would be allowed to return to the land of their ancestors. They have never given up this claim. They prayed

(1) British White Paper, Cmd. 6323.

(2) For a short account of the movement and its relation to the Palestine situation, see Israel Cohen, *The Progress of Zionism* (4th edition), 1938. For a popular history, see Stein, *Zionism.* See also Melchett, *Thy Neighbour.*

> for it. They fasted for it. And events have proved that it was not merely a romantic attachment on the part of a dispossessed people to a country of which they were deprived two thousand years ago.[1]

But the Zionist Organization proper was not founded until 1897, when the anti-Jewish outbreaks which occurred at the time of the Dreyfus case inspired the founder, Herzl, with the idea of an organized movement for a Jewish Home. His conception found its strongest support where persecution was severest, that is to say in Eastern Europe, but the more moderate practical Zionism prevalent elsewhere has always dominated the movement.

At the time of the allocation of the Mandate in 1922, the General Zionist Party—a moderate centre group under Dr Chaim Weizmann—was in control, claiming no less than 306 out of a total of 445 delegates at the Twelfth Zionist Congress of 1921. They continued to enjoy this supremacy for many years, thanks partly to Dr Weizmann's personal prestige—which was all the greater because he was known to command the confidence of the middle-class Jews on whose generosity the colonization of Palestine depended—and thanks also to the generous support which he received from the important Labour elements in Palestine itself. He lost authority in 1930 when the publication of a British White Paper[2] on policy in Palestine convinced many Jews that moderation did not pay. The disappointment of the Jewish people as a whole was reflected in Dr Weizmann's temporary eclipse, his place as head of the Organization being taken by his friend Dr Sokolow, but the former was reinstated at the Nineteenth Zionist Congress in 1935, and was again re-elected at the Twentieth Congress in August 1937.

At the same time it should be noted that, despite all his efforts, Dr Weizmann's influence was not sufficient to carry a vote in favour of partition at the Zionist Congress which followed the publication of the Peel Report. Here, in face of persecution, new alignments were discernible among the Jews, dependent less upon party considerations in Palestine than upon the risks to be faced in the world without.[3] An analysis of the vote on that occasion showed that whereas the persecuted Jews of Central Europe fol-

(1) Weizmann, "Palestine To-day," in *International Affairs*, September-October, 1936, p. 671.
(2) See p. 82.
(3) For an account of the views expressed at the Congress, see p. 105.

lowed Dr Weizmann in desiring partition, the devout Zionists turned down "Zionism without Zion", and were able to carry the day thanks to the vote of the assimilated Jews from the Western democracies, who feared that the creation of a Palestinian State might rob them of their prized American and British citizenship.[1] But nevertheless Dr Weizmann has continued to carry great weight in Palestine. He arrived in the country to celebrate his seventieth birthday just after the murder of Lord Moyne[2] in November 1944. The murder of Lord Moyne had been the culmination of a series of crimes which had steadily increased in number and in violence since the attempt on Sir Harold MacMichael the previous August. These crimes which had been committed, and admitted, by the *Irgun Zvei Leumi,* practically ceased after Dr Weizmann's arrival in Palestine.

At the present time the World Zionist Organization is composed of constituent Federations and Societies in fifty different countries. There are also within it Unions of members who represent a special principle or point of view within the movement as a whole. The various parties in the Zionist Organization are reflected in the political parties in Palestine itself described below.[8]

The Zionist Organization has an Executive and a General Council of 78 members, 41 of whom are in Palestine, which meets twice a year. During the war of 1939, members of the Inner Zionist General Council conducted the affairs of the Organization. This Council is composed of the members pf the Zionist General Council who live in Palestine. Since November 1942 it has based its policy on the so-called Biltmore Programme for the establishment of a Jewish State in Palestine and for unlimited immigration and land development to be controlled by the Jewish Agency.

The Jewish Agency for Palestine

Under Article IV of the Mandate "an appropriate Jewish Agency was to advise and co-operate with the Administration on the establishment of the National Home, and from 1922 until 1929 the Zionist Organization acted as such. But the same Article IV also provided that steps should be taken to secure the co-operation of *all* Jews who were willing to assist in the establishment of the National Home, and Zionism did not represent the

(1) See H. Beeley, in *Survey of International Affairs,* 1937, pp. 543-4.
(2) See p. 138.
(3) See p. 21.

whole of Jewry—particularly not the Jews **of** Western Europe **and** America who, being assimilated to the countries of their adoption, were mainly non-Zionist.

Negotiations towards the creation of an enlarged Jewish Agency proceeded from 1924 onwards,[1] and in 1927 the President of the Zionist Organization visited the United States, where he reached agreement with the head of the non-Zionist American Jews. After consultation with the Mandatory Power, the two branches of Jewry set up a Joint Palestine Survey Commission to report on the conditions in Palestine, and to draw up a programme of development. Finally, in 1929, after the report of the Commission had been examined, the new Agency came formally into being. It consists of a Council on which Zionists and non-Zionists are equally represented, and of a standing executive in Palestine, whose head is now Mr Ben Gurion. The President of the Zionist Organization is *ex officio* President of the Jewish Agency.[2]

Although it was satisfactory both to the Mandatory and to the Jewish people that there should now be a Jewish Agency which represented the whole of Jewry excepting a few extremist groups, this did not mean that there was any great practical change. Long before 1929 non-Zionist Jews—particularly in the United States—had contributed considerable sums towards the Palestine Foundation Fund for the development of Palestine. Nor has the presence of the non-Zionists on the Council of the Jewish Agency appeared to exercise much influence on the policy of the latter. This has been mainly determined, as it was before 1929, by the various parties of the Zionist Organization. Generally speaking, at the present time Labour is the strongest party in the Zionist Organization, as it is in the Jewish Agency and in the Histadruth.

The Work of the Agency

The powers of the Jewish Agency are considerable. Not only does it carry on all negotiations with the Palestine Government on matters which concern the Jewish community; it also controls to a very large degree the work of colonization and settlement. Its officials estimate the demand for labour which forms the basis of the Government's labour immigration schedules. It trains and selects the immigrants admitted under the schedule; it governs

(1) Sec Toynbec, *Survey of International Affairs*, 1925, vol. i, p. 385.

(2) For full details see Toynbee, *Survey of International Affairs*, 1930, pp. 245-51.

the policy of the two most important Jewish colonization funds, the Jewish National Fund for buying land, and the Palestine Foundation Fund *(Keren Hayesod)* for the establishment of settlers.[1] The Jewish Agency and its branch organizations have founded schools, hospitals, and agricultural and medical research stations, and in this way have maintained a far higher standard of living for the Jewish community in Palestine than would otherwise have been possible. This policy has been criticized by the Revisionists, who consider that it is the Government who should provide these services, and that the whole funds of the Jewish Agency should be devoted to immigration and colonization. The falling off of subscriptions to the *Keren Hayesod* in the slump years, and the consequent embarrassment of the Jewish Agency in carrying out the work it had begun, lent point to the Revisionist argument, but since 1934 these subscriptions have revived and have consistently proved greater than was estimated. Some of the social services established by the Jewish Agency are now run by the Palestinian Jews themselves; for example, the education service which was transferred from the control of the Jewish Agency in 1933.

The Jewish community in Palestine has an elected Assembly *(Assephath Hanivcharim)* and a General Council *(Vaad Leumi)*. It works through an Executive of five members, of which Mr Ben Zvi is President. The Assembly consists of 71 members over 25 years of age, and represents all sections of the Jews in Palestine in so far as they are Hebrew-speaking. In 1927 these organizations were officially recognized[2] and the Jewish community was granted a certain measure of self-government, including the right to levy taxes for education and other communal purposes through the *Vaad Leumi*. The Jewish community is divided into a number of political parties, most of which support the Zionist Organization. Prominent among those who do not are the Revisionists, who, in 1935 under the leadership of the late Vladimir Jabotinsky, withdrew from the Zionist Organization and founded the

Political Parties

(1) The total amount spent in Palestine out of these two funds between 1917 and June J936 was £9,409,000, of which £6,214,000 came from the *Keren Hayesod*. The total expenditure of funds from Jewish sources by the principal Zionist institutions over the same period was £14,037,000; this ngure does not, however, represent total Jewish expenditure in Palestine, since it is exclusive of certain non-Zionist funds, notably the PI.C.A.

(9) Jewish Community Regulations, 1927.

New Zionist Organization. The size and influence of this party has tended to vary in inverse proportion to the rate of immigration. It claims to constitute about 17 per cent of the Jews in Palestine, although the Zionists estimate their membership at only between 5 and 10 per cent. The Revisionists fiercely and constantly attack any policy of moderation; they hold that the promise embodied in the Balfour Declaration is one of a Jewish State, and aim at setting this up as speedily as possible in both Palestine and Transjordan. Their proclaimed objective is the production of a Jewish majority in Palestine and they therefore look upon immigration as transcending all other issues. The adoption by the Jewish Agency of the Biltmore programme[1] has narrowed the gap between it and the Revisionists on the basis of their respective programmes. At the beginning of the war of 1939 the Revisionists strongly supported the war effort and supplied many recruits for H.M. Forces, but they wanted the creation of a Jewish National Army to fight under its own flag. The Revisionists have their own Youth Organization (BITAR), which before the war had some 6,000-8,000 members. Another group is the *Agudath Israel*, comprising the strictly religious and wholly non-political Jews. They claim to represent 20 per cent of the total Jewish population, and are in part the remnants of offspring of the 55,000 Jewish inhabitants of Palestine at the time of the Armistice, many of whom were non-Zionist. They have so far remained outside the jurisduction of the General Council of the Jews of Palestine, with whom they differ on matters of ritual and education, and at their own request do not form part of the community as recognized under the Ordinance of 1927. Indeed, they at one time went so far as to appeal unsuccessfully to the Mandatory and to the League for official recognition as a separate community.* Their appeal failed, and their relations with the newcomers for years remained very bitter. But in the spring of 1939 the *Agudath Israel* co-operated with the Zionist Organization and the Jewish delegation that took part in the Palestine Conference with the British Government, and they are inclined to seek co-operation with the Arabs. They have a Youth Organization of between 3,000 and 4,000 members.

Non-*Zionist* *Jews*

(1) See p. 134.

(2) Petition from the Council of the Ashkenazic Jewish Community of Jerusalem: Permanent Mandates Commission, *Minutes of the Seventh Session*, pp. 181-3.

Zionist Parties

Mapai (Miflagath Poalei Eretz Israel) is the largest and most powerful party in Palestine and in the *Histadruth.*[1] It is the socialist Labour Party, a combination of two former parties, one of which was nationalist rather than socialist, and the other Marxist and approximating to a Continental Social Democratic Party. Differences have never quite disappeared and tend to cause disunity within the party from time to time whenever controversial issues arise. The party is under the leadership of Mr Ben Gurion, and is strictly committed to the Biltmore Programme. It controls the largest Youth Movement *(Hanoar Haoved)* in Palestine, with a membership of over 10,000. *Hanoar Haoved* has sixteen settlements, in which its members can only work after they have undergone a two-year period of training.

Haskomer Hatzair, the next largest party, is a Left Wing Socialist Party forming the Opposition to *Mapai* in the *Histadruth* and antagonistic to the Revisionists. It does not support the Biltmore Programme, and, although strongly opposed to the White Paper of May 1939, is in favour of co-operation with the Arabs and the creation of a bi-national Arab-Jewish State.

Poalei Zion is a small group on the Left Wing of the Labour Party which usually supports *Hashomer Hatzair* in opposition to *Mapai. The General Zionists* are a group of Zionists not committed to any particular political or economic platform and who work for the creation of a National Home for the Jewish people in Palestine on the basis of the Balfour Declaration and the decisions of the Zionist Congress. Its members are mainly professional middle-class people. The group is divided in Palestine into General Zionists "A" and "B". General Zionists "A" is a progressive party which co-operates with the Labour Party; its membership in Palestine is fairly small, approximately 6,000-7,000. Dr Weizmann is one of its leaders whom it supports strongly. The General Zionists "B" is more conservative than the "A" group and differs from it on its social and economic programmes. The party is closer to the Revisionists, while not supporting Revisionist methods. **Its** membership in Palestine is probably between 3,000 and **4,000.**

Mizrahi is the Orthodox religious party within the World Zionist Organization, and therefore in bitter opposition to the *Agudath Israel.* It wishes to see education in Palestine kept on religious

(1) For the organization of the *Histadruth,* see p. 36.

lines. Politically it is to the Right, and has supported the Revisionists and tried to secure their return into the Zionist Organization. At a party conference in Jerusalem on May 21,1944, *Misrahi* called for the opening of the gates of Palestine to Jews and for the establishment of a Jewish State.

Aliyah Hadashah (New Immigrants Party) was formed in 1942 from the German, Austrian and Czech immigrants who came into Palestine as a result of the Nazi persecution since 1933. The party is critical of the present leadership of the Jewish community, and the majority of its members are opposed to the Biltmore Programme.

Ichud (Union) is not so much an organized political party as a programme. Its supporters are few in number, largely drawn from intellectual circles. Its leader, Dr Magnes, President of the Hebrew University in Jerusalem, stated in 1942 that its aims were: opposition to the White Paper of 1939, and recognition of the importance of continued Jewish immigration to Palestine and the creation of a bi-national Arab-Jewish State in Palestine, incorporated into a predominantly Arab federation of states. The exact strength of *Ichud* is not easy to estimate, but it has against it the whole weight of the official Zionist Organizations.

Defence Organizations

The youth organizations attached to some of the political parties have already been mentioned. It is largely out of these youth organizations that the illegal defence organizations, which have sprung up in Palestine since 1936, have been built up. The most important of these is the *Hagana,* financed and organized by the Jewish Agency and the *Histadruth,* and originally designed for defence against Arab attacks. During the Arab Revolt of 1936-39 almost all able-bodied Jews of the younger generation were given a pre-military training, in spite of the fact that such training continued to be illegal and "clandestine" under the terms of the mandate. To-day it is probably well armed and large in numbers.

Another military organization is the *Irgun Zvei Leumi,* many of whose members are Revisionists. At the beginning of the war of 1939 it was prepared to fight the Nazis if a Jewish Army had been raised, but the large-scale terrorist activities in Palestine since 1943 showed that it had begun to fight openly against the policy of the White Paper. A small fanatical group of the I.Z.L. never observed the unofficial truce in Palestine at the beginning of the war, and as early as 1942 began terrorist activities. This was the

so-called Stern Gang, whose leader, Albert Stern, was killed in February 1942, and whose members were responsible for the murder of Lord Moyne in Cairo in November 1944.

(b) THE ORGANIZATION OF THE ARABS

Organization of the Community

As opposed to the orderly picture afforded by the Jewish political organization, the Arab community presents a shifting scene. It has never been organized on a basis comparable to that of the Jews. The Mandatory Power is often blamed for this,[1] in the Mandates Commission and elsewhere, but it is not altogether for lack of effort on its part that there is no Arab Agency to match the Jewish Agency.[2] The Arabs do not enjoy any equivalent of the Jewish General Council *[Vaad Leumi).*

Religious

Of the 87,000 (approximately) Christian Arabs the majority are members of the Greek Orthodox Church under the leadership of the Orthodox Patriarch. They have no religious organization comparable with that of the much larger Moslem Community, whose religious affairs are governed by the Supreme Moslem Council, formed as the outcome of regulations drawn up by an Arab Assembly in 1921 and approved by the High Commissioner. The Council, which wielded considerable power (until the day in 1937 when the British authorities, suspecting it of sedition, deprived it of its funds and its leader), consisted of a President, and of four members elected for four years, two of whom represent Jerusalem, and the other two Nablus and Acre. Originally these members were elected; but, on account of irregularities which marked the elections held in 1925, the High Commissioner, in the thirteen years which* followed, himself nominated the five representatives. The fact that the Council was nominated, not elected, and was therefore not composed of "men enjoying the confidence of their own community," was more than once criticized by the Permanent Mandates Commission.[8]

Nevertheless, the Council enjoyed considerable scope, owing to its control, subject to Government approval, of the Moslem keligious Courts (which have sole jurisdiction in matters of personal status of Moslems), and to its funds derived from its control over the Moslems *Waqfs* (private or public endowments). Tithe

(1) Sec eg. P.M.C., *Minutes of the Twenty-ninth Session,* pp. 148-9.
(2) Seep. 19.
(3) See P.M.C., *Minutes of the Twentieth-ninth Session,* p. 148.

from *Waqf* lands "forms 55 per cent of the revenue of the Moslem religious endowments in Palestine, and the *Waqf* tithe is approximately 12.75 Per cent of the total tithe revenue of the country."[1] While the Supreme Moslem Council is required to submit its budget for the expenditure of these funds to the Government "for information," the latter have, normally, no effective means of checking such expenditure; and in fact the Mufti of Jerusalem was widely accused—notably by one of the leaders of the National Defence Party, Fakhiri Bey Nashashibi[2]—of using his official position and the funds of the *Waqf* to build up and arm his following and to promote terrorist activities.

It was the belief that these funds were being used for political purposes that caused the British authorities on October 1, 1937, to deprive the Mufti of Jerusalem of his office of President of the Council, and to take over the administration of the *Waqf* coffers, thus depriving the body of its livelihood and of an impetus which it has never since regained.[8]

Political

While the Arab community has always, for various reasons, been far less developed intellectually—and therefore politically—than the Jewish, a radical change has taken place in the last few years, and is still in process—although clear-cut political divisions and doctrines have yet to be evolved. Indeed, the impact of Western civilization—which began long before the War, but which was increasingly felt under the Mandatory regime—from the start influenced Arab political and religious life. For it awoke the social force "which convulsed and devastated the Ottoman Empire in its latter days . . .—the Western conception and consciousness of nationality."[4] The importance of this profound and widespread movement in the countries of the Near East—not only in the Mandated Territories but in Egypt and the autonomous States of the Arabian peninsula—has been described by Hans Kohn in his *Nationalism and Imperialism in the Hither East,* and, later, by Mr George Antonius in *The Arab Awakening.*

In Palestine, as elsewhere, the rise of the spirit of nationalism vitally affected the status of religion. Religious feeling was not necessarily weakened, but it was altered and no longer remained

(1) Luke and Keith-Roach, p. 44.
(a) In a memorandum sent to the High Commissioner on November 15, 1939. (See *The Palestine Post,* January 6, 1939, and *Report for 1937,* p. 21.)
(3) See p. 113.
(4) Toynbee, *Survey of International Affairs, 1930,* p. 252.

supreme. The deep division between Christian and Moslem Arabs which existed under Turkish rule in Palestine disappeared, and Christian and Moslem began to work together, sharing the same aims of independence and unity. "To-day the Mohammedan is primarily a member of his nation or a citizen of his State, and only afterwards a Mohammedan."[1] Religion, however, has at times been a useful rallying cry.

But in spite of this trend, the Arab leaders in Palestine have rarely succeeded in creating such a solid nationalist movement as has existed in Egypt. Although religious barriers had broken down the old feuds between the leading families of the Arab aristocracy —particularly the Husseini and the Nashashibi—still persisted. In fact,

> It was only at times of the most violent disturbance, when the nationalist movements concentrated in armed revolts, that a powerful united front was created and the agitation penetrated far into the masses.*

The Arab Executive

The body which, until 1936, was at the head of the nationalist movement in Palestine, and which usually handled the Arab case against the Government, was the Arab Executive elected by the Palestine Arab Congress. The first Congress was held in 1920 as a result of the growth of the joint Moslem-Christian associations led by leaders of the Husseini family. Until 1925 the Arab Executive, which denied the validity of the Mandate, pursued a policy of non-co-operation with the Government, but later its aim changed. The Seventh Arab Congress held in Jerusalem in 1925, at which all the chief Arab political parties were represented, issued a memorandum demanding the establishment of a democratic parliamentary system of government. To this demand, as circum-; stances came to require, was later added the claim for the cessation of Jewish immigration.

The Arab Higher Committee

From 1935 onwards the growing Arab uneasiness was expressed in a tendency to crystallize into regularly constituted parties. The consolidation of six of these was noted in the Mandatory Power's Report for 1935, which enumerated their names and their leaders as follows:

(1) Kohn, *Nationalism and Imperialism in the Hither East,* p. 24; cf. the analogous movement in Turkey which culminated in the Bill of April 9, 1928, which brought about the final disestablishment of Islam as the State religion.
(2) Kohn, p. 115.

(1) The Palestine Arab Party, under the leadership of Jamal effendi Husseini (a kinsman of the Mufti of Jerusalem).

(2) The National Defence Party, under the leadership of Ragheb Bey Nashashibi (formerly Mayor of Jerusalem).

(3) The Reform Party, with no president; of which one member of the Committee is Dr Khalidi (Mayor of Jerusalem).

(4) The National *Bloc*, under the leadership of Abdul Latif Bey Salah of Nablus.

(5) Congress Executive of Nationalist Youth, led by Yakub effendi Ghussein.

(6) The Istiqlal (Independence) Party, under the leadership of Auni Bey Abdul Hadi.

By the autumn of 1935 these groups had in a quite unprecedented way sunk their difference in the interests of nationalism, and with the exception of the Istiqlal, had together approached the High Commissioner with certain national demands.[1] In April 1936 the party leaders combined to form an Arab Higher Committee. This body, which superseded the Arab Executive as the chief mouthpiece of the Arab cause, conducted negotiations on behalf of the whole population throughout the disturbances of 1936, and appears to have been in closer touch with the rank and file than any previous Arab body—contact being maintained by means of a new organization in the form of local Arab national committees. These, which constituted cells of the national movement, attended to strike action and relief[2] with a competence which convinced some observers that the handiwork of a new type of young and educated Arab was discernible.

Party Quarrels, 1937-9

Immediately after the publication of the Peel Report on June 22, 1937, however, a cleavage became apparent within the Arab Higher Committee. Although the latter was composed of representatives of all six parties, it was dominated by Jamal Husseini's Palestine Arab Party—the most important group, not only owing to its size but to its family connections. For Haj Amin Husseini was Mufti of Jerusalem, and the group to which he belonged enjoyed authority thanks to his prestige among Moslems as con-

(1) The Istiqlal, which is affiliated to the Pan-Arab Istiqlal (Independence) movement, had for some time been inactive and disorganized, but towards the end of 1935 the High Commissioner reported that it became more active, associating with independent extremists in its denunciation of the Administration. For details of the demands of the five parties, see below, p. 86.

(2) For a description of their work, see *Daily Telegraphy* September 21, 1936. By September 1936 the organization was sufficiently formed to allow of the calling of a Congress of Local Committees, details of which are given below (see p. 94).

troller of their Supreme Council and of their *Waqf* endowments. This domination was particularly resented by the Nashashibi National Defence Party, which, on July 21, 1927, seceded from the Committee and proceeded to publish a separate memorandum on the Peel Report, This differed little from that of the Arab Higher Committee in its uncompromising rejection of the solution of partition; and the rift would appear to have been due to a recrudescence of the old rivalry between the feudal families, rather than to any serious political differences.

Shortly afterwards (October 1937) the Government found it necessary to dissolve the Arab Higher Committee and all National Committees, and to deport six Arab leaders. The Mufti of Jerusalem, deprived at the same time of his offices of President of the Supreme Moslem Council and Chairman of the General *Waqf* Committee, fled to Lebanon, from whence he directed the terrorist activities which continued throughout 1938; while the National Defence Party gradually acquired a reputation for moderation—in its methods, if not in its aspirations—which helped to draw down upon many of its members attacks no less dangerous than those which the Mufti's followers inflicted upon the Jews and British officials.[1] By the beginning of 1939 party differences seemed more than ever to be developing into a personal struggle between the Mufti and the Nashashibi family for supremacy over the Palestinian Arabs. The Mufti, from outside the country, strove to maintain his leadership. The Nashashibi, possessing the advantage of being within its frontiers, endeavoured to wrest that leadership from him. But just as in 1937 the National Defence Party had been at one with the Arab Higher Committee in rejecting the idea of partition, so during the London Conference of 1939, the Palestinian Arabs were ultimately able to subordinate their divergent views and personal rivalries at least to the extent of presenting a united demand for the creation of an independent Palestinian State.

2. CONTRASTS IN THE SOCIAL AND ECONOMIC STRUCTURE

(a) THE ARAB COMMUNITY

Under Turkish rule[2] Palestine was administered by the Arab

(1) See Chapter X.

(2) The Turks won Palestine from the Mamluk dynasty of Egypt in 1516-17. The Arab invasion had taken place in the seventh century.

aristocracy, who, principally on the strength of their long-established local position, were taken into the governing class (the so-called *effendi* class) of the Ottoman Empire. The life led by the community was not unlike that of medieval Europe: it was a feudal organization consisting of a small number of land-owning families and a backward peasantry, partly nomadic *(bedawi)* and partly settled *(hadari)* and chiefly engaged in agriculture.

Nature of Population

Today the Palestinian Arab community is still predominantly agricultural, 72.8[1] per cent of the total Moslem population living in rural areas. There have, however, been considerable changes in the social structure of the community. There is now no longer a large Arab landlord class, most of the land having been sold by the landlords, many of whom were not Palestinian Arabs. Ownership of the land is now, for the most part, in the hands of small landlords, who are themselves fellahin and who live in the villages. The nomadic element, probably somewhat over-estimated at 103,331 in the 1922 census, had fallen to 66,553 in 1931. Although more recent estimates are not available it seems probable that the downward trend has not continued. The fall in the number of Beduins may be due to the fact that, with the increase in the area of cultivated land these nomads have found difficulty in obtaining pasturage for their livestock.

The backwardness of the agricultural population can be put down to a number of factors, among them the barrenness of much of the country,[2] the heavy indebtedness of the peasants and the old Arab system of land tenure. The indebtedness of the peasants has tended to decrease lately owing to the higher prices the Arab fellahin received for their produce during the war.

Land Tenure

The system of land tenure which barred any widespread development of Arab agriculture was that known as *Mesha'a.* This was the equivalent of the Open Field system in feudal England: the whole of the village property was held in common, each cultivator having a right to a fraction of the whole, but having no piece of land allotted to him permanently. Since the plots were, as a rule, reallocated every two years, no cultivator was likely to improve the land simply for the benefit of his successor. Considerable progress has, however, been made in the partitioning of *Mesha'a* land and, although recent figures ate not

(1) Palestine, *Statistical Abstract, 1943,* p. 5.
(a) See pp. 51.

available as to the amount of land still held under this system, it is probable that it only forms a very small proportion of the total.

Insecurity of tenure was at one time a serious bar to development. To some extent this has now been mitigated, partly as a result of the transfer of land from large landowners, often not resident in Palestine, to the fellahin themselves, and partly to the regulations imposed by the Government.[1]

Opinions differ as to whether or not the fellah possesses sufficient industry and intelligence to be capable of profiting from improved conditions. Sir John Hope Simpson, for instance, maintained that the Arab cultivator was endowed with both qualities and that "were he to be given the chance of learning better methods, and the capital, which is a necessary preliminary to their employment, he would rapidly improve his position."[2]

The Arabs are by tradition skilful farmers, but they still mainly employ primitive methods, except in the culture of fruit and vegetables which they have developed to a high pitch. Many of them are anxious to employ modern methods and progress has been made in the sphere of agricultural education, for example at the Kadoorie Agricultural School for Arabs at Tulkarm. Improvements in Arab cultivation have been considerable, but in general Arab agriculture is still based on traditional methods. Certain drawbacks have retarded Arab agricultural progress, as, for example, shortages of machinery, artificial manures and the necessary capital, together with the comparatively low standard of education. Among the projects of the newly formed Arab League,[8] however, is the inauguration of a Land Redemption and Construction Scheme. The object of the scheme is to prevent land from falling into the hands of the Jews and to raise the social conditions of the Arab peasants by affording them enough education, health services and agricultural expert knowledge. This scheme is to be financed by all Arab countries. The Arabs in Palestine are, however, still at a disadvantage as compared with the Jews in this respect. Lack of capital also forces the Arab cultivator to resort to the money-lender and this aggravates his difficulties even further Credit and thrift societies are the obvious remedy, and a considerable development has been achieved in

(1) See, p. 59.
(2) Hope Simpson Report, p. 66.
(3) See, p. 135.

this respect although the Arab co-operatives, 240 in 1945, are yet small in number and influence by comparison with the 1,152 Societies in the powerful and self-reliant Jewish movement.

Education

The Arab is, and will be for some time to come, at an educational as well as a material disadvantage compared with the Jewish settler. Almost 100 per cent of Jewish children are believed to receive education of some kind or another, although the period may be short; this education is provided almost entirely with funds from Jewish sources. The proportion of Moslem children between the ages of 5 and 15 who were attending school in 1941 was estimated at about 25 per cent,[1] or only 65,700 out of a total school age population of 261,500. Three main reasons account for the lower percentage of Arab children attending school. The first is that the Arabs are dependent to a greater[5] extent than the Jews upon Government help, and the Government has been unable to meet the public demand despite the fact that the educational budget rose from £78,000 in 1921-22 to £367,000 in 1941-42. The second reason is that the average period of attendance at schools is shorter than in the Jewish Community; and the third is that the demand for education for girls, though increasing, is still relatively very small; in the villages only 5 per cent of the girls receive any education at all. Some mention must be made of Christian Mission Schools which provide good education for the children of the Christian community, and to which some of the modern-minded Arabs send their children.

In commenting on education and the other social services provided for the Arabs in Palestine, the Peel Report of 1937 says: "Though much more could have been done if more money had been available, the equipment of Palestine with social services is more advanced than any of its neighbours, and far more advanced than that of an Indian province or an African colony."[2]

Economic Changes

Many Arab landowners benefited financially from the sale of land to the Jews. Some of the capital received went towards increased agricultural production, especially of fruit, from the land they retained. But a proportion of it went towards the building of houses and of Arab industrial enterprises. With the rapid expansion of population and the sale of land to the Jews, there has been a drift from rural areas to the towns.

(1) Palestine, *Statistical Abstract, 1943,* p. 34.
(a) Cmd. 5479,p. 128.

The two chief changes in the economic structure of the Arab community have occurred, (a) among a slowly forming middle class, consisting chiefly of owner-cultivators in the plains and of the commercial and professional element in the larger towns, and (b) among the industrial population.

According to the 1931 census, about 3 per cent (25,000) of the Moslem and Christian population gained a livelihood in industry (as compared with 19,000 Jews, although the Jews then formed only a quarter of the total population). The example of Western capitalism was only just beginning to work a change in the economy of the Arabs, but the importance of Arab industry has since considerably increased, especially during the war. The main industrial development has taken place in the textile industry. Even allowing for the rise in prices, the increase in annual output from £37,000 pre-war to the present level of £284,000 is striking. Mention must also be made of the increased employment found by the Arabs in the building, wood, transport, and quarry and stone-dressing industries under Arab control. Many Arabs are also employed in Government Departments and in enterprises owned and controlled by foreign companies. A number of the *effendi* and other well-educated Arabs have obtained positions in the Government Departments, some of them positions of responsibility at comparatively high salaries. Palestine Potash, under Jewish management, is the largest private employer of Arab labour and in this respect is somewhat unique, for before the war Arab labour was seldom employed in Jewish enterprises. It is of interest that it was in the foreign-owned establishments and in the Government establishments as well as among port workers that the beginnings of Arab labour organization appeared.[1]

(b) THE JEWISH COMMUNITY

Characteristics

The Jewish population of Palestine has one or two characteristics unusual among immigrants. One is the remarkably high percentage of newcomers of independent means who entered Palestine in the inter-war period[2]; this, together with the funds provided by the central Jewish organizations, has supplied them with the financial means for the development of their own agricultural and industrial economy. A second unusual characteristic is

(1) Palestine Government, *Report of the Wages Committee*, Jerusalem, 1943.
(a) For statistics, see below, p. 67.

the predominance of a far higher standard of education and technical skill than is common among settlers; the percentage of immigrants in the same period who had received a secondary education is striking. This fact, coupled with the enthusiasm stimulated by the ideal motive of a return to the soil of the Promised Land, explains the following quotation:

> The great majority of early setders were youthful idealists of both sexes, many of whom had abandoned their Universities or professions in Central or Eastern Europe to devote themselves to manual labour in Palestine. As time went on the *Halutzim* (Pioneers) no longer played as predominant a part as they had done at the outset, but they still formed the backbone of the Jewish immigrant population and especially of the new agricultural settlements.[1]

Though this high intellectual standard has not been maintained throughout, a new stimulus was provided by the influx of highly educated refugees coming from Germany after the inauguration of the Nazi regime.[2] In Palestine itself the level tends to be maintained owing to the comparatively high standard of Jewish education in the country.

Progress achieved in Jewish agriculture is perhaps more remarkable than that achieved in industry, for, while some of the Jewish immigrants possessed both the capital and the technical skill necessary for the establishment of a successful industrial concern, few of them were expert agriculturalists; indeed, many had had no previous agricultural experience.

Land Tenure

The success of Jewish agriculture in Palestine may be attributed largely to the organization built up. Plans were devised to enable land and valuable equipment to be given to and safely used by those who had had little or no previous agricultural training. This has mainly been achieved by the setting up of *Kvutzoth* or communal villages and collective settlements of smallholders, which have had the advantage of expert assistance of agricultural research units, run by the Zionist organization, which are prepared to give advice on any problems of cultivation which arise in the

(1) Stein, "Development of the Jewish National Home**, *Survey of International Affairs, 1925,* vol. i, p. 374. Cf. also Report of Sir John Campbell, one of the experts employed by the Jewish Joint Survey Commission in 1927, quoted and endorsed by Mr Snell in his reservation to the Shaw report, p. 179.

(2) For figures showing the increase in the number of refugees coming from Germany, see p. 66.

various settlements. These research units are, however, only advisory bodies, the administration of the villages being delegated to the workers themselves. In the communal villages, run on a co-operative basis, the land is held in common and the adult population live in communal houses with a separate children's house run by nurses. The produce belongs to all the members collectively and is shared out in kind. There are two main types; those in which each settlement may not expand beyond a certain size, and must restrict its activities to agriculture: and larger settlements which can be continually expanded, and whose members may engage in industrial as well as agricultual activities. There are also Zionist settlements made up of smallholdings. In contrast to the members of the communal villages, the smallholders' settlements are based on private property and the farmer cultivates his own land. They differ from the ordinary villages in that they set certain limits to private ownership. The size of the holding is restricted to an area cultivable by the farmer and his family and employment of outside labour as a general rule is forbidden. Credits, production and marketing are organized co-operatively. In 1941 the collective settlements had nearly one-third of the total Jewish agricultural population reported by 257 Jewish agricultural settlements, and produced 63 per cent of the Jewish-produced milk and 70 per cent of the Jewish-produced eggs and vegetables. While collective settlements lead in mixed farming, the villages where farming is on an individual basis are predominant in the plantation zone.

Colonization Agencies

The main agencies responsible for Jewish colonization in Palestine may be roughly divided into three groups: the Zionist agencies, which are the Colonization Departments of the Zionist Organization and of the General Federation of Jewish Labour: the Palestine Jewish Colonization Association (P.I.C.A.): and the various Commercial Land or Settlement Companies, e.g. Palestine Plantations Ltd, and private societies, such as the Benei Benjamin. As was shown above, it is the Zionist agencies which have in recent years been mainly responsible for the successful settlement of Jewish immigrants in Palestine. Private and Commercial Setdement Companies are still in operation, although their activities are on a comparatively small scale and are mainly confined to the citrus growing parts of the country. The P.LC.A., based on the work begun in 1882 by Baron Edmond de Roths-

child, was the most important land settlement agency in Palestine up to the 1914-18 war, but in recent years the importance of the Zionist Organizations has greatly increased, while that of the P.L.C.A. has declined. To-day, the P.I.C.A. is only responsible for a very small part of the total area of Jewish settlements in Palestine.

Two principles of Zionist colonization, both incorporated in the constitution of the Jewish Agency, are especially resented by the Arabs. These are: (i) the principle that Jewish property is inalienable; no Zionist settler may dispose of his lease to any one but a Jew; (ii) the principle, carefully safeguarded by the powerful Jewish Federation of Labour, that only Jewish labour may be employed in Zionist colonies. The net result is that, when the Jewish National Fund makes a purchase, the Arabs lose not only the land itself but also any chance of being employed on this land.

Jewish Co-operatives

Another factor which assists Jewish development and which contrasts strongly with the situation among the Arabs is the highly organized nature of the Jewish Co-operative movement. There were in 1945 1,152 Jewish Co-operative Societies in Palestine connected with many branches of agriculture and industry. There are Co-operative Societies for banking, credit and insurance, producers' and consumers' societies, co-operatives for contracting, transport, marketing, irrigation, and land purchasing. Among the most important are the *Tnuva*, which markets the agricultural produce of Jewish labour settlements.

Histadruth

A great many of these Co-operative Societies are managed by the *Histadruth*, the Jewish Federation of Labour. This is the most powerful and wealthy of all Jewish organizations in Palestine, and practically controls labour and industry in the Jewish community. Its membership is between 125,000 and 130,000, including farmers and members of the professional classes as well as industrial workers. It is, in fact, far more than a federation of trade unions, since within it are federated or affiliated villages, the communal settlements mentioned above, and economic and financial institutions as well as the co-operatives. It also runs its own schools. It has a Sick Benefit Fund (*Kupat Cholim)* which provides workers with two hospitals, and runs schools and clinics. Its activities also include an agricultural contracting company, an engineering company, a marketing organization which provides a co-opera-

tive outlet for the farm produce of the settlements, and a workers' Bank. To-day, the main political groups within it also form the chief political parties in Palestine, described above.[1] These parties have formed their own groups of settlements. *Kibbutz Meuchad* and *Hever Hakveitzoth* are associations of collective and communal settlements affiliated to the *Mapai*, while the *Kibbutz Artzi* is an association of collective and communal settlements attached to the politically more radical *Hashomer Hatzair*.

It is evident that there are wide divergencies in the methods of cultivation employed in Palestine. Many of the Jewish colonizers practise modern methods of farming, and an increasing number of Arabs are following suit, although not all of them with success. Obviously the more intensively the land is farmed the larger the agricultural population which it can maintain, although it must be remembered that intensive cultivation requires increased capital, and also that ultimately the agricultural capacity of the country must depend on the amount of cultivable land available.[2]

Economic Development

The rapid economic development of Palestine in the industrial and commercial spheres has been largely a result of the numbers of Jewish immigrants entering the country, many of these immigrants having had previous industrial experience. In contrast to the Moslem population the Jews in Palestine have tended to live in urban as opposed to rural areas, and to seek their living in these areas. Thus it is estimated that in 1942 76.2 per cent of the Jewish population was resident in urban areas, and only 27.2 per cent of the Moslem population.[3] Estimates of the Jewish Agency[4] show that in 1943, only 13.2 per cent of the Jewish earning population were engaged in agriculture, while 53.1 per cent gained their livelihood from industry and trade, transport and communications, building and public works; in the census figures for 1931 the corresponding figures were 18.4 per cent and 47.8 per cent. The remainder of the earning population were mainly employed in the liberal professions, the police and security forces, and service. Statistics of the Jewish Agency[5] estimate that whereas in 1921-22 the value of the annual output of Jewish industries

(1) See p. 23.
(2) See pp. 53, 61, 70 and 71.
(3) Palestine, *Statistical Abstract, 1943*, p. 5.
(4) Jewish Agency, *Statistical Handbook of Middle Eastern Countries, 1945*, p. 5.
(5) Jewish Agency, *Statistical Handbook of the Middle Eastern Countries, 1945*, p. 14.

and handicrafts was only £5,000,000, by 1937 the output of industry alone had increased to £7.9 million and by 1943[1] had risen further to £37.5 million. Corresponding figures for the personnel employed are 4,750 in 1921-22, 21,964 in 1937, and 45,850 in *943-

IV. THE WORKING OF THE MANDATE 1920-1930

The Military Occupation 1918-20

FOR nearly two years after the Armistice, Palestine, pending the allocation and confirmation of the Mandate, was under British military authority. The arrangement was a legacy of the situation at the cessation of hostilities against the Turks.[2] The supreme power lay with Lord Allenby; General Sir Arthur Money was appointed Chief Administrator, and much was done to organize a government of the occupied territory, to restore the essential services, to relieve distress and, as far as the limitations of an occupation allowed, to begin the work of reconstruction.[8] The military administration also promoted the first recognized body for the relief and organization of the Jewish community.

The 1920 Disturbances

The contemporary happenings in Syria, where the French and the Arabs were struggling for control, were the chief grounds for Palestinian unrest during this period. When (by an agreement of September 1919) the British garrisons were replaced by the French in Syria, and when all hope of the United States as Mandatory for both territories waned with the withdrawal of America from participation in the peace settlement, Arab nationalism grew into a demand for a united and independent Palestine and Syria. In these circumstances,[4] the Emir Feisal and other Arab leaders supported this claim, which was enhanced, among Palestinian Arabs, by fear of being swamped under a wave of organized Jewish settlement. This fear accounts for the first clash of Arab and Jew, which took place on Easter Sunday 1920, when the Arabs looted the Jewish quarter of Jerusalem with some loss of

(1) For war-time expansion of industry, see p. 78.
(2) By the Armistice of Mudros, October 30,1918.
(3) For further details see Bentwich, *Palestine* (Modern World Series), pp. 83-4.
(4) For a summary of the friction with the French in Syria, see Stoyanovsky, pp. 14-18, and (in greater detail) *History of the Peace Conference*, vol. vi, pp. I34-69-

life. The Report of the Military Commission of Inquiry on these disturbances was never published.[1]

Inauguration of Civil Administration

Following the allocation of the Palestine Mandate to Great Britain[2] the military regime was superseded by a civil administration as from July I, 1920, with Sir Herbert Samuel as High Commissioner.

Jewish Immigration and the 1921 Disturbances

The task of implementing the Balfour Declaration now began in earnest. The first Immigration Ordinance was enacted in September 1920, and the High Commissioner authorized the admission of Jews in accordance with a first year's quota of 16,500[3] fixed by the Administration. The Arabs at once began to manifest considerable alarm. It was popularly supposed among them that their land was to be expropriated for purposes of Jewish colonization and that large-scale immigration would render the population of Palestine overwhelmingly Jewish; land and immigration, the two vexed questions from which almost all subsequent trouble has come, were prominent stumbling blocks from the first.[4]

These Arab fears were reflected in propaganda which was at its most violent during the visit of the British Colonial Secretary, Mr Winston Churchill, to the territory early in 1921; some of it can be put down to the efforts of the Arab *effendi* class, which feared that it would lose its feudal position in the course of the social change which was likely to accompany the Jewish influx. A few months later, the orthodox Easter Sunday—a moment of fervour among the Arabs—unfortunately coincided with Labour Day, May 1. A collision between rival demonstrations of Jewish Communists and Jewish Socialists occurred in Tel-Aviv. Arabs from the neighbouring suburbs of Jaffa joined in the fray and "when the disturbance had once begun, an already acute anti-Jewish feeling extended into an anti-Jewish riot" in which the Arabs were "generally the aggressors".[5]

The trouble did not spread. Martial law was declared, and Jewish immigration stopped for a short period, while a Commission of Inquiry reported that the cause of the disorders was Arab

(1) See, however, the Peel Report, pp. 50-1.
(2) See p. 12.
(3) *Report on Palestine Administration, July 1920-December 1921*, p. .127.
(4) For a full discussion of these problems, see chapters v and vi below.
(5) *Palestine.- Disturbances in May 1921. Reports of the Commission of Inquiry, 1921* (Cmd. 1540), p. 59.

hostility "connected with Jewish immigration and with their conception of Zionist policy as derived from Jewish exponents." After detailing the grounds for this hostility the report adds:

> But for the considerations set forth above we feel convinced that there would be no animosity towards the Jews as such; that there is no inherent anti-Semitism in the country, racial, or religious. We are credibly assured by educated Arabs that they would welcome the arrival of well-to-do and able Jews who could help to develop the country to the advantage of all sections of the community.[1]

This account of the 1921 disturbances is set out at some length because of the similarity of their causes with those of the disturbances of 1929, 1933, 1936 and 1938.

The Churchill Memorandum, 1922

To reassure the Arabs and to make the position clear to both parties, the Colonial Office on June 3, 1922, published a statement of British policy[2] giving a more precise interpretation of the Balfour Declaration. This statement, which, since Mr Winston Churchill was at the time Colonial Secretary, is usually known as the Churchill Memorandum, stressed:

> (i) That His Majesty's Government did not contemplate either the creation of a wholly Jewish Palestine or the disappearance or subordination of the Arab population, language, or culture in Palestine;
>
> (ii) That the terms of the Balfour Declaration did not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded in Palestine;
>
> (iii) That, for its development on these lines, it was essential that it should have in Palestine a status of right and not of sufferance and that it was for this reason that it should be formally recognized in the Mandates;
>
> (iv) That, for the fulfilment of the policy, the Jewish Community in Palestine should be able to increase its numbers by immigration, it being understood that such immigration should not exceed what might at the time be the economic capacity of the country, that the immigrants should not be a burden on the people of Palestine as a whole and that they should not deprive any section of the present population of their employment.

The Zionist Organization formally accepted the policy set forth in the memorandum; the Arabs, through the mouth of the Pales-

(1) Cmd. 1540, p. 54.
(a) British White Paper, Cmd. 1700. For text see Appendix I I I .

tinian Arab Delegation which was at the time setting forth their case in London, declined to concur in it.[1]

Attempt to promote Self-Government 1922

One of Sir Herbert Samuel's early measures, in October 1920, had been to set up a nominated Advisory Council to function pending the establishment of some elected body. This consisted of ten British officials and ten Palestinians, of whom seven were Arabs (four Moslems and three Christians), and three were Jews. It sat for two years and with some success, for "on no occasion did the Government find itself unable to accept the considered opinion of the non-official members."[2]

When the promulgation of the Mandate was at hand, "it was thought advisable to confer upon Palestine a Constitution of a more representative character"[2]; in August 1922 Sir Herbert Samuel therefore propounded a Constitution[3] which, as a first step towards self-government, would have substituted for the Advisory Council a Legislative Council consisting of the High Commissioner and twenty-two members, ten official and twelve elected, of whom ten were to be Arabs (eight Moslems and two Christians) and two Jews. The elected members were also to form a standing committee to advise the Government on all questions of immigration.

But the Palestinian Arab Executive opposed this, refusing to participate unless the Council contained a clear majority of Arabs over all others. They boycotted the elections to the Council, and Sir Herbert was obliged to abandon the proposed Constitution. He returned to the nominated Advisory Council system, but composed in the same proportions as had been intended for the elected Council. But the Arab members appointed were induced one by one to resign within a very short time. The Government, therefore, abandoned the idea of non-official participation; since 1923, therefore, legislation has been effected by the High Commissioner in consultation with an Advisory Council composed entirely of British officials; but except where immediate action is judged to be in the public interest, all ordinances are published sufficiently in advance to enable the various interested committees to discuss them and, if necessary, to request amendment.

(1) The relevant correspondence is published in Cmd. 1700, pp. 21-9, and is summarizeel in Appendix I I I .

(2) *Report of the High Commissioner on the Administration of Palestine, 1930*3,* p.44.

(3) Palestine Order in Council, 1922. *Statutory Rules and Orders No, 1982* of 1922. Reprinted in Stoyanovsky, pp. 363-84.

Refusal of an Arab Agency, 1923

At the same time a further effort was made to secure Arab co-operation. Recognizing that the special position accorded to the Jewish Agency under Article 4 of the Mandate placed the Jews upon a footing which the Arabs did not enjoy in dealing with Arab matters, the Government offered the Arabs a parallel Arab Agency. The offer was put to a "fully representative meeting of Arab notables" by the High Commissioner on October 11, 1923. "After an interval for discussion, they expressed themselves unable to accept the proposal, as falling short of the demands of the Arab population."[1] This attitude was explained to the High Commissioner in a letter from the President of the Executive of the Arab Congress:

> 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 had become obvious that the Arab objection was not to the way in which the Mandate might be worked, but to the whole policy of the Mandatory, however exercised, and that by no concession, however liberal, were the Arabs prepared to be reconciled to a regime which recognized the implications of the Balfour Declaration. The British Government gave up heart. "Towards all these proposals the Arabs have adopted the same attitude—refusal to co-operate. His Majesty's Government have been reluctantly driven to the conclusion that further efforts on similar lines would be useless and they have accordingly decided not to repeat the attempt."[2]

Period of Appeasement, 1923-28

Despite these rebuffs, the Mandate began to work fairly smoothly in the hands of successive High Commissioners,[3] and the six years 1923-28 were a period of appeasement and development during which it seemed legitimate to hope that the two

(1) For a full statement of the proposal and an account of the interview, see British White Paper, Cmd. 1989.
(2) The concluding paragraph of British White Paper, Cmd. 1989.
(3) The full list is as follows:
1920-1925 Sir Herbert Samuel.
1925-1928 Lord Plumer.
1928-1931 Sir John Chancellor.
1931-1935 Sir Arthur Wauchope.
1935-1937 Sir Arthur Wauchope.
1937-1938 Sir Harold Mac Michael.

communities would settle down side by side. The best indication of the prevailing optimism was the Mandatory Power's policy in regard to security. In 1926 the British armed forces in Palestine were reduced to one squadron of the Royal Air Force and two companies of armoured cars; the police force was simultaneously reorganized and reduced.[1] These conditions, which continued until the disturbances of 1929, did not receive the entire approval of the Permanent Mandates Commission. At its Ninth Session in 1926 it drew the attention of the Mandatory to the "danger of not maintaining adequate local forces"[2]; at its Sixteenth Session, in July 1929, the High Commissioner reassured it that the "resources at the disposal of the Government" were sufficient to deal with any situation that was "likely to arise"[3]; at its Seventeenth Session—the special session on the 1929 disturbances—it was therefore in a position to reprimand the Mandatory for the "inexplicable fact" of failure to heed its "increasing warnings."[4]

Apart from the reduction of the armed forces, perhaps the most striking feature of the period was the severe economic depression which lasted from the end of 1925 until 1928. This was later put down both by the Shaw Commission on the 1929 disturbances and by the Government to the exceptional volume of immigrants in the preceding years, and can in part be attributed to the collapse of the Polish currency in 1925 which stranded many immigrants without resources. It is significant that the Peel Commission reporting in 1937 saw in "the sharp decline in the fortunes of the National Home" the main cause of Arab quiescence during this period.[5] At the same time, the opinion is held by some that this quiescence was due to the firm administration of the then High Commissioner, Lord Plumer.

The calm which prevailed enabled the Mandatory to proceed with administrative reforms, the chief of which, so far as the fulfilment of the Mandate was concerned, was the Municipal Franchise Ordinance of 1925; the resultant municipal elections took place in 1927, and "aroused keen popular interest and, in many

(1), For full details see *Report of the Commission on the Palestine Disturbances of August 1929* (Cmd. 3530), pp. 13-14. [This Report is cited later as "Shaw Report."]
(2) *P.M.C.: Minutes of the Ninth Session,* p. 184.
(3) *P.M.C.: Minutes of the Sixteenth Session,* p. 80.
(4) *P.M.C.: Minutes of the Seventeenth Session,* p. 28.
(5) Peel Report, p. 64. See also chapter IX below.

places, a factious spirit, but were carried out in an orderly manner."[1]

In 1928, and again in 1929, Arab delegations petitioned the High Commissioner for the establishment of an elective parliament, and during the summer of 1929 Sir John Chancellor returned to London to discuss the matter with the Colonial Office.

Disturbances of 1928 and 1929

It was during his absence that there took place the really serious disturbances—the first since 1921—which put an end to the illusion that all was going well.

The immediate result of the outbreak was the abandonment for the time being of all progress towards self-government; the long-term result was the ventilation of sentiments which showed clearly that the conflicting claims of Arabs and Jews and the difficulties of the Mandatory in carrying out the dual trust had grown greater rather than less with the years.

The Wailing Wall Incident

The first obvious sign of unrest was the so-called Wailing Wall incident, which took place on the eve of the Day of Atonement, September 24, 1928.[2] The Wailing Wall represents Holy Ground for Jews and Moslems alike—the Jews pray on one side because it formed part of the western wall of the Temple: the Arabs venerate the other because it is the part of the Haram-al Sharif where El Burak, the winged horse of the Prophet, was tethered in the night of his travelling. Under Turkish rule the Jews had established a certain limited right of access, and the Palestine Government felt bound to maintain the *status quo ante.* The Arabs complained that the Jews were attempting bit by bit to extend the bounds of this limited right, and their complaints caused the Administration to remove some Jewish innovations on the Day of Atonement itself, an act which engendered high feeling all round.

The Disturbances of August 1929

The incident was the prelude to much more serious disturbances which took place in August 1929. Looking back, many people have criticized the Mandatory for having failed to read the signs of the times, and for being so unready for what took place.

On August 15 a Jewish demonstration, organized by enthusiasts from Tel-Aviv, was held at the Wailing Wall. On the next day, Arab demonstrators, led by enthusiasts from Nablus, did

(1) Report for 1928, p. 4.

(a) For a full report see *The Western or Wailing Wall in Jerusalem: Memorandum by the Secretary of State for the Colonies, 1928* (Cmd. 3229).

likewise. Tel-Aviv and Nablus are the strongholds of Jewish and Arab nationalism respectively, and the demonstrations took place in an atmosphere of considerable excitement, stimulated by the protests against Jewish action in connection with the Wailing Wall which the Supreme Moslem Council, through the mouth of its President, the Mufti of Jerusalem, had been making for some months past.[1] Disturbances subsequently took place all over the country, the most serious outbreaks occurring at Hebron, Jaffa and Haifa, where the Arabs attacked Jewish hospitals and synagogues. These were countered by Jewish attacks on mosques in Jaffa and Jerusalem. In all, 133 Jews were killed and 339 wounded, and six Jewish colonies were totally destroyed, while there were 116 known Arab deaths. During the subsequent proceedings before the court of final instance, twenty-six death sentences were confirmed, twenty-five of them upon Arabs, one upon a Jew. All but three of these sentences—all on Arabs—were commuted to terms of imprisonment.

The two disturbances caused a long and complicated series of inquiries by the British Government, both on its own initiative and at the request of the Permanent Mandates Commission, and ink flowed from the Government and the League, the Jews and the Arabs all through 1930.

The Shaw Commission

On September 1 the High Commissioner, who had been on leave when the disturbance took place, but had returned in haste to Palestine, issued a proclamation deploring the outbreak and announcing the suspension of the discussions on constitutional changes which, in accordance with an undertaking given to the Arab Executive, he had initiated with the Secretary of State.

On September 14, the Colonial Office announced that a Commission of Inquiry, with Sir Walter Shaw as chairman,[2] would at once proceed to Palestine "to inquire into the immediate causes of the recent outbreak and to make recommendations as to the steps necessary to avoid recurrence."

Shaw Report Findings

With regard to the past, the Commission found that the outbreak had its fundamental cause in the Arab feeling of animosity and hostility towards the Jews arising from the fear that, by Jewish

(1) For details see Shaw Report, pp. 31-4.

(2) Sir Walter Shaw had been a prominent colonial Chief Justice; the other members were Sir Henry Betterton, Bt, M.P. (now Lord Rushcliffe); Mr M. Hopkins Morris, M.P., and Mr H. Snell, M.P. (later Lord Snell). Their report (Cmd. 3530) was published on March 12, 1930.

immigration and land purchase under the Jewish National Home project, the Arabs might be deprived of their livelihood and eventually pass under Jewish domination—findings very similar to those of the Commission on the 1921 disturbances.[1]

The Report explicitly stated that in the opinion of the Commissioners the Arab attack was "neither provoked, premeditated, nor directed against the British Administration." It found that the Mufti of Jerusalem and the Arab Executive in their collective capacity did not plan or incite the disturbances, that the Mufti should not have launched his campaign on the Wailing Wall issue, and that he and his executive should have controlled their followers before the explosion. (Mr Snell, in signed reservations annexed to the Report, attached greater blame to the Mufti.) It also exonerated the Administration from blame in its handling of the dispute before reinforcements arrived from Egypt and Malta. Certain of these findings were later to be peremptorily questioned by the Permanent Mandates Commission.

Shaw Report Recommendations

As to the future, in the light of the disturbances and of its extensive inquiries in Palestine, the Shaw Commission's 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 safeguarding of the rights of non-Jewish communities and laying down more explicit directions as to the conduct of policy on such vital issues as land tenure and immigration;

2. That the Government should make a clear statement regarding Jewish immigration, and should review the machinery for its regulation and control with the object of preventing a repetition of the "excessive" Jewish immigration of 1925 and 1926.[2] That non-Jewish interests should be given some voice in the discussions on immigration;

3. That a scientific inquiry should be held into land cultivation and settlement possibilities. That pending this inquiry the eviction of peasant cultivators from the land should be checked*;

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

(1) See p. 40.
(2) See P. 65.
(3) See pp. 57.58.

should if possible lay down some precise definition of the meaning of Article 4 of the Palestine Mandate;

5. That it was essential to the peace and security of Palestine that a Commission should be appointed to determine the rights of both parties at the Wailing Wall;

6. That the Government should introduce press legislation enabling them to obtain convictions on articles tending to a breach of the peace;

7. That appropriate advisers of His Majesty's Government should advise as to the most suitable form of garrison for Palestine. That no reduction should be made till then in the existing garrison. That an independent inquiry should be made into the Department of Police. That the Palestine Government should be instructed to inquire into and report on the possibility of forming a reserve of Special Constables.

The Wailing Wall Commission

By the time the Shaw Report was published, in April 1930, the recommendations regarding the Wailing Wall had already been put into effect.

In November 1929, the British Government had delivered to the League for communication to the Permanent Mandates Commission a proposal for a Commission appointed under Article 14 of the Mandate "to study, define and determine the rights and claims of Jews and Moslems at the Western or Wailing Wall." (An earlier attempt to implement Article 14 by the appointment of a Holy Places Commission had failed in 1922, when the League Council had—owing to failure to secure agreement as to the representation of the confessions upon such a Commission—turned down the British proposal.) But with reference to the immediate issue of the 1928-29 disturbances, the plea was more successful, and on May 15,1930, the Council approved the appointment of M M. Lofgren (Sweden), Barde (Switzerland), and van Kempen (Netherlands). Their report, which, generally speaking, confirmed the *status quo,* was published in June 1931[1]; their recommendations were implemented by an Order in Council in accordance with which order at the Wall has since been maintained.

Jewish and Arab Demands, 1929-30

Throughout the period of composition and presentation of the Shaw Report, it was clear that every move would draw the fire of one or both sides.

On September 23,1929, immediately after the disturbances, the

(1) Published by His Majesty's Stationery Office, London, 58-9096, 1931. For a full summary of the appointment and proceedings of the Commission see Toynbee, *Survey of International Affairs, 1930,* pp. 284-86.

British Prime Minister had received through Dr Weizmann the main demands of the Zionist Organization and Jewish Agency. These included a demand that the persons and property of Jews in Palestine should be safeguarded, and the suggestion that an adequate number of Jews should be introduced into the Defence Force of the country.[1] Further it suggested that the Mandatory in order to fulfil the promise contained in the Mandate and the Balfour Declaration, should take economic steps to allow for increased Jewish immigration and colonization for which a further economic opening up of the country was necessary.

The Arab demands were put forward by a delegation, selected by the Palestine Arab Executive and consisting of four Moslems and one Christian, which arrived in London on March 30, 1930. On May 12, 1930, the Delegation issued a statement to the effect that the British Government had rejected its demands, namely: (i) cessation of immigration; (ii) a declaration that Arab lands were inalienable; (iii) the establishment of democratic government with representation on a population basis. On May 13 the British Government declared that the "sweeping constitutional changes" demanded by the Arabs were incompatible with the requirements of the Mandate.

On April 3, 1930, the Prime Minister (Mr Ramsay MacDonald) made a statement of policy in the House of Commons[2] which was no more than a reiteration of the terms of the Mandate. He added that the Government was studying the Shaw Commission's recommendation, and was in the meantime immediately providing adequate police forces.[8]

Criticisms of the Permanent Mandates Commission

As was its practice when unusual occurrences disturbed the peace in a Mandated Territory, the Permanent Mandates Commission decided to hold an extraordinary session on the Palestine disturbances in June 1930, and to this meeting the British Government submitted a special statement with regard to policy,[4] reiter-

(1) As early as 1921 the Revisionists had drawn up comprehensive plans for an exclusively Jewish defence force to form part of His Majesty's forces in Palestine, but the Government was always averse to passing legislation permitting this. After the 1929 disturbances sealed armouries were permitted in Jewish colonies, the key being entrusted to a responsible leader of the community, and during the 1936 disturbances some 2,800 Jews were enrolled in the Special Constabulary in order to defend Jewish settlements. See p. 90. See also Melchett, pp. 249 and 255-6.

(2) See *Hansard*, April 3, 1930, coll. 1466-7.

(3) See p. 40.

(4) British White Paper, Cmd. 3582.

ating the Mandatory's intention to fulfil the triple pledge inherent in the Mandate, but pointing out the difficulties of promoting self-government in current circumstances.

The Permanent Mandates Commisison, which had before it this .statement, the Shaw Report, and the supplementary information supplied in committee, strongly criticized the British Government's execution of its task. As regards the Shaw Report, it rejected the view that the outbreak was unexpected and unpremeditated, and that it was not directed against British authority. It held that with a little foresight many incidents could have been avoided, and that the inaction of the Mandatory Power was the fundamental cause of a disturbance of such dimensions. It substantiated this accusation with some more general criticisms of British policy. Insufficient attention had been paid, it said, to "the social and economic adaptation of the Arab population to the new conditions due to Jewish immigration"; the Arabs had every cause for dissatisfaction on this score. Moreover, despite its warnings, the Mandatory had maintained forces so inadequate as to fail to secure "the essential condition for development of the Jewish National Home, security for persons and property." It also argued that more might have been done to bring about that economic "fusion of interests which is the best possible means of developing a sense of solidarity and blunting the edge of antagonism."

The report embodying these "somewhat serious criticisms of British policy" was published in London and Geneva on August 25, 1930, together with the British Government's reply.[1] The latter stated that the Commission scarcely appreciated the complexity of the problem as encountered on the spot, and that its previous comment on British policy could not be said to have foreshadowed these serious charges. It was doubtless to atone for some rather heated wording in this document that Mr Henderson, speaking on Palestine before the League Council in the following September, stated that the British Government fully appreciated it was "the duty of the Permanent Mandates Commission to criticize."

Reorganization of Police

Meanwhile, two important steps has been taken to put the Shaw recommendations into effect; between January and March

(1) League of Nations Document, C.355, M.147, 1930, vi.

1930, the Palestine Police Force was reorganized under the supervision of Mr (now Sir Herbert) Dowbiggin of the Ceylon Police. Substantial increases were made in the British personnel, and special steps were taken to protect exposed Jewish settlements. Two British infantry battalions were for the time being retained in Palestine; in fact the garrison remained at this strength until the disturbance of 1936.

Inquiry into Land Settlement

The second important step was the appointment in May 1930 of Sir John Hope Simpson, formerly of the Indian Civil Service, to inquire into land settlement, immigration, and development. Pending the publication of his report, the undistributed balance of immigration certificates under the 1930 schedule was suspended. This last measure was strongly resented in Zionist circles, the Jews appealing to the British Government "to reopen the Gates of Palestine and thus reaffirm the rights of the Jews to return to their National Home."

V. THE LAND SETTLEMENT CONTROVERSY

The Geography of Palestine

THE arguments on both sides in this controversy cannot be properly assessed without some conception of the geography of Palestine.[1]

> Within the limits of a province, it offers the varieties of soil and climate of a continent. It is a country of mountain and plain, of desert and pleasant valleys, of lake and sea-board, of barren hills, desolate to the last degree of desolation, and of broad stretches of deep, fruitful soil.

The country is approximately 160 miles long and at no point more than seventy miles wide. It is therefore slightly larger than Wales and slightly smaller than Belgium.

Continued Predominance of Agriculture

It is still predominandy agricultural. There are only four large towns—Jerusalem (143,800), Tel-Aviv (143,200), Haifa- (116,400) and Jaffa (86,900)[2]; Nablus, the Arab centre, which is the next on the list, has a population of only 21,900. Although the towns have grown rapidly—particularly Tel-Aviv, the all-Jewish town, which contained only 15,000 inhabitants in 1922 as compared

(1) For general details see Luke and Keith-Roach, Part I, in which the passage which follows is quoted from a Government report.
(2). Estimates of the Palestine Government Office of Statistics for 1942.

with nearly 143,200 in 1942—the rural population has expanded almost as rapidly. At the 1931 census it still represented roughly 60 per cent of the total, the same proportion as in 1922. By 1942 it had fallen to 52 per cent, the proportion of Jews in rural areas being 23.8 per cent against 72.8 per cent for Moslems and 27.6 per cent for Christians and others.

Geographical Divisions of Palestine

The country is bounded on the west by the Mediterranean and on the east by the river Jordan, these two being divided by a range of hills running from north to south for practically the entire length of Palestine. Geographically it falls naturally into four main divisions:

(1) The Hill Country of Galilee (in the north) and of Samaria and Judaea.
(2) The Five Plains.
  (a) The Maritime Plain between the coast and the hills.
  (b) The Acre Plain between Acre and the hills.
  (c) The Vale of Esdraelon (south-east of Haifa).
  (d) The Huleh Plain (extreme north-east).
  (e) The Plain of the Jordan.
(3) The Beersheba area (the south-west).
(4) The arid desert areas in the south-east.

(1) *The Hill Country,* which covers roughly one-third of Palestine, offers very limited possibilities for the future. Indeed, the eastern part of the hills, running steeply down to the Jordan, is an uninhabited wilderness. The soil is almost ail poor, and irrigation for the most part out of the question. Very gradually improvements are being made through the use of manure and better seeds, and by some substitution of fruit-growing for cereals. Whether any considerable expansion of the present population here is possible is a question still to be determined.

(2) (a) *The Maritime Plain* covers the whole area between the coast and the hills except the small section north of Haifa. In the south it is about twenty miles wide but gradually narrows to a few hundred yards near Haifa. This is the great orange-producing district, having a mass of wind-blown sand suitable for this purpose. All but a small part is not only cultivable, but irrigable.

(b) *The Acre Plain,* which includes the land between the coast and the hills north of Haifa, is also irrigable. Here, however, the soil is heavy and black, suitable for mixed farming, but not for oranges.

(c) *The Plain of Esdraelon,* which runs south-east from Haifa towards the Jordan Valley in the shape of a triangle, is mostly cultivable, and is probably the most fertile part of Palestine. Its alluvial clay is particularly suitable for cereals.

(d) *The Huleh Plain* in the extreme north-east consists partly of rich alluvial land. But over one-third of it is undrained marsh, of which the greater part is included in the Huleh Concession.[1]

(e) *The Plain of the Jordan* is perhaps rather more than half cultivable. The land in the north is very fertile; that in the south could be so if irrigated. The average width of this plain is about three miles.

(3) The possibilities of the southern regions (the Negeb) are at present unknown. Given irrigation, they could provide a large supply of cultivable land.

Distinction between Hill Country and Plains

The distinction between the Hill Country and the Plains (where the great bulk of the Jewish colonies are established) is quite fundamental to the problem of land settlement in Palestine; for it is only in the Plains that irrigation is possible on any large scale, and irrigation is an essential condition for that intensive form of cultivation practised by the Jews which provides the only hope for any real expansion of the agricultural population of Palestine.

Irrigation

According to the Peel Report of 1937,[2] there are in Palestine four sources of irrigation to be considered—irrigation from rivers, from wells, from springs and from reservoirs. The Jordan is the only potential source of river irrigation, but under present conditions the economic prospects of large-scale irrigation development from this source are questionable. There are a large number of springs in Palestine, especially in the Beisan plain, the Jordan valley, the Samarian and the Judaean hills. A difficulty in irrigating land by this means has been the existing Ottoman law, according to which the water in springs is the property of individuals, who can sell it as they please. Legislation vesting the surface water of the country in the High Commissioner would make it possible to ensure in a large measure the economical use of spring water. Irrigation from wells is the chief source of irrigation in Palestine. It was stated in the Peel Report that there was no reason to believe that there was any real diminution of the

(1) See p. 86.
(2) Palestine Royal Commission Report (Peel Report), 1937, pp. 251-5.

supply or any falling off in the level of the sub-soil water-table, although that danger might always arise.

In summing up the evidence as regards irrigation questions, the Peel Report points out that the main difficulty in any comprehensive extension of irrigation in Palestine is not so much the inadequacy of the supply of water as the cost of making it available for use, and, although an increase in the irrigated area of the country is a matter of vital importance to its development, it is extremely difficult to make any estimate of the area of land which can be irrigated on an economic basis.[1]

Estimates of Cultivable Area

The total area of Palestine is approximately 10,400 square miles or 27,009,000 dunums. Various estimates have been made as to how much land it is possible to bring under cultivation. The Palestine Government's definition of "cultivable land" covers land "which is actually under cultivation, or which can be brought under cultivation by the application of the labour and resources of the average Palestinian cultivator." The Palestine Government submitted to the Royal Commission of 1937 an estimate of 7,120,000 dunums as the total cultivable area of Palestine excluding Beersheba. The Peel Commission, however, came to the conclusion that no really satisfactory definition could be found, in advance, on which it would be possible to base an estimate as to the total cultivable area in Palestine. They considered that this would have to be discovered by experience and by a system of "trial and error" in the different parts of the country.

The Hope Simpson Conclusions

The first detailed attempt to assess the population capacity of Palestine was the Hope Simpson Report published on October 20, 1930. This Report is of interest because a knowledge of its points is essential to an understanding of the land controversy which followed, and which is an illustration of the problems which the Mandatory Power has had to face. The Report is only to some extent important for few of its recommendations have been acted upon. Sir John placed the cultivable area of Palestine at only 6,544,000 dunums, a drop of almost 40 per cent on the estimate made by the Commissioner of Lands earlier in 1930.

Starting from this premise, Sir John dealt with the immediate course to be pursued under three heads: land settlement, development and immigration.

(1) *Land Settlement:* Sir John stated that even if the land not

(1) Peel Report, pp. 251-5.

occupied by Jews were divided equally among the Arab population there would not be enough to support each Arab family at a decent standard of life; 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," and that with the exception of the large reserve of undeveloped land held by the Jewish authorities, there was "at the present time and with the present methods of Arab cultivation" no margin of land available for agricultural settlement by new immigrants.

(2) *Development:* Sir John's basic conclusion was that the only way in which the Mandate could be carried out was by the agricultural development of rural Palestine by means of:

(i) Large-scale irrigation, combined with a thorough survey and regulation of water supplies.

(ii) The partition of the considerable quantity of Arab land still communally held into permanent individual holdings, i.e. the abolition of the *Mcsha'a* system.

(iii) The substitution of intensive for extensive methods of cultivation (e.g. grapefruit and tobacco in place of cereals).

(iv) Education: "The educational budget is far too small for the requirements of the country"; the Report emphasizes that it is useless to expect the Arab to benefit from agricultural education unless he has previously received elementary education.[1]

(v) The encouragement of Arab as well as Jewish Co-operatives, particularly Credit Co-operative Societies.

This policy was to be executed under the supervision of a Development Commission, consisting of a British Chairman, one Arab, and one Jew. "It is my personal belief," Sir John concluded, "that with thorough development of the country there will be room not only for all the present agricultural population on a higher standard of life than it at present enjoys, but for not less than 20,000 families of settlers from outside."

(3) *Immigration:* Broadly speaking, therefore, Sir John's conclusion was that, taking a short view, agricultural immigration should not be permitted, but that taking a long view, there should be room for 30,000 families.

As regards other immigrants, he maintained that "if there are suitable Arab workmen unemployed it is not right that Jewish

(1) *See p.22*

workmen from other countries should be imported to fill existing posts." But Sir John made one important exception to this general rule, which loomed very large in subsequent discussions; he pointed out that since Jewish capital was only imported with the definite object of employing Jewish labour, the Arabs had nothing to gain by stoppage of the inflow of the labour and therefore of the capital. In feet they were better off if they allowed it to continue, "as the expenditure of that capital on wages will cause, ultimately, a demand for the services of a portion of the Arab unemployed."[1]

The Government Statement of Policy accompanying the Report was published as a White Paper.[2] The second part of this considered "the practical problems to be faced", one of which was the economic and social development of the country. This section, which covered the vexed questions of land, immigration and unemployment, was largely an almost verbatim recapitulation of Sir John Hope Simpson's conclusions, with one or two notable omissions.

Storm of Criticism

Both the Hope Simpson Report and the White Paper, but particularly the latter, provoked a storm of protest, primarily from the Jews, but also from Conservative Opposition leaders and others. The fundamental objection to Sir John Hope Simpson's Report related to his estimate of the area of cultivable land, which was regarded as based on entirely inadequate evidence.[8]

It was pointed out that the differences between his figures and those of the Commisssioner of Lands related chiefly to the Hill Country, where Sir John's estimate was based on aerial surveys of only one-tenth of the total area, and moreover that the assumption that the relative proportions of cultivable and uncultivable land in this one-tenth were the same throughout the whole area was more than arbitrary. Subsequent events have proved that Sir John's estimates were too low.

Criticism of the White Paper

The White Paper was naturally attacked for accepting Sir John's figure and the deductions drawn from it, particularly as it omitted his reservations. But two of its other principles met with equal criticism:

(1) Hope Simpson Report, p. 136.
(a) British White Paper, Cmd. 3692.
(3) See e.g. Stein, *Memorandum on the Palestine White Paper of October 1930*, Jewish Agency for Palestine, November 1930.

(i) It stated that "in estimating the absorptive capacity of Palestine at any time account should be taken of Arab as well as Jewish unemployment in determining the rate at which Jewish immigration should be permitted." But it did not except, as Sir John had done, the "special case" where Jewish capital was imported solely for the employment of Jewish labour—which, as the Jews pointed out, was not so much a "special case" as the general rule.

(ii) It laid down that any State lands becoming available should be reserved for the settlement not, as prescribed in Article 6 of the Mandate, of Jews, but of landless Arab cultivators. But it made no qualification that these should have been dispossessed as a result of Jewish purchases, or even that they should previously have possessed any land.

The Jewish authorities accordingly argued that the White Paper of October 1930 was "inconsistent with the terms of the Mandate, and in vital particulars marks the reversal of the policy hitherto followed by His Majesty's Government in regard to the Jewish National Home."[1]

The publication on February 14, 1931, of a letter from Mr Ramsay MacDonald, the Prime Minister, to Dr Weizmann,[2] which was to be regarded as an authoritative interpretation of the White Paper "on the matters with which it dealt", changed the whole situation. The "landless Arabs", who by the White Paper were given first claim on the State lands previously pledged in the Mandate for "close settlement by Jews", were now limited to "such Arabs as can be shown to have been displaced from the lands which they occupied in consequence of the lands passing into Jewish hands, and who have not obtained other holdings on which they can establish themselves, or other equally satisfactory occupation." "Further, the statement of policy of His Majesty's Government did not imply a prohibition of acquisition of additional land by Jews. . . What it does contemplate is such temporary control of land disposition and transfers as may be necessary not to impair the harmony and effectiveness of the scheme of land settlement to be undertaken." "His Majesty's Government did not prescribe and do not contemplate any stoppage or prohibition of Jewish immigration in any of its categories." Finally,

(1) Dr Weizmann's second letter to Lord Passfield, October 29, 1930.
(a) See p. 82.

"His Majesty's Government do not in any way challenge the right of the Agency to formulate or approve and endorse" the principle that in all works or undertakings carried out or furthered by the Agency, only Jewish labour should be employed.

Appointmmtof Director of Development

In July 1931, Mr Lewis French, formerly of the I.C.S., was appointed as the promised Director of Development. But the potential importance of this step was largely nullified by the refusal of both the Arabs and the Jews to co-operate with Mr French. The Arabs demanded an assurance that the development scheme would not be based on the principle laid down in Mr MacDonald's letter to Dr Weizmann; whilst the Jewish refusal represented a protest against the tightening up of the Protection of Cultivators' Ordinance designed to restrict Jewish purchases of Arab land.[1] In consequence, the Jewish and Arab advisers contemplated were never appointed; both parties refused to accept the proposals contained in the French Reports and Mr French resigned at the end of 1932.

The "Landless Arab" Investigations

The most important part of Mr French's work was his investigation of the problem of "landless Arabs". The claims of this "discontented landless class", whose position was attributed to Jewish purchases of land, had been emphasized by the Shaw Commission. According to its Report:

> Of the land purchased by the Jews, so Dr Ruppin informed us, relatively small areas not exceeding in all 10 per cent were acquired from peasants. The other areas have been acquired from the owners of large estates most of whom live outside Palestine.[8]

Broadly speaking, the Arabs who sold land to Jews, almost always at good prices, fall roughly into three classes: the landlord (very often an absentee), the sale of whose land raised the problem of ejected tenant occupiers; the industrious peasant who sold part of his land and worked up the remainder on the profits; and the type who sold all his land, at prices beyond his dreams of avarice, and who failed to use the substance thus acquired in a way that would keep himself and his family.

The French investigations, if they did not quite, as is sometimes suggested, dispose of the "landless Arab" as a "myth", certainly

(1) *Report of the Jewish Agency, 1933,* p. 33.
(3) Cmd. 3530. P. 114.

established that far fewer Arabs had been dispossessed than had been suggested.[1]

It is a fact that Jewish land purchases had not so far created a "landless" class of any dimensions. But it was to guard against the fear that they might do so in the future that" Mr French, like Sir John Hope Simpson before him, recommended the passage of an Occupancy Tenants Ordinance to guarantee the inalienability of a minimum holding *(lot viable)* for every cultivator. Of these proposals, the first was implemented in 1933, whilst legislation along the lines of the second was promised in 1936 when the Colonial Office, through the mouth of the High Commissioner, stated that, as regards sales of land, it intended to enact a law prohibiting these unless the Arab landowner retained a "viable minimum"—i.e. sufficient land to afford a means of subsistence to himself and his family.

White Paper of 1939

When, in 1939, the Government issued its statement of policy for Palestine,[2] subsequent to the findings of the Partition Commission in their Report of 1938[3]—which came to the conclusion that partition would involve obvious political and economic difficulties—the new proposals put forward covered three main questions, one of which was land settlement. The White Paper pointed out that, under Article 6 of the Mandate, the Administration of Palestine was required to encourage "close settlement of the Jews oh the land", while, at the same time "ensuring that the rights and position of other sections of the population are not prejudiced." Up to date no restrictions had been imposed on the transfer of land from Arabs to Jews; but the Reports of several expert Commissions[4] had indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there was now in certain areas most notably in the hills, no room for further transfer of Arab land and expansion in close settlement of the Jews. Also, in some other areas it must be

(1) It may be noted that in investigating the landless Arab problem Mr French "thought it inadvisable to request Government to issue public proclamations inviting applications, since such notifications are apt to lead to idle claims. Accordingly, the District Officers were instructed to ascertain in what villages displacement of Arab cultivators had occurred . .,'' Before any claim was finally approved by the Director, the Jewish Agency was given an opportunity to raise objections.

(2) British White Paper, cmd. 6019.

(3) Cmd. 5854.

(4) Royal Commission of 1936 (Cmd. 5479) and Woodhead Commission.

restricted if Arab cultivators were to maintain their existing standard of life and a considerable landless Arab population were not to be created.[1] The High Commissioner was therefore to be given general power to prohibit and regulate transfer of land throughout the transitional period of five years envisaged in the White Paper.

Land Transfers Regulations

The Government's proposals on Land Transfers Regulations,[2] in accordance with the policy of the White Paper of May 1939, were issued in the following year. These Regulations divided the country into three zones:

Zone A, an area of about 6,615 square miles, mainly the hilly country and the land in the south of Palestine in the neighbourhood of Ghaza and Beersheba. In this zone the transfer of land to Jews by Palestinian Arabs was prohibited: transfer by persons other than Palestinian Arabs might in some cases be permitted.

Zone B, an area of about 3,295 square miles comprising the valley about Lake Huleh and the Sea of Galilee, the valley of Esdraelon, the Negeb and certain areas in the coastal plain south of Jaffa and south of Haifa. In this area land purchase by the Jews was restricted and required the sanction of the Palestine Government.

Zone C, an area covering only some 319 square miles mainly in the coastal plain, but also including the land round Jerusalem. Here all land purchase was unrestricted.

The Government recalled once again the attention drawn by expert committees to the dangers involved in the sale of Arab land to the Jews. The Royal Commission of 1936[3] had recommended that transfers of land from Arabs to Jews should be allowed only where it is possible to replace extensive by intensive cultivation, that was to say, in the plains and not in the hills. They stated that for many years to come the Mandatory Power should not attempt to facilitate close settlement of the Jews in the hill districts generally. They held that with due precautions, land might still be sold to the Jews, but that further close settlement of the Jews in possible areas could best be secured by means of large-scale development, and that, in so far as they could see, possible areas were only to be found in the plains. While placing

(1) Cmd. 6019.
(2) British White Paper, Cmd. 6180.
(3) Cmd. 5479.

restrictions upon alienation of land, the Government at the same time announced their intention of taking positive steps to promote improved methods of cultivation of Arab lands.

Jewish Protests

Protests against the Regulations were immediately made by the Jewish Agency and by other Jewish organizations in both Britain and the U.S.A. The Jews claimed firstly that the improvements already carried out in Arab farming had largely been achieved by cultivators who had sold part of their holdings to Jewish purchasers, using the proceeds to free themselves from debt and develop their remaining land, and secondly, that both the Regulations and the White Paper were incompatible with the Mandate.

The Regulations were, however, approved of by the Arabs, and the High Commissioner received telegrams to this effect from the Moslem Supreme Council, and from the Emir of Transjordan.

The Land Transfers Regulations, although necessarily unfavourable to the Jews, still left a considerable margin for Jewish land purchase. The Jewish National Fund is responsible for the purchase of by far the greater part of land acquired for Jewish settlement. Between 1936 and the end of 1940 the Fund bought 140,000 dunums of the total 160,000 acquired. During the first year of operation of the Regulations the J.N.F. bought 33,000 dunums, which was only slightly less than the average for the previous years; according to figures provided by the J.N.F., land in Jewish possession in 1936 amounted to 1,232,000 dunums of which 372,000 were owned by the J.N.F.; by the end of 1944 the respective figures had risen to 1,505,000 and 710,000 dunums.

VI. IMMIGRATION

THE preceding chapter gives an account of the land settlement question, which is one of the two basic problems of the future of Palestine: immigration, which is the other, raises even more fundamental difficulties.

Economic Absorptive Opacity

From 1922 to 1937 the criterion for the regulation of immigration was the "economic capacity of the country at the time to absorb new arrivals".[1] But how is it possible to determine the future

(1) Statement in the Churchill Memorandum of that year. For text see Appendix III.

economic absorptive capacity of the country? First and foremost the decision must depend upon whether the development of an agricultural or of an industrial country is envisaged. So far as the agricultural capacity of Palestine is concerned, this is a problem dependent upon future developments in soil conservation and irrigation. But it is already clear that Palestine is not going to remain a purely agricultural country, and that the more highly it is industrialized, the larger is the population which it can carry. Partial industrialization of Palestine has already taken place, but it still remains true today that the "optimum population" must be a "complex of many factors: the material assets of the country: the energy and enterprise and skill of its inhabitants, including future immigrants: the economic demand of the world at large for the economic assets which Palestine could offer: and the general level of world prosperity, on which the extent and effectiveness of this demand would depend".[1] The foreign market for oranges, grapefruit, and manufactures, the entrepot trade in oil and other products, and the inflow of capital, religious gifts, tourist receipts, and rentier income are the vital factors affecting Palestine's economic future.

POPULATION OF PALESTINE[2]

Year	*Total*	*Moslems*	*Jews*	*Christians*	*Others*
1922	752,048	589,177	83,790	71,464	7,617
1927	917,315	680,725	149,789	77,880	8,921
1932	1,052,872	[illegible]	180,793	90,624	10,281
1937	1,401,794	883,446	395,836	110,869	11,643
1938	1,435,285	900,250	411,222	111,974	11,839
1939	1,501,698	927,133	445,457	116,958	12,150
1940	1,544,530	947,846	403,535	120,587	12,562
1941	1,585,500	973,104	474,102	125,413	12,881
1942	1,620,005	995,292	484,408	127,184	13,121
1943	1,676,571	1,028,715	502,912	131,281	13,663
1944	1,739,624	1,061,277	528,702	135,547	14,090

Immigration and Population

Statistics of immigration must be considered in relation to the population of Palestine, and to its natural and total rate of increase. The above figures are the official estimates of the numbers in the main religious groups: they exclude members of His Majesty's Forces but include the Nomadic Beduin population

(1) Toynbee, *Survey of International Affairs*, 1930, p. 230.

(2) Source: *Report for 1038*, p. 226 for years 1922-32. These are mid-year estimates. Censuses were taken in October 1922 and November 1931. *Palestine General Monthly Bulletin of Statistics* for years 1937-44. These are end of year estimates.

(66,553 in 1931). The distribution of population in December 1944 was estimated as 1,061,277 Moslems, 528,702 Jews and 149,645 others.

Rapid Expansion of Population

It is estimated that between 1922 and 1944 the population of Palestine expanded from 752,048 to 1,739,624, representing an increase of about 131 per cent. In absolute figures the non-Jewish increase (542,664) was greater than the Jewish (444,912): but while the Moslem and Christian populations expanded by 80 per cent and 90 per cent respectively, the Jewish population increased by no less than 528 per cent. During the years 1939-44, however, the proportionate rate of increase in the Jewish and non-Jewish parts of the population has been much more level, the percentage growths being 18.7 per cent and 14.6 per cent respectively.

It is clear that the Jews were gaining ground even before 1931: and between 1931 and 1939 their position in relation to the total population advanced rapidly. The Jewish population, 55,000 in 1918, is now well over 500,000, while the Jewish proportion of the population has risen from 11 per cent in 1922 to 29 per cent in 1939 and 304 per cent in 1944.

Proportion due to Immigration

A large proportion of the remarkable increase in the total population of Palestine in the past twenty-two years is accounted for by immigration. In the case of the Jews, particularly since 1931, the proportion has been very high. In the case of the Arabs, the expansion of population largely represents a very rapid natural increase. Thus in the period 1922 to 1942 the total increase in the Jewish population was 400,618 of whom 305,803 were immigrants. Whereas corresponding figures for the Moslem population were 406,115 and 20,015, the last figure includes about 9,700 Moslems who were added to Palestine by an alteration of the boundary with Syria and Lebanon in 1923.[1] For this there are three main reasons: (a) the cessation of conscription, which is said, under the Turkish regime, to have removed between 10,000 and 20,000 youths annually from the Arab villages[2]; (b) the lower death-rate due to the activities of the Public Health Department: and (c) the stoppage of emigration due to the exclusion of Asiatics from Latin-American countries.[8]

The Peel Report contained the following interesting estimates

(1) Government of Palestine, *Statistical Abstract, 1943*, p. 3.
(2) French Reports, p. 19.
(3) *Report for* 1030, pp. 36-7; for 1933, p. 37.

of the future population of Palestine on the assumption that no further immigration should take place. To the Jewish figure must be added the 75,000 immigrants to be admitted during the five years following the introduction of the British Government's Plan of May 1939,[1] together with the consequent natural increase.

ESTIMATED FUTURE POPULATION OF PALESTINE[1]

Tear	*Arabs*	*Jews*
1936	943,000	370,000
1940	1,058,000	403,000
1945	1,163,000	448,000
1950	1,290,000	497,000
1955	1,425,000	552,000
1960	1,558,000	613,000
1965	1,691,000	681,000
1970	1,821,000	757,000

That the Palestine Government's estimates of the country's absorbing power varied considerably from year to year is clear from the following statistics of authorized immigration. Of recorded

Authorized Immigration

RECORDED IMMIGRATION AND EMIGRATION

Tear	RECORDED IMMIGRATION *Jews*	RECORDED IMMIGRATION *Non-Jews*	RECORDED EMIGRATION[2] *Jews*	RECORDED EMIGRATION[2] *Non-Jews*
1920 (Sept. Oct.)	5,514	202	†	†
1921 ,, ,,	9,149	190	†	†
1922 ,, ,,	7,844	284	1,451	1,348
1923 ,, ,,	7421	570	3,466	1,481
1924 ,, ,,	12,856	697	507*	604
1925 ,, ,,	33,801	840	2,151	1,949
1926 ,, ,,	13,081	829	7,305	2,064
1927 ,, ,,	2,713	882	[illegible]	1,907
1928 ,, ,,	2,178	908	2,168	954
1929 ,, ,,	5,249	1,317	1,746	1,089
1930 ,, ,,	4,944	1,489	1,679	1,324
1931 ,, ,,	4,075	1,458	666	680
1932 ,, ,,	9,553	1,736	†	†
1933 ,, ,,	30,327	1,650	†	†
1934 ,, ,,	42,359	1,784	†	†
1935 ,, ,,	61,854	2,293	396	387
1936 ,, ,,	29,727	1,944	773	405
1937 ,, ,,	10,536	1,939		639
1938 ,, ,,	12,868	2,395	1,095	716
1939 ,, ,,	16,405	2,028	1,019	977
1940 ,, ,,	4,524	957	693	492
1941 ,, ,,	3,630	555	426	790
1942 ,, ,,	2,178	812	%	346
1943 ,, ,,	7,464	1,080	—	347
1944 ,, ,,	14,464	2,012		—

No statistics by race were compiled.
* July-December only.
— Figures not available.

(1) British White Paper, Cmd. 6019.
(2) Peel Report, pp. 281-2.
(3) Statistics of emigration are hard to obtain with any degree of precision because of the difficulty of exact definitions.

immigrants the great majority were persons authorized to enter the country as permanent residents. The remainder entered Palestine in the first place as travellers, or by evading the frontier controls, but were subsequently registered as immigrants.

Illegal Immigration

Apart from the authorized immigrants there is a considerable volume of illegal immigration. This reached its peak before the war in 1933, and it was estimated that in the two years 1932-33 the number of unauthorized settlers rose to 22,400.[1] Three main classes of immigrants are involved: (a) those who evade the frontier controls; (b) a far larger number who enter the country as travellers and stay without regularizing their position; and (c) women who formally marry "professional" Palestinian husbands and subsequently divorce them. In 1934 intensified efforts made by the Government to check these developments met with considerable success, but illegal immigration has continued on a substantial scale. Between April 1, 1939 and December 31, 1943, the net total of illegal Jewish immigrants was 19,952: in the year 1939 the number was 12,442.[2] The number of Arabs who entered Palestine illegally from Syria and Transjordan is unknown. But probably considerable.

The number of persons deported from Palestine in the past ten years 1934-43 for immigration offences is as follows:

NUMBER OF PERSONS DEPORTED FROM PALESTINE[3]

Tear	*Jews*	*Non-Jews*
1934	772	1,635
1935	293	2,152
1936	152	1,887
1937	157	2,218
1938	46	1,904
1939	36	349
1940	44	830†
1941	37	706†
1942	74	995†
1943	66	1,001 †

† Of the non-Jews deported, just over 50 per cent were Arabs,

Arab Immigration

Statistics for the migration of Arabs before 1935 are not available, as it was only in that year that the categories of "Jews,

(1) *Report for 1933, p. 15.*

(2) Palestine Department of Migration, *Annual Report. These* figures give the number of Jewish travellers remaining illegally, together with the number of illegal entrants who were either enumerated or whose presence was reliably inferred. The number of illegal entrants who evaded controls is unknown. For political implications, see p. 132.

(3) Sources: *Report for 1938*, p. 76. Statistics of Migration and Naturaliiation Table XIV (Palestinian Department of Migration).

Arabs and others" were substituted for "Jews, Christians and Moslems". Nevertheless, the figures for recorded non-Jewish immigration and emigration are of considerable interest, since they show that until 1928 non-Jewish emigrants exceeded non-Jewish immigrants. In subsequent years up to 1943, the latest figure available, there has been a net balance of immigrants. But in the peak year of 1938, only 473 of the 2,395 authorized non-Jewish immigrants were Arabs.[1] Thus among legal immigrants, non-Jews are completely out-numbered by Jews.

Economic Consequences of Immigration

From the figures already given it is evident that in the pre-war years there were two periods of intensive immigration; the first reaching its peak in 1925 (31,000 net recorded), and the second in 1935 (63,000 net recorded). The first of these peaks was followed by an economic crisis, caused, according to the Shaw Commission, by immigration "in excess of the economic absorbing power of the country".[2] In the second peak period, a far larger number of immigrants was admitted, and it might therefore have been expected that the economic structure would have shown even more serious signs of strain. In actual fact, however, the second inflow was accompanied by a wave of prosperity without parallel in the previous history of Palestine. This apparent paradox can easily be understood if changes in (a) the origin, and (b) the status of Jewish immigrants are examined.

Jewish Immigants (a) Countries of Origin

In the years 1919 to 1937, except in one important respect, the percentage of immigrants coming from each country did not vary greatly from year to year; nearly half the immigrants came from Poland. In the earlier years the U.S.S.R. provided the second largest contingent, but in later years, the second place was regularly taken by Germany. This change was due partly to the difficulties created by the Soviet Government (for instance, £100 is demanded for permission for each adult emigrant to leave the country),[8] but very much more to the anti-Semitic policy of the Nazi regime. Between 1919 and the end of 1937, 313,030 Jewish immigrants entered Palestine. The following table shows the nationality of Jewish immigrants into Palestine during the whole period 1919-37:

(1) Many of the others were dependents of Army and Air Force officers.
(2) British White Paper, Cmd. 3530, p. 106.
(3) *Report of the Jewish Agency, 1935;* p. 67.

JEWISH IMMIGRATION INTO PALESTINE, 1919-37[1]

Nationality	*Number*	*Per Cent*
Poland	131,249	42
Germany	35,346†	11
U.S.S.R.	30,718	10
Rumania	15,528	5
Lithuania	9,642	3
Yemen	9,181	3
U.S.A.	7,909	3
Others	73,457	23
	313,030	100

† Numbers previously resident in Germany, 43,764.

The predominance of Jews coming from the above-named countries is largely explained by two main facts. In the first place, two-thirds of the world's Jews were to be found in Eastern and South-Eastern Europe. In the second place, the "emancipated" Jews of the United States, France and Great Britain were rapidly becoming "assimilated", whereas the position of many Eastern European Jews was still further worsened by the general upheaval caused by the war of 1914-18 and the consequent territorial changes. It is to these Eastern European Jews that Zionism naturally makes such a strong appeal.

In recent years Jewish emigration from other countries has been governed to a very great extent by the conditions prevailing in those countries at different periods. Poland has continued to provide the largest contingent of immigrants into Palestine during the period, but the proportions coming from other countries have varied considerably from year to year, as may be seen from the following table:

CITIZENSHIP OF JEWISH IMMIGRANTS ARRIVING IN PALESTINE[2]

Country	*Percentage of Total*				
	1939	*1940*	*'94**	*1942*	*1943*
Czechoslovakia	10.7	IO.O	0.4	2-6	0.9
†Germany	49.8	17-4	7.9	5.0	0-9
Hungary	2.7	1.9	13-5	1.4	0.9
Lithuania	0.9	2.9	12·9	0-5	O'l
Poland	24.2	27.0	16.6	18.1	23.9
Rumania	3.9	I5.2	20.5	3.1	4.2
Iraq	O.l	0.6	a	23.8	23.2
Turkey	0.3	0·3		19.7	26. 7
Yemen and Aden	1.4	1·6	1.0		

† Including Austria.

(1) *Report for 1938,p.* 231.

(2) Palestine Department of Migration, *Annuall Reports, 1939-43,* Subsidiary Table 4.

(b) Status of Immigrants

A remarkable feature of Jewish immigration in the years just before this war was the wealth of the Jews entering Palestine. This is shown by the number and proportion of Jewish immigrants with a capital of £1,000 or more. It may be seen from the table that, as might have been expected, the percentage dropped considerably during the war. In 1938 nearly 75 per cent of these (comparatively) wealthy immigrants were German Jews; the bulk of the remainder came from Poland and Czechoslovakia.

JEWISH IMMIGRANTS WITH AT LEAST £1,000 CAPITAL[1]

Year	Number (excluding dependents)	Percentage of Total Jewish Immigration
1930	178	
1931	233	
1932	727	
1933	3.250	11
1934	5,124	12
1935	6,309	10
1936	2,970	10
1937	1,275	12
1938	1,753	
1939	1,629	
1940	801	18
1941	314	9
1942	92	5
1943	156	2
1944	180	•1

Jewish capital imported into Palestine during the inter-war period came from two sources, public funds and private capital, amounting to £25 million and £85 million respectively.[2] In 1934 and 1935, capitalist immigrants and their dependents[3] accounted for nearly a quarter of the total immigration. Another third consisted of dependents of Palestine residents. Practically the entire remainder were "persons coming to employment" and their dependents.

The Labour Schedule

The extent of immigration was determined by the Labour Schedule authorized by the Government for every six months. The Labour Schedule represented the Government's estimate of the country's absorptive capacity, less its estimate of the likely

(1) Palestine Department of Migration, *Annual Report,* Table Ile.
(2) Keren Hayesod, *Prediction and Reality,* 1945, p. 11.
(3) The rise in the number of dependents has been a feature of recent Jewish immigration. In 1935 they represented 61 per cent of the whole as against 41 per cent in 1929. One reason for this is the practice referred to above of foreign women marrying "professional" Palestinian husbands outside Palestine and divorcing them on arrival. The number of divorces per 100 Jewish marriages in 1938 was 49.9!

volume of illegal immigration over the period. Once the Government had decided upon the total size of the Labour Schedule, the allocation of the great majority of immigration certificates was left to the Jewish Agency. This policy was criticized by the Shaw Commission on the grounds that immigrants were selected by the Jewish Agency on political grounds.

Even during the exceptional immigration year of 1935 the Jewish Agency maintained that a far larger Labour Schedule was required in order to meet the unsatisfied demand for labour, as the following figures show:

ESTIMATES OF ABSORPTIVE CAPACITY[1]

Period	*Jewish Agency's Estimate*	*Certificates Granted by Government*
April—Sept. 1935	19,160	8,000,
Sept. 1935—March 1936	10,900	3,250
April—Sept. 1936	11,000	4,500
Oct. 1936—March 1937	10,695	1,800
April—Sept. 1937	11,250	770
Oct. 1937—March 1938	3,000	1,780
April—Sept. 1938		1,000
Oct. 1938—March 1939	4,625	1,000

White Paper of '939

Since 1939, immigration into Palestine has been governed by the terms of the White Paper of May 1939.[2] The White Paper points out that in the past the economic absorptive capacity of the country had been treated as the sole limiting factor, but that "although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine."[3] The Government therefore proposed that, during the following five years, Jewish immigration should be at a rate which, if economic absorptive capacity permitted, would bring the Jewish population up to approximately one-third of the total population of the country. This the Government estimated would permit the admission of some 75,000 immigrants during the whole period. A quota of 10,000 was to be allowed for each year, in addition to which, as a contribution towards the

(1) Fin. to May 1935 from *Survey of International Affairs*, 1937, Vol. I, p. 580.
(2) British White Paper, Cmd. 6019.
(3) ibid, p. 9.

solution of the Jewish refugee problem, 25,000 refugees were also to be admitted.[1]

Under the terms of this White Paper, all Jewish immigration into Palestine was to cease at the end of the five-year period, on March 31, 1944. On November 10, 1943, however, the Palestine Government announced that immigration would not cease automatically at the end of the five-year period, but that the 32,000 certificates which still remained unused out of the quota of 75,000 permitted by the White Paper were still to remain valid and could be used at any time.

Jewish Reactions to the White Paper

The British Government's proposals in the White Paper have never been regarded as acceptable by the Jews. In May 1942, Mr Ben Gurion went to America and brought back with him on his return a document known as the Biltmore Declaration,[2] which was published in the Hebrew Palestine Press on May 11, 1942. Among other things, under the terms of this declaration it was urged that:

(a) The gates of Palestine should be opened to unlimited immigration.
(b) The Jewish Agency be vested with control of immigration into Palestine with the necessary authority for the development of the country including its unoccupied and uncultivated lands.

This policy was endorsed by a Resolution of the Small Committee of the General Council of the Zionist Organization in Jerusalem on November 10, 1942.

Government Statement of Policy of November 13,945

When on November 13, 1945, Mr Bevin announced to the House of Commons that it had been agreed that an Anglo-American Committee of Inquiry was to be set up to examine political and economic and social conditions in Palestine as they bear on the problem of immigration,[8] he stated that the British Government could not divest themselves of their duties and responsibilities under the Mandate while the Mandate continues. Therefore, pending the receipt of the *ad interim* recommendations of the Committee of Inquiry the Government would consult with the Arabs to ensure there should be no interruption of Jewish immigration at the current rate—which is understood to amount to

(1) See page 173.
(2) See page 134.
(3) See page 140.

1,500 monthly. He maintained that while Palestine may be able to make a contribution towards a solution of the Jewish problem it does not by itself provide a sufficient opportunity for grappling with the whole Jewish question. Speaking to the Press he said the problem of Palestine was now only part of a far wider issue which interested the Arab world. As regards the capacity of Palestine to hold a larger population which would include an increased Jewish element, this was a question for the Anglo-American Committee of Inquiry to determine. In referring to the various schemes put forward, such as electrification on a great scale and the restoration of the Negeb, he could form no opinion, although they appeared to him to consist, in a large measure, of propaganda, they were questions on which experts would have to give judgement.[1]

Jewish Estimates of Absorptive Capacity

The Zionists, in demanding an open door for immigrants, support their claims by long-term estimates of the country's economic absorptive capacity. These estimates are in the main based on the potential expansion of Palestinian agriculture. The contention is that if the water resources of the country are developed many new areas could be made cultivable and suitable for settlement: and that the territory west of the Jordan could absorb millions of Jewish setders. In 1941 the total area of Jewish settlements in Palestine amounted to 929,000 dunums. Of this area 665,000 dunums consisted of cultivated land, 168,000 being devoted to fruit plantations and the remainder to crops; the total of irrigated land amounted to 208,000 dunums. Dr W. G. Lowdermilk,[2] Assistant Chief of the Soil Conservation Service of the United States, has estimated that an additional four million Jews could be absorbed into the country if the further developments in soil conservation and irrigation and the development of hydro-electric power, which he considers possible, were undertaken. The Jews claim that their experience in Palestinian colonization has proved that for every family settled on the land, four additional families can be settled in towns and villages to derive their living from other occupations. In putting forward his suggestions, Dr Lowdermilk does not, however, give any clear details of the scientific data on which he has based his conclusions.

The opponents of Zionism consider the Zionist claims that the

(1) *The Times*, November 14, 1945.
(2) Lowdermilk, *Palestine, Land of Promise*, 1944.

desert areas of Palestine could be irrigated and reclaimed are exaggerated, and that even if the schemes were possible, they would be so difficult and expensive as to be quite uneconomic. As for Palestinian industry, they suggest that the present industrial prosperity is to a large extent due to the artificial and temporary stimulus of the war. After the war, they maintain, Palestine may have difficulty in obtaining raw materials and finding export markets in which she can compete with the great industrial countries, unless prohibitive tariffs are imposed, to the detriment of the Arabs and also of the Jewish agriculturalists. Finally, the opponents of Zionism claim that if Jewish immigration is not controlled, Jewish-Arab relations will be permanently embittered.

VII. ECONOMIC CONDITIONS

General Conditions

THE economic development of Palestine during the last twenty-five years has been rapid. In 1921 the Interim.. Report on the British Civil Administration of Palestine[1] gave the following description of the economic state of Palestine:—

> The country ... is undeveloped and under-populated. The methods of agriculture are, for the most part, primitive, the area of land now cultivated could yield a far greater product .. . Some industries—fishing and the culture and manufacture of tobacco are examples—have been killed by Turkish laws; none have been encouraged; the markets of Palestine and of the neighbouring countries are supplied almost wholly from Europe. The sea-borne commerce, such as it is, is loaded and discharged in the open roadsteads of Jaffa and Haifa; there are no harbours.

Palestine, which was a backward farming community twenty years ago, supporting a few small industries and handicrafts, has now become a semi-industrial country. Before the first world war it is estimated that only 5 per cent of the population was dependent upon industry; this figure had increased to 14 per cent in 1931 and by 1942 had risen to over 25 per cent.[2] Agriculture still plays an important part in the economy of the country. The cultivation of oranges, grapefruit and other citrus fruits in the Coastal Plain

(1) *Interim Report on the Civil Administration of Palestine, 1920-21,* p. 4.
(a) Palestine Government, *Report of the Wages Committee,* 1943, p. 4.

and Jordan Valley regions is the principal agricultural activity, and these fruits provided the country, in the years immediately before the war, with nearly three quarters of its total export income: in 1938, for instance, the export of these fruits accounted for £3.75 million out of a total export value of £5 million, oranges alone contributing £3,238,000. Cereals (principally wheat, barley and durrah) and vegetables are grown for local consumption, but large quantities of foodstuffs have to be imported in addition. Olives are grown extensively in the hill districts and a fair quantity of olive oil is exported. Other crops grown include vines, tobacco, almonds and, in recent years, deciduous fruits such as apples. The livestock and dairy produce industry has been developed, especially in the Jewish settlements, but considerable imports of these products are still necessary.

Mineral Deposits

So far as is known, there are no deposits of coal or metals in Palestine. The Dead Sea, however, holds valuable minqral resources, mostly potash, bromine and magnesium. Other mineral resources include rock salt, limestone, clay, building stone and marble.

Electric Power

The main source of motive power in Palestine is electricity and remarkable progress has been made in the use of this in recent years. Whereas in 1931 the total units sold (in K.W.H.) were under 10,000,000, the figure for 1941 was over 111,000,000 of which more than half was used for industrial purposes and irrigation. This gives some indication of the economic development which has taken place.

Palestine as an Entrepot

Palestine is well suited, geographically, for the maintenance of international trade, for it is the meeting place of steamship lines, air routes, oil pipe-lines, and railways.[1] A harbour for ocean steamers at Haifa, one of the largest in the Mediterranean, was opened on October 31, 1933, and the amount of ocean shipping calling at Palestine ports has increased rapidly. Palestine is traversed by railways connecting Egypt with Europe via Syria and Turkey, and Lydda is used as a stopping place for aeroplanes going to and from the Far East. The entrepot trade in oil has become increasingly important, especially after the construction of an oil refining plant at Haifa. During the war Palestine's transit trade has increased in value, rising from £550,000 out of a total

(1) For figures see table, p. 80.

export value of £5.1 millions in 1939, to £6.9 millions out of £14.6 millions in 1944.[1]

Pre-war Industry and Trade

Though there was some export of local manufactures before the war, most Palestinian industries relied upon the home market, and many of the factories were on a very small scale. Goods produced for home consumption included various kinds of food, beverages, tobacco, clothing, building materials, tools, stationery, etc. The chief exports, excluding citrus fruits, were potash and bromine, wine, olive oil and olive oil soap. Many other types of goods for local consumption were also made in Palestine, but the country was by no means self-supporting and large imports from abroad of raw materials and manufactured goods as well as foodstuffs for domestic use were needed; during the depression of the 1930's industrial development in Palestine was assisted by her ability to import capital goods at low prices.

Although the Arabs controlled, in pre-war years, a substantial number of factories, the bulk of new industries established were Jewish. Most of the Arab industries were of an agricultural character and the manufacture of soap and wine were the only industries established on a large scale. After the 1914-18 War Jewish immigrants brought into the country not only capital but also industrial experience and many small and a few large factories were established. The intensive immigration movement of the post-war period provided the first essential for industrial development—a home market. Industrial expansion since then has been mainly due to Jewish activities, for the Jews realized that there was a definite limit to the number of immigrants that could be settled on the land, whereas industrial development provided a more elastic demand for workers.[1]

Trade Boom of 1932-35

The increased entry of comparatively wealthy Jews, mainly from Central Europe, into Palestine was largely responsible for the paradox that, of the two great waves of immigration referred to in the previous chapter, the first in 1924-6 precipitated an economic crisis, whereas the second, in 1935, coincided with the most striking expansion in the economy which occurred in the inter-war period. Between 1931 and 1935 Government revenue more than doubled, rising from £2.3 to £5.7 millions, thanks

(1) Government of Palestine, *General Monthly Bulletin of Statistics*, August 1945, p. 486.
(a) Peel Report, pp. 208-212.

largely to the expansion in customs receipts. Expenditure meanwhile rose only from £2.4 to £4.2 millions.[1] The same story is told by the rise in the note circulation of the Currency Board from £3.3 to £4.7 "millions between the end of 1931 and the end of 1934. Solid justification for this currency expansion was provided by the doubling of railway goods traffic and the trebling of overseas shipping between 1931 and 1935. In the building industry, too, there was a very pronounced boom: it is estimated that £6 millions were invested in buildings in 1934, as compared with £2½ millions in agriculture and £I-I½ millions in industry.[2] The increased prosperity also caused citrus growers to expand the area under cultivation of these fruits.

The most striking indices of economic expansion were, however, the foreign trade figures. Both imports and exports nearly trebled between 1931 and 1935, while there was a remarkable rise in the adverse balance of trade, from £4.3 millions in 1931 to £13.7 millions in 1935. But there was a large volume of "invisible exports" which went far to preventing, if they did not entirely prevent, an adverse balance of payments. These "invisible" items included (a) expenditure in Palestine by the British Government, by tourists and by religious and relief Missions; (b) capital brought into the country by British and foreign companies, immigrants .and Zionist organizations; and (c) profits on the reexport and transit trade.

In the autumn of 1935 a definite check to the Palestine boom was caused by the tension arising out of the Italo-Abyssinian dispute. The disturbances after April 1936, and particularly the Arab strike, caused more serious damage. In 1936 and 1937 budget figures showed a deficit, and the surpluses accumulated in previous years were drawn upon to finance the deficits which arose. These surpluses were also used to cover the cost of Haifa harbour and similar developments which it had been intended to cover by a loan. The years 1936-39 constituted a period of depression with a decline in economic activity and considerable unemployment among both Jewish and Arab workers. Wage rates fell more steeply than the cost of living with a consequent decline in real wages.

The trade figures for 1936 showed a decline in both imports

(1) Government of Palestine, *General Monthly Bulletin of Statistics.*
(2) "Progress of Palestine," in *Midland Bank Review,* Nov.-Dec. 1935.

and exports. In 1937 there was a slight recovery, but the year 1938 brought a heavy fall in imports, together with a much less steep decline in exports. Nevertheless, there can be no doubt that the economic consequences of the burst of immigration, which reached its peak in 1935, were very different from those of the 1924-5 expansion. So far from depressing the country, the immigrants stimulated its economic life to an unprecedented extent, and the reason for this was clearly the large volume of capital and skill which they brought with them. In the normal course of events, dependence upon such heavy imports of capital would have been exceedingly dangerous, but the case of Palestine was unique, in that the great bulk of the capital then imported was provided by the immigrants themselves.

Wartime Boom

War-time expansion also proved to be rapid. Government revenue increased from £6.8 to £11.5 millions between 1939 and 1943 while expenditure rose from £6 millions to £14.8 millions in the same period. These figures do not, however, take account of the rise in prices. For six or seven years up to 1938 Grants-in-Aid met a certain proportion of defence expenditure, approximately £140,000 per annum, mainly incurred on the Transjordan Frontier Force. In 1939, owing to the Arab Rebellion and the general preparation for Imperial defence in the Middle East, expenditure under this heading had already begun to increase rapidly. By 1942, however, the yield from taxation had risen to an extent sufficient to permit a reduction by one-third of the contemplated Grant-in-Aid.

RISE IN THE COST OF LIVING[1]

Dec.	1939	111
,,	1940	131
,,	1941	166
,,	1942	211
,,	1943	230
,,	1944	252
July	1945	256

Another indication of war-time expansion is the rise in note and

(1) Government of Palestine, *General Monthly Bulletin of Statistics*, June 1945, p. 335. This index is the Wages Committee Index. The average of the Arab and Jewish Cost of Living Indices, the All Markets Index, is multiplied by 1 . 75 to produce a single index, called the Wages Committee Index. The figure 1 * 75 is regarded as a link between the average level of the cost of living before the war, and the level in January, 1942, on which all the calculated index numbers are based. The Wages Committee Index is therefore strictly based on January 1942, but it is usually more loosely understood as being based on "pre-war" as 100.

coin circulation from £8.5 million in December 1939 to £41.5 million in December 1944: in this context, too, the rise in prices must be remembered. In July 1945 the cost of living was 156 per cent above the immediate pre-war level. The table above shows the rise in the cost of living from December 1939 to July 1945; the figures do not, however, take account of the extensive black market operations.

Some examples of the increases in the cost of living in other Middle Eastern countries in December 1944 as compared with August 1939 were:[1]

Iran	.684
Lebanon	.630
Iraq	.375
Egypt	.292
Cyprus	.229
Sudan	.160

The rise in the cost of living was not accompanied by an equal increase in wage rates; by July 1942 real wages had fallen by over 25 per cent as compared with 1939.

As in the boom of 1932-5, the value of Palestine's external trade increased considerably: imports rose from £14.6 to £36.2 millions, and exports from £5.2 to £14.6 millions between the years 1939 and 1944.[2]

Changes in the Direction of External Trade

In the years preceding the war the main sources of Palestine's imports were the United Kingdom, Germany, Roumania, Syria and the U.S.A. The destination of the bulk of her exports was the United Kingdom which in 1938 took £2.5 million out of a total of £5 million. With the outbreak of war, however, the direction of Palestine's foreign trade was radically altered. Before the war, Palestine's trade with Germany, Italy, Japan and those European countries which were subsequently occupied by the enemy, was considerable. In the year 1939, imports from these areas, including goods brought in by refugees, amounted in value to over £5¼ millions.[8] During the war, the direction of trade was greatly altered, not only by the cessation of trade with enemy-occupied

(1) Government of Palestine, *General Monthly Bulletin of Statistics*, June 1945.

(2) These figures do not include the value of imports of military, naval or NAAFI stores: the figures after 1939 do not include imports of crude, or exports of refined, oil.

(3) Department of Overseas Trade, *Commercial Conditions in Palestine*, February, 1945, p. 13.

countries, but also by an increasing degree of control. Shipping space was a limiting factor, and a greater exchange of foodstuffs and raw materials within the Middle Eastern area had to be encouraged. This development was assisted by the establishment, in 1941, of the Middle East Supply Centre, with headquarters in Cairo; at first purely a United Kingdom organization, it later became a joint United Kingdom-U.S.A. body. The MESC has now been replaced by a British Middle East Office, whose duty it is to maintain close personal liaison with the economic and social representatives of the Middle Eastern Governments. As a result of the activities of the MESC, and of the Palestine War Supply Board, also set up in 1941, Palestine's imports from other Middle East Countries (Iran, Transjordan, Egypt, Syria and Turkey) rose in value from about £2.5 million (17%) in 1939 to just under £20 million (56%) in 1944. Iraq became Palestine's principal source of supply, her contribution being almost entirely crude petroleum to meet Palestine's increasing capacity for refining oil. The increase of inter-territorial trade among the countries of the Middle East resulted in a rise in the value of Palestinian exports to Egypt, Turkey, Syria and Iraq from a mere £500,000 (9.8%) in 1939 to £6.9 million (46%) in 1944. The value of imports from the U.S.A. and the United Kingdom fluctuated during the war, but in 1944 was higher than in 1939. Exports to the U.S.A. increased in value, and in 1944 were considerably above the 1939 level, while the figure for the United Kingdom was only slightly lower. A striking feature during the war was the increase of trade with the other countries of the British Empire, principally India and Canada, and to a lesser extent South Africa, all of which became important sources of supply.

General Effects of Wat on the Economy of Palestine

The shortage of shipping space and the necessity of fostering trade between the Middle East countries inevitably caused changes in the economic structure of Palestine. As has already been shown,[1] Palestine's pre-war export trade was almost wholly dependent upon her citrus fruit crop, but, after the outbreak of war exports had to be drastically curtailed and, although there was a slight increase in local consumption, this could in no way make up for the losses caused by the almost complete cessation of exports. The following table shows the exports of oranges and grapefruit for the period 1934-44:

(1) Sec pp. 71-a.

EXPORTS OF CITRUS FRUITS[1]
(in thousand cases)

Tear	*Oranges*	*Grapefruit*
1934-5	6,635	683
1935-0	4.992	844
1936-7	9,191	1,534
1937-8	9,573	1,794
1938-9	13,056	2,060
1939-40	0,449	988
1940-1	95	14
1941-2	174	4
1942-3	384	7
1943-4	1,023	12

The Costs of harvesting during the war were seldom, if ever, covered by the sales of fruit, and even Government loans, which increased from £424,000 in the season 1940-41 to over £800,000 in 1943-44 were insufficient to provide an adequate return to the growers. War-time difficulties have caused greater attention to be paid to the production of citrus concentrates, isolated vitamin preparations and essential oil, and it is probable that these will figure largely in Palestine's post-war exports.

In most other branches of agriculture, however, the war has provided an impetus for increased production, for, with the decline of food imports, the demand for locally grown foodstuffs increased and prices went up correspondingly.

The war has also acted as a stimulant to Palestine's manufacturing industries. This development has been assisted by the activities of the MESC, which, to attain its objective of economizing shipping space, attempted to foster local industries in order to satisfy essential needs in the Middle East. As a result of these activities, not only has Palestine been able to increase exports to neighbouring countries but also to execute large orders placed by military authorities for clothing, boots and other goods. Sir Douglas Harris, former Chairman of the War Supply Board, commenting on this said: "Palestine is now undertaking army orders to an extent and covering a range of stores which might well have been deemed incredible two years ago. In addition, it is supplying the needs of the civil population in respect of numerous commodities which were formerly imported."[1]2

During the war the greatest development has taken place in the food and metal industries, and in the leather and textile in-

(1) Government of Palestine, *General Monthly Bulletin of Statistics.*
(2) Palestine War SUPPLY Board Pamphlet, Jerusalem, Tune 1942, p. 6.

dustries. Among the products which are now manufactured on a fairly large scale are glass, chemicals, brass and steel castings, precision instruments, boots and shoes, electric batteries, artificial teeth, and razor blades. By no means all of these are new war-time products, but the increased scale of production is such that in most cases it would be fair to describe them as war-time innovations. The diamond industry is perhaps the most remarkable of war-time industrial developments. The raw diamonds are imported from South Africa and the Belgian Congo and are cut and polished in Palestine for export, mainly to the U.S.A. From 1940 onwards Palestine also became important for its oil-refining capacity, a new plant being begun at Haifa in November 1939, with a capacity of dealing with 2 million tons of crude oil annually.

Wartime developments have led to a very considerable rise in industrial employment. Jewish Agency estimates show that the annual production of Jewish industry rose from £9 million in 1937 to £20.5 million in 1942, while the number of employees increased from 30,040 to 56,000.[1] Comparable figures are not available for other sections of the community, but it is certain that in those, too, considerable industrial expansion has taken place, although probably not on such a large scale.

Undoubtedly the war has tended to increase the prosperity in Palestine which had already started with the inflow of iriimigrants and capital in the pre-war years. An indication of this is that the national income[2] of Palestine rose from roughly £30,000,000 in 1939 to about £90,000,000 in 1943, and the average income per head of the population increased from £21.5 to 3C56.9. Even after allowance has been made for the rise in prices during the period, it is estimated that between 1939 and 1943 there was an aggregate increase of roughly one-third in the volume of the production of goods and services above the 1939 level.[3] This increase in prosperity has led to a change in Palestine's economic position, for she has now become a creditor country. The Currency Reserve Fund, amounting to £46.2 million in July 1945, is held in London. Other sterling assets of Palestine are the holdings of Palestine Banks outside Palestine,

(1) Information Department, Jewish Agency for Palestine.

(2) National income is defined here as the total value of goods and services produced by the inhabitants of a country during a given period.

(3) Government of Palestine, *General Monthly Bulletin of Statistics,* August 1944, PP- 342-3.

PALESTINE'S ECONOMIC DEVELOPMENT 1929-44

(Figures are in £P million unless otherwise stated)

Tear	*Imports*	*Exports*	*Import Surplus*	*Revenue**	*Expenditure**	*Surplus**	*Grants in aid+*	*Note and Coin Circulation (End of Tear)*	*Railway Goods Traffic (in milium ton Kilometres)*
1929	7.2	i-6	-5.6	2.4	2-2	+ 0.2	0-034	2.1	78
1932	7-8	2-4	-5.4	3.0	2-5	+0.5	0.128	2.5	73
1935	17.9	4-2	-13.7	5.8	4-2	+ 1.6	0.140		133
1938	13-6	5-o	-8.6	5.9	5.7	+ 0.2	1.690	5-5	97
1939	14.6	5*1	-9.5	6-8	6.0	+0.8	2.132	8-5	120
1940	12.6	4.1	-8-5	8-4	7.5	+0.9	3-263	10.6	166
1941	13-3	i'2	-9.1	8-3	7.5	+0.8	2-099	13.4	220
1942	21-4	8.7	—12'7	8-9	10-3	1.4	0.592	24.0	
1943	27-2	12-8	14.4	11.5	14. 8	-3.3	0.072	36.0	338
1944	36-2	14.6	—21.6	17-5	18.2	-0.7	2-239	41.5	t

*** Financial year ending March 31 of the following year.**

† Included in revenue figures.

***X* Not available.**

Sources: League of Nations Statistical Year Book, 1937-8.

Government of Palestine: General Monthly Bulletin of Statistics.

The standard unit of currency in Palestine is the Palestine pound (£P). The currency (represented by notes and subsidiary coin) is on a sterling exchange standard maintained at par with the £ sterling by the Palestine Currency Board. Since the £P is equivalent to the £, sterling values as referred to in the text of this publication are shown in sterling.

£36.5 million in July 1945, and holdings other than by Banks, estimated at between £15 and £20 million. Allowing for the expansion which has taken place since July 1945, it seems probable that Palestine's total sterling balance is now roughly £120 million. Palestine lias also assumed importance as a dollar producing country for, unlike Egypt, she has an income of dollars far in excess of her expenditure. This income is derived entirely from gifts to Zionist funds and from payments for exports of the Jewish diamond industry. The surplus contributed by Palestine is an asset to the dollar pɑ́cl of the Sterling Area.

VIII. THE WORKING OF THE MANDATE 1930—1937

British Statement of Policy October 20 1930

IN the previous chapters some account has been given of Sir John Hope Simpson's Report on the Land Settlement. A Government Statement of Policy was published as a White Paper[1] at the same time as the Report, and was divided into two parts. The first, which dealt with general principles, stressed the necessity for co-operation and pointed out that the British Government had received no assistance from either Jews or Arabs in their attempts to achieve this; it also reiterated the statements in the Churchill Memorandum of 1922 regarding the Jewish National Home, the Jewish Agency, and immigration, and argued that the promises to the two sections of the population were of equal weight and were not irreconcilable. The second part considered "the practical problems to be faced" and stated policy as regards: (i) *Security:* "His Majesty's Government have decided to retain in Palestine for the present two battalions of infantry; in addition to these, two squadrons of aircraft and four sections of armoured cars will be available in Palestine and Transjordan"; (ii) *Constitutional Development:* "The time has now come when the important question of the establishment of a measure of self-government in Palestine (i.e. the Legislative Council envisaged in the Churchill Memorandum of 1922) must... be taken in hand without further delay.".

The White Paper, like the Land Settlement Report, provoked

(1) British White Paper, Cmd. 3692.

The Fundamental Objection

a storm of criticism from the Jews, directed fundamentally against the tone and temper of the document, and what was regarded as its implied criticism of all previous Jewish activities in Palestine. These objections were, moreover, later borne out by the Peel Commission which wrote that the White Paper had "betrayed a marked insensitiveness to Jewish feelings , . ." the tone of the document suggesting a rather more definite inclination towards the Arab side of the controversy, although His Majesty's Government had not in fact gone beyond the decisions and proposals of the Shaw and Hope Simpson Reports.[1]

Political Consequences of the White Paper

The political consequences were immediate and serious. Dr Weizmann, the President of the Zionist Organization and of the Jewish Agency, informed the Secretary of State for the Colonies, Lord Passfield, that he had resigned on the issue. Both the late Lord Melchett and Mr Felix Warburg also resigned, the former from the chairmanship of the Council and of the Political Committee of the Jewish Agency, the latter from the chairmanship of the Administrative Committee. On October 30, 1930, three leading members of the Opposition—Mr Baldwin, Sir Austen Chamberlain, and Mr Amery, writing to *The Times*, deplored the Government's failure to fall in with Dr Weizmann's proposals for a Round Table Conference between Jews and Arabs and accused the Governmeitt of abandoning the policy embodied in the Mandate. General Smuts telegraphed a protest to the Prime Minister, and on legal grounds Sir John Simon and Lord Hailsham[2] also declared the Statement to involve a departure from the Mandate.

Mr MacDonald's Explanatory Letter

It was evident that some attempt at conciliation must be made; and on November 14, 1930, it was announced[3] that "doubts having been expressed as to the compatibility of some passages of the White Paper of October with certain articles of the Palestine Mandate, and other passages having proved liable to misunderstanding, His Majesty's Government" had "invited members of the Jewish Agency to confer with them on these matters." As a result of these discussions there was published[4] on February 14, 1931, a letter from Mr Ramsay MacDonald, the Prime Minister, to Dr Weizmann, which completely changed the whole situation.

(1) Peel Report, p. 73.
(2) *The Times*, November 4, 1930. A reply from Lord Passfield was published on November 6.
(3) *The Times*, November 14, 1930.
(4) *The Times*, February 14, 1931.

This letter, which was published "in order to remove certain misconceptions and misunderstandings which have arisen as to the policy of His Majesty's Government with regard to Palestine", was to be regarded as the authoritative interpretation of the White Paper "on the matters with which it dealt".

Ultimately, the real "difference between the new document and its immediate predecessor lay, not in its statements of fact or in its pronouncements upon policy, but in its concentration upon those particular facts and those particular points of policy which were agreeable to Zionists, and in its replacement of the phraseology which had given offence to the Jews by a phraseology which was courteous and considerate in its tone towards them almost to the point of being ingratiating."[1]

Jewish and Arab Reactions

Upon the publication of Mr MacDonald's letter the roles of the Jews and of the Arabs were immediately reversed. Dr Weizmann announced that "this statement of policy . . . has, in my opinion, re-established the basis for that co-operation with the Mandatory Power on which our policy is founded." On the other hand, the President of the Palestine Arab Executive denounced the letter as a breach of faith, in which the policy of the White Paper had been thrown over.[2]

Progress towards Self Government

Nevertheless, by comparison with the turbulence of 1929, the years following 1930 were a peaceful period. The High Commissioner endeavoured to "bring the two peoples of Palestine and the Administration into closer touch with each other",[3] and succeeded in getting Jewish and Arab unofficial members to work together on the Agricultural Council, the Road and Railway Boards, the Labour Legislation Committee, and the Standing Committee for Commerce and Industry, the co-operation being at its best among Government officials, particularly among postal and railway employees.

A representative institution in the shape of the promised Legislative Council[4] seemed as far away as ever, but the Mandatory began to work towards it along a new line of approach—municipal autonomy. In 1932 the High Commissioner announced to

(1) Toynbee, *Survey of International Affairs, 1930,* p. 302.
(2) Communication to the British High Commissioner in Palestine, February 17, 1931.
(3) Statement to the Permanent Mandates Commission, December 1932; *Minutes of the Twenty-second Session,* p. 80.
(4) See Shaw Report Recommendations, p. 46.

the Permanent Mandates Commission that the Council would be established "when the new Local Government Ordinance has been brought into working order ... I hope .. . early in 1933."[1] But owing to subsequent condemnation of the Ordinance by both Jewish and Arab bodies—partly as placing them in leading-strings and partly on old scores connected with national antagonisms—the Ordinance did not finally enter into force until January 12, 1934. The municipal elections, which had been due to be held in 1930, but which had been postponed because of the 1929 disturbances, were held during the year, and by the beginning of 1935 twenty newly-elected councils were in being, "wherein representative Palestinians of all communities and races might acquire training in the common management of public affairs under a modern code of municipal legislation."[2] Haifa and Tiberias were the places in which this worked first and most satisfactorily, and by June 1935 a council composed of Arabs and Jews in equal numbers was operating in Jerusalem, owing, chiefly, to the moderation of the new mayor, Dr Khalidi, who had been elected in 1934.

Relations between Jews and Arabs

But the Jews and Arabs actively working for co-operation were few in number,[8] and there was plentiful evidence of continued high feeling. In 1934 Sir Herbert (now Lord) Samuel wrote: "Every one in Palestine agrees that the economic development is astonishing; no one thinks that the political situation shows any appreciable improvement."[4] Three years later the verdict of the Peel Commission was even more uncompromising: "With almost mathematical precision the betterment of I he economic situation in Palestine meant the deterioration of the political situation."[6] Perhaps the most reliable indication of this was the Government's security policy; between 1929 and 1936 they did not see fit to reduce either the garrison or the police forces.

The unrest took various forms; in August 1930 there was a minor Arab outbreak at Nablus, and the years 1930 and 1931 were marked by a series of terrorist murders of Jews. The rejection of the French Reports on Development[6] and the holding up of the

(1) P.M.C.: *Minutes of the Twenty-second Session,* p. 82.
(2) *Report for 1934,* p. 7.
(3) The best known Jewish group was the *Bris Shalom* or Covenant of Peace, a group of intellectuals and younger men inspired by the ideas of the Chancellor of Jerusalem Hebrew University.
(4) *The Observer,* July 8, 1934.
(5) Peel Report, p. 86.
(6) See p. 57.

entry into force of the Local Government Ordinance[1] were in part due to mistrust of the Administration, but can also in fact be ascribed to racial feeling. The rank and file of the Arabs showed their animosity by resort to agrarian crime—the uprooting of trees, the wounding of cattle, and trespass in the form of squatting and grazing as a method of obstructing the sale of land to Jews. Arab scouts also patrolled the coast in order to defeat illegal immigration, claiming that the steps taken by the police to that end were designedly inadequate.[2]

The Disturbances Of October, 1933

The disturbances of October 1933 were the first serious manifestation of high feeling. The immediate cause of the riots, shooting and strikes which took place in that month "was the resolution of the Arab Executive calling upon the Arabs to hold demonstrations to protest against the policy of Government, the ground for which was prepared by a general feeling of apprehension amongst the Arabs engendered by the purchase of land by the Jews and by Jewish immigration."[3] A vigorous campaign against immigration was launched in the Arab press, and "Arab spokesmen found material to hand in press reports of arrivals of Jewish immigrants at the ports; the Jewish press displayed no reticence in the publication of this kind of news, and at the Zionist Congress at Prague immigration was discussed in such terms as to inspire alarm in the minds of the Arab population."[4] The result was the declaration by the Arab Executive of a general strike on Friday, October 13; subsequent rioting, which was confined to urban Arabs, took place in Jaffa, Jerusalem, Haifa, and Nablus. But the Administration proclaimed emergency measures under the Palestine Defence Order in Council of 1931, and the disturbances never assumed the dimensions of the 1929 disorders. Nevertheless, they constitute a milestone, for they were for the first time a manifestation of Arab feeling against the Government as well as against the Jews. The cause of this seems to have been despair in face of what the Arabs regarded as the entrenched Jewish influence in London, of which they saw evidence in the White Paper controversy and in the MacDonald letter of 1931.[5]

(1) See p. 84.
(2) For these and other instances see the "Public Security" chapters of the *Reports* for the years 1931-5.
(3) *Report of the Murison-Trusted Commission of Inquiry,* published as a supplement to *Palestine Gazette,* February 7, 1934, p. 104.
(4) *Report for 1933, p. 5.*
(5) See p. 82.

The history of 1934 provides good evidence of the difficulties with which the Administration has been faced in framing its immigration policy. In the first months of the year, adjusting supply to demand, it drastically cut down the number of Jewish labour immigration permits asked for by the Jewish Agency; the step occasioned protests and strikes amongst the Jewish communities. In December, an Arab delegation to the High Commissioner submitted that sales of land to Jews and Jewish immigration had reached such an extent as to be contrary to the promises to preserve Arab rights given in the Mandate. The High Commissioner (Sir Arthur Wauchope) replied with a statement that the Government's policy was to increase the productivity of the country and that Jewish immigration (36,000 in ten months) was not excessive. At the same time he announced that the concession for draining some 4b dunums in the Huleh basin had been transferred from the original Arab concessionaires (who had obtained it before the War) to a Jewish group which had agreed to increase the area reserved for Arab settlement from the 9,200 dunums under the old concession to 15,000 dunums.

Arab Unrest, '935

Throughout 1935 the Arabs showed restlessness and dissatisfaction, a chief indication of this being the tendency of the parties to crystallize,[1] and to combine in the interests of making strong representations. Inflammatory articles appeared in the press, and in November 1935, following an arms-smuggling incident at Jaffa, all the Arab leaders united to present a memorandum to the Administration calling for:

1. The establishment of democratic government;
2. Prohibition of the transfer of land to Jews and the enactment of a law similar to the Five Feddan Law in Egypt;[2]
3. *(a)* The immediate cessation of Jewish immigration and the formation of a competent committee to determine the absorptive capacity of the country and to lay down a principle for immigration;
   (b) Legislation to require all lawful residents to obtain and carry identity cards;
   (c) Immediate and effective investigation into illicit immigration.

In the meantime, the Administration had been making some progress with a proposal for the promised Legislative Council.

(1) Cf. p. 28.

Lord Kitchener's Homestead Exemption Law of 1913, which gave the cultivator protection against expropriation for debt.

Proposal of a new Constitution, 1935

The High Commissioner had announced in December 1934 that he would shortly be ready to discuss the matter with the leaders of the various parties. In December 1935 he judged that the municipal councils were working well enough to warrant the next step. He therefore communicated to the Jewish and Arab leaders respectively a new Constitution, representing a practical step towards representative institutions.[1] The proposal was for a Legislative Council with a large unofficial majority; the twenty-eight members were to be made up as follows: 5 officials, 2 commercial representatives, 8 elected and 3 nominated Moslems, 3 elected and 4 nominated Jews, and I elected and 2 nominated Christians, plus an impartial president from outside Palestine who would neither debate nor vote. But, just as happened in 1929, the outbreak of serious trouble was once again to cause the postponement of further progress towards self-government.

British Reply to the Arabs, 1936

On February 1, 1936, the Colonial Office, through the mouth of the High Commissioner, replied to the Arab demands of the previous November: (i) that its offer of a new Constitution made in December 1935 represented a practical step towards democratic government in that it proposed a Legislative Council with a large unofficial majority; (ii) that as regards sales of land, it intended to enact a law prohibiting these unless the Arab landowner retained a "viable minimum"—i.e. sufficient land to afford a means of subsistence to himself and his family; and (iii) that the rate of Jewish immigration was carefully gauged according to the country's capacity, and that a new Statistical Bureau was being established for estimating this.

Reception of the proposed Constitution 1936

The views on this reply were various. Those of the Arab leaders differed; some, and notably Dr Khalidi, the Mayor of Jerusalem whose moderation has already been mentioned, were for adopting a policy of co-operation without racial bias, and for accepting the proposed Legislative Council; others demanded drastic alterations in the plan, contending that it was farcical to describe as democratic a document which left such excessive powers to the High Commissioner.

The Jews were unanimous in condemning the proposed Constitution and the Government's reply to the Arabs. An influential delegation protested in London, and the Jewish Agency issued a memorandum on the subject. The gist of their argument was that

(1) Published as a British White Paper (Cmd. 5119) in March 1936.

the proposed Arab majority on the Council precluded the establishment of the promised National Home, and that the suggested "interference" with the free disposal of land by its owner was an infraction of the clause in the Mandate which bound the British Government to encourage Jewish land settlement. The non-Zionist Jews of Palestine, through the mouth of the spokesman of the Agudath Israel, expressed equal disapproval of the scheme.

The question aroused feeling in England; it was discussed in debates in the House of Lords on February 28 and the House of Commons on March 25,1936; considerable opposition was manifested and the Secretary of State for the Colonies (Mr J. H. Thomas) was forced to defend the High Commissioner against criticism levelled from all sides of the House. One of the chief points made in his reply was that the Council would have very limited powers; it would not, for instance, be permitted to discuss the Mandate or the Jewish Agency or to interfere with immigration. He contended that the representation proposed on the Council was fair in proportion to the population of 825,000 Moslems, 100,000 Christians and 320,000 Jews.

The proposal was also criticized at the meeting of the Permanent Mandates Commission in June 1936, disapproval being expressed in particular by M. Rappard and Lord Lugard. The latter viewed as "extremely inadvisable" and as "a fertile source of friction" a system in which the majority was unable to enforce a majority decision, and did not control the executive staff.[1]

Growing Arab Unrest

The debates in the two Houses of Parliament in February and March 1936 had caused a new wave of despair among the Arabs, who saw in them fresh evidence of Jewish influence in London, and proof that the self-governed institutions for which they were asking were as far away as ever. Until this feeling was manifested in open disorder, its extent was little realized in Great Britain. The visit to London of the Arab delegation invited by the British Government to discuss the Legislative Council proposal never materialized on account of the outbreaks of the disturbances.

The cause of the Disturbances, 1936

The actual disorders had their beginning in a hold-up of Jews by Arabs on the road from Nablus to Tulkarm on April 15. A Greek Jewish immigrant was killed, and his funeral was the

(1) P.M.C.: *Minutes of the Twenty-ninth Session,* p. 145,

occasion of more serious riots in Jaffa and Tel-Aviv.[1] Curfew regulations were imposed in both towns and an emergency decree was issued prohibiting dealings in arms, ammunition and explosives.

By the end of the month it was clear that the trouble was of more than normal dimensions. On April 26 the Arab party leaders met and united to form an Arab Higher Committee and once more formulated the demands issued in the previous November.[2] A strike committee was set up; a general strike was declared, and a series of local committees—an important new development[3]—representing Arab views all over the country, gave the Arab Higher Committee authority to maintain this strike pending the granting of the demands.

The strike, which began among shopkeepers in Jaffa and Jerusalem, soon spread to the ports and to other Arab workers, and before long it was impossible to retain any illusion that it was confined to the leaders, or to a few extremists; the other towns were soon affected, and then the country districts, until by May 20 disorder was general throughout the country. Peasant cultivators inaugurated sabotage and attacks on troops and police and on Jewish colonies, while small organized bands carried on a guerrilla warfare from the hills. The prohibition of the sale of arms does not seem seriously to have affected Arab supplies, for the damage was done with pre-War and War rifles which had never been surrendered, and with arms acquired during the summer by gun-running from Transjordan.

On May 11, at the request of Sir Arthur Wauchope, a battalion of the Royal Scots Fusiliers arrived from Egypt, the beginning of a steady stream of reinforcements from Egypt and Malta, which continued throughout June and July. But the presence of the troops and the action of the Government in extending the curfew, imposing collective fines, interning Arab agitators in concentration camps, and taking other emergency measures, were alike unsuccessful in restoring order. Reports of acts of violence against the Jews and the police, of the destruction of crops and property,

(1) The High Commissioner's official communique regarding the events of April 19 runs as follows: "Owing to false rumours, which were at once officially contradicted, that Arabs had been killed, crowds assembled about 11 o'clock in the Manshia quarter of Jaffa, and disturbances arose, in the course of which several attacks were made upon Jews."

(2) See p. 28.

(3) ibid.

the cutting of telegraph wires, the blowing-up of railway tracks and bridges, and the ambushing of trains and car convoys succeeded each other almost daily.

There was a lull in hostilities at the beginning of August, but after a week of comparative calm the situation deteriorated again. Towards the middle of August came the first reports of acts of reprisals by Jews, but these were by comparison few and quickly checked; indeed, the Mandatory publicly acknowledged the self-restraint of the Jewish population, giving concrete evidence of this in its decision to enrol 2,800 Jews as supernumerary constables, and in its issue of a number of licences for rifles in addition to the supplies in the sealed armouries which it had for some years past permitted in Jewish settlements.

Against this background of disorder negotiations for a settlement were carried on. Sir Arthur Wauchope, who on May 6 appealed unsuccessfully to the Arab Strike Committee to help the Government in maintaining order, interviewed the leaders again on May 15; it was subsequently learnt that he had stated that, if the strike were stopped, a Royal Commission would be set up to examine the conditions in Palestine and inquire into Arab and Jewish grievances. In their reply the Arabs stated that from past experience they had no confidence in a new inquiry.[1] They would continue the strike until Jewish immigration was suspended. This the High Commissioner refused to do, and on May 18 a Labour Schedule of 4,500 immigrants for the next half-year was approved. The negotiations thus early reached a deadlock, the Arabs insisting on the stoppage of immigration before the strike was called off, the Government making all inquiry into the question of immigration dependent on the restoration of law and order.

Feeling among Arabs of all Classes

Attempts to solve the dilemma were not confined to the discussions between the High Commissioner and the Arab Strike Committee. On June 30, a memorandum was submitted to Sir Arthur Wauchope, signed by 137 Arab Government officials, including all the senior members of the Judiciary and the Administration. It stated that the Arab population had been driven into a state bordering on despair, and that this feeling was largely traceable to loss of faith in official pledges and alarm at the extent

(1) For some years past Arab spokesmen had been at pains to point out that the British Government had appointed no less than six commissions of inquiry but that little or no action had been taken on their findings.

to which the British Government had given way to Zionist pressure. The signatories believed that the Arabs' complaint under this head was substantially justified. The unrest could not be crushed by force, and the document recommended the stoppage of immigration as the only fair, humane and honourable solution.

British Governme Action

Judging by the statements on Palestine made by the Government in the House of Commons during the summer, it would seem that the British authorities for some time ignored or discounted the determination which was inspiring all sections of the Arab population, and remained hopeful that the trouble would die down. In reply to a question on May 18, the Secretary of State for the Colonies (Mr J. H. Thomas) stated that the Government had decided that the suggested Arab delegation to London would no longer meet the case. The Government had therefore decided, as soon as order was restored, to appoint a Royal Commission which, without bringing into question the terms of the Mandate, would investigate the causes of unrest. Again on June 16 and 20, and on July 2, it was emphasized that the Commission would not be sent till all was quiet. On July 22, in answer to a question on Jewish immigration, the Secretary of State for the Colonies (then Mr Ormsby-Gore) announced that there could be no change of policy until the Royal Commissioner's report was issued, but added:

> As regards, however, the suggestion that there should be a temporary suspension of immigration while the Commission is carrying out its inquiry, I am not at present in a position to make any statement as to the intentions of the Government.

The names of the members of the Royal Commission[1] were announced on July 29; its terms of reference, announced simultaneously, were as follows:

> To ascertain the underlying causes of the disturbances which broke out in Palestine in the middle of April; to inquire into the manner in which the Mandate for Palestine is being implemented in relation to the obligations of the Mandatory towards the Arabs and the Jews respectively; and to ascertain whether, upon a proper construction of the terms of the Man-

(1) The Right Hon. Earl Peel, G.G.S.I., G.B.E., The Right Hon. Sir Horace Rumbold, Bt, G.C.B., G.C.M.G., M.V.O., Sir Laurie Hammond, K.C.S.I., C.B.E., Sir Morris Carter, C.B.E., Sir Harold Morris, M.B.E., K.C., Professor Reginald Coupland, C.I.E.

date, either the Arabs or the Jews have any legitimate grievances upon account of the way in which the Mandate has been, or is being, implemented; and if the Commission is satisfied that any such grievances are well founded, to make recommendations for their removal and for the prevention of their recurrence.[1]

These various items of news were received without enthusiasm in Palestine. Arab feeling had gone too far to be checked by anything less than an announcement of the cessation of immigration; the Jews were apprehensive at what they regarded as a concession to Arab fears and Arab violence, and feared that the guarded reply with reference to immigration during the Commission's sittings foreshadowed unwelcome restrictions.

Mediation of the Arab States

One of the most serious aspects of the trouble was the possibility that it would inflame feeling elsewhere in the Moslem world. The increasing consciousness of the bond between the Arabs in the States of the Near East was evident from the efforts at mediation made by all neighbouring Arab rulers.

On June 6 the Emir of Transjordan invited the Arab Higher Committee to a meeting at Amman. When questioned as to whether they were in a position to stop the disorders if they wished, the Arab leaders replied that this would only be possible if certain definite concessions could be promised. The minimum was the suspension of Jewish immigration during the period of the Royal Commission's inquiry.

On August 7 the Emir again invited the Arab leaders to Amman and endeavoured to persuade them to call off the strike, urging the probability that this would be followed by a gesture on the part of the British Government respecting immigration. The Arab Committee stated that they were summoning a congress of town committees to discuss the situation, but fresh outbursts of violence which followed showed that the extremists were not willing to accept this proposal.

On August 30 the Arab Higher Committee unanimously accepted the intervention of the King of Iraq—a move initiated, it is said, by the King of sa'udi Arabia[8] and the Imam of the Yemen. The Palestinian Arabs welcomed this general interest; they felt

(1) *The Times*, July 30, 1936.

(2) This seems likely from the statement made in the British Government's Statement of Policy of September 8, 1936 (see p. 94), that he had offered to "use his good offices."

that they were calling in the Moslem world to redress a balance which they had long felt to be unfair. The negotiations were placed in the hands of General Nuri Pasha es-Said, Foreign Minister of Iraq.

The exact proposals made by Nuri Pasha were never known, but for several days the Palestine press was full of rumours. The Arabs were optimistic as to the outcome of the negotiations, and believed that the British Government would concede to Nuri Pasha what it had hitherto withheld, and that a suspension of Jewish immigration was at hand. There was a widespread belief that, following a proclamation by the Arab Kings, the strike would be called off in the next few days, although the announcement on August 30, in which the intervention of Iraq had been welcomed, contained the words: "In the meantime the country will continue the strike with the same steadfastness and conviction as heretofore."

The elation of the Arabs was reflected in a corresponding depression among the Jews, many of whom believed that the Government's resistance to the Arab demands had been broken, and that Nuri Pasha had British approval for the proposals he was making. So strong was this feeling that on September I Dr Weizmann sent a letter to the Secretary of State for the Colonies enclosing a report from the *Palestine Post* containing the terms alleged to have been accepted by the High Commissioner.

But during the interval of awaiting the reply, two incidents took place which prejudiced the attempts of the moderate Arabs to reach a settlement. First, the Arab Higher Committee met on September 2 to discuss whether the country should be consulted, through the local committees, on the subject of Nuri Pasha's proposals; it decided to postpone calling the Congress of National Committees—a body which would have formed, as it were, the Parliament from which the Arab Higher Committee derived its authority—until it had received confirmation of Nuri Pasha's authority to mediate, and, pending this, it issued a proclamation exhorting continuance of the strike. Secondly, on September 3 one of the most serious encounters of the whole campaign took place between Arabs and British troops near Tulkarm. Most of the Arabs killed in this engagement were from Syria and Transjordan, and there were rumours, subsequently confirmed, that the well-

known Syrian revolutionary Fawzi Kawkji[1] had transferred his activities to Palestine.

These events foreshadowed two shattering blows to Arab hopes which followed in the next few days. The first was the publication of Mr Ormsby-Gore's reply to Dr Weizmann stating not only that the alleged terms had never been accepted by the High Commissioner or by the Government, but also that Nuri Pasha had not been authorized to give any assurances regarding the suspension of immigration; the second was the report of the cancelling of the manoeuvres of the First Division, followed, on September 4, by the announcement from the War Office that the Government had under consideration the question of reinforcing the military garrison in Palestine. The division in question was dispatched during the third week in September.

On September 8 the British Government issued a Statement of Policy.[1] This, after describing the course of the disturbances, gave its reasons for sending the reinforcements. It was stated that "all efforts to introduce a reasonable spirit of accommodation" had hitherto failed, and that the discussions initiated by Nuri Pasha had led to no satisfactory result; the Arab determination to continue the strike pending the stoppage of immigration, together with the continued outrages, had rendered the use of force inevitable. The Statement also referred to the British aim of maintaining relations of friendship and confidence with the Moslem peoples. It reiterated the affirmation made to the League in 1930 that Great Britain viewed her obligations to the two sections of the population as of "equal weight", and that she felt the two obligations to be "in no sense irreconcilable"..

Arab Decision to end Strike

The Arab leaders were in a quandary. The strike had not achieved its objective, yet it was obviously useless to continue it in the face of overwhelming force. They decided to consult the country on the issue and summoned the postponed Congress of National Committees for September 17, meanwhile issuing a pro-

(1) Fawzi el-Din Kawkji is a Syrian who served with distinction in the Turkish Army during the Great War. After the French occupation of Syria he entered the French Service as intelligence officer and was decorated with the L*egion d'Honneur*, but on the outbreak of the Druze Revolt he joined the rebels. He was sentenced to death by the French authorities, but when the revolt was finally crushed he escaped to the Hejaz and became military adviser to King Ibn Sa'ud. Later he obtained a commission in the Iraqi Army, being appointed instructor at the Iraq Staff College. He resigned his commission in the summer of 1936.

(a) *The Times*, September 8, 1936.

clamation protesting against the British Statement of Policy. But the Government prohibited any joint meeting of the Congress, stipulating that the local meetings must confer individually; this they did. The period of consultation gave prominence to a sentiment which had been cherished by most Arabs throughout the strike. Both "the Arabs who understand what it will mean to go forward . . . and the common people always return to the same point and ask: 'Can we trust the Government to implement the findings of the Royal Commission, if they should be in our favour, when on so many previous occasions results favourable to us have been set aside?' It is unfortunate that confidence in the British sense of fair play should have been so undermined."[1]

The strike, which was remarkable amongst other things for the length of time the Arabs held together, was called off on October 12. .This decision was due to three main factors—one military, one economic, and one political.

The Military Factor

The most important consequence of the strengthening of the British force in Palestine from under 10,000 to nearly 30,000 was that the military authorities were enabled to adopt an offensive as well as a purely defensive policy. This was immediately apparent; the first reinforcements arrived on September 24, and on September 25 the first offensive action against Arabs was taken. Moreover, although martial law was never actually declared, the Palestine Martial Law (Defence) Order in Council issued on September 29 authorized the High Commissioner to make any regulations which he might consider necessary for public safety, or to delegate such powers to the G.O.C. Palestine Forces. In fact, it was made quite clear that any further Arab terrorism would be forcibly suppressed.[2]

The Economic Factor

But a no less urgent incentive prompting the Arab leaders was provided by the growing restlessness of the Arab rank and file at the economic hardships caused by the strike. This became particularly evident with the approach of the orange export season,

(1) Jerusalem correspondent in *The Times*, September 17, 1936.

(2) The figures for total casualties up to October 15 were announced as follows in the House of Commons on October 29, 1936:

Civilians:—Moslems, 955, including 187 deaths; Jews, 388, including 80 deaths; Christians, 65, including 10 deaths.

Navy, Army and Air Force—British 125, including 21 deaths.

Palestine Police and Transjordan Frontier Force—British, 47, including 7 deaths; Palestinians,.49 Moslems, including 8 deaths; 13 Christians (wounded); 9 Jews, including I death. The known Arab deaths recorded above are certainly less than the total number killed; this has been estimated at 800.

which normally opens in November. Even if the strike was officially prolonged, it was clear that many Arabs would be unable to resist die prospect of an excellent orange season made probable by the civil war in Spain, the chief rival producer.

The Political Factor

In fact, the one thing needed was an excuse for ending the strike in spite of failure to secure its proclaimed object—the cessation of Jewish immigration. This excuse was opportunely provided by the continued attempts at mediation on the part of the Arab kings. On October 11 an appeal to the Arabs of Palestine from the rulers of Iraq, Sa'udi Arabia, Transjordan, and the Yemen was published as follows:

> Through the President of the Arab Higher Committee to our sons the Arabs of Palestine:
>
> We have been deeply pained by the present state of affairs in Palestine. For this reason we have agreed with our Brothers the Kings and the Emir to call upon you to resolve for peace in order to save further shedding of blood. In doing this, we rely on the good intentions of our friend Great Britain, who has declared that she will do justice. You must be confident that we will continue our efforts to assist you.[1]

The Arab Higher Committee published with the message a manifesto stating that the "noble Arab nation in Palestine" had carried on the strike because of the dangers which beset it as the result of British policy. The Committee believed, however, that the Arab rulers would not have bidden their sons to abandon that struggle unless they believed that it was in their interest to do so. Realizing, therefore, "the great benefit to accrue from their intervention and support" it called upon the community to comply with these orders which had no aim except the welfare of the Arabs.

With the calling-offof the strike, the tension in Palestine visibly relaxed. Isolated sniping still occurred, but there were few further large-scale acts of terrorism. Under the guise of manoeuvres British troops closed in on Fawzi Kawkji's armed band and drove him over the Transjordan frontier.

Departure of the Royal Commission

The improvement in the situation was regarded as sufficient to justify the departure of the Royal Commission for Palestine on November 5. On the same day it was announced in the House of Commons that the Government had rejected on economic grounds,

(1) *The Times*, October 12, 1936. In the appeal from the King of Iraq the word "ally" is substituted for "friend."

and as likely to prejudice the work of the Royal Commission, the view that immigration should be suspended. The Government had therefore accepted the High Commissioner's recommendation that the labour schedule for the six months to come should be fixed at 1,850, as compared with 4,500 in the previous April. The Arab Higher Committee saw in this decision the defeat of its objective, and accordingly decided to boycott the Royal Commission.

Its Procedure

Nevertheless, the members of the Commission were able to pursue their work. From the moment of their arrival in the country on November 15, they began to collect evidence from British and Jewish witnesses. They held thirty public and forty private sessions; they travelled in order to familiarize themselves with the different parts of the territory; and they amplified the knowledge so gained by consulting the long and valuable reports submitted by Government officials. Happily, too, they were able before the end of their stay to hear the views of the third party concerned. The Arab boycott was called off on January 6, 1937, that is, twelve days before the Commission's return to England.

Internal Security, January-June 1937

The six months which elapsed before the Commission produced its findings were marked by a lessening of unrest but a growth of tension. Terrorist attacks continued on a scale sufficient to warrant wider powers for the High Commissioner in defence matters,[1] but on the whole the country was quiet. Travel by road became relatively safe and could be undertaken without danger, and the sentries manning the watch-towers of Jewish settlements enjoyed a much-needed rest because all attention, Jewish and British as well as Arab, was focused on London.

IX. THE PEEL REPORT AND THE QUESTION OF PARTITION

THE vast report which the Commissioners issued in July 1937 has been described as "a great State Paper . . . direct, outspoken, incisive, showing remarkably sympathetic understanding both of the Zionism of the Jews and the nationalism of the Arabs." Unfortunately time was to show that these two forces were in no mood to be reconciled by mere sympathy and understanding.

(1) Defence Order in Council of March 19, 1937.

Analysis of the Causes of Trouble

Since the first of the Commissioners' terms of reference had been to "ascertain causes" of the 1936 disturbances, they devoted the first part of their Report to a historical analysis of the trouble, as a result of which they came to the following conclusions[1]:

> The underlying causes were [in their opinion] the same as those which brought about the disturbances of 1920, 1921, 1929, and 1933, namely the desire of the Arabs for national independence and their hatred and fear of the Jewish National Home. But other factors had aggravated these two causes and helped to determine the time at which the disturbances broke out These factors were:
>
> (i) The effect on Arab opinion in Palestine of the attainment of national independence first by Iraq, to a less complete extent by Transjordan, then by Egypt and lastly envisaged for Syria and the Lebanon. The weight of this factor has been augmented by close contact between Arabs in Palestine and Arabs in Syria, Iraq and Saudi Arabia and by the willingness shown by the Arab Rulers to do what they properly could to assist them.
>
> (ii) The pressure on Palestine exerted by World Jewry in view of the sufferings and anxieties of the Jews in Central and Eastern Europe. The increase in this pressure from the beginning of 1933 onwards, and the consequent high figures of Jewish immigration and gravely accentuated Arab fears of Jewish domination over Palestine.
>
> (iii) The inequality of opportunity enjoyed by Arabs and Jews respectively in putting their case before the British Government, and before Parliament and public opinion in England; and the Arab belief that the Jews could always get their way by means denied to the Arabs.
>
> (iv) Associated with this factor, the growth of Arab distrust, dating back to the time of the McMahon "Pledge and the Balfour Declaration, in the ability, if not the will, of H.M. Government to carry out their promises.
>
> (v) Arab alarm at the continued purchase of Arab land by Jews.
>
> (vi) The intensive character of Jewish nationalism in Palestine; the 'modernism' of many of the younger immigrants; the provocative language used by irresponsible Jews and the intemperate tone of much of the Jewish as well as the Arab press.
>
> (vii) The general uncertainty, accentuated by the ambiguity of certain phrases in the Mandate, as to the ultimate intentions of the Mandatory Power. This uncertainty had (a) stimulated the Jewish desire to expand and consolidate their position in

(1) For an account of the Report as a whole and its recommendations, see Chapter IX and Appendix IV.

Palestine as quickly as might be, and (b) made it possible for the Arabs to interpret the conciliatory policy of the Palestine Government and the sympathetic attitude of some of its officials as proof that the British determination to implement the Balfour Declaration was not whole-hearted.[1]

In view of these conflicting interests the Commissioners described the Mandatory as forced to "govern by arithmetic" in order to hold the balance between, on the one hand, a Jewish National Home which had long passed the experimental stage, and, on the other, an Arab comniunity which, though it had prospered and increased since 1920, was showing a nationalistic and anti-Jewish mood from which it could not at the moment be deflected by considerations of material gain.

Review of the Working of the Mandate

Having painted this depressing picture of the state of the country, they turned to the second part of their Report—a survey of the different fields in which the Administration had attempted to carry out its mandate; here they dealt in turn with administration, public security, finance, the land, immigration, education, and other no less thorny subjects. They were not blind to the grave practical obstacles which nationalism placed in the way of good government; amongst other handicaps they instanced the existence of three official languages, three weekly days of rest and three sets of official holidays—Friday for the Moslems, Saturday for the Jews, and Sunday for Englishmen and for Christian Arabs. While admitting such difficulties, they did not scruple to criticize the Administration for certain of its practices: for instance, they found some justification for the charges of leniency and partiality which were sometimes discernible in the behaviour of officials. But their severest strictures were reserved for the educational system of the country.[2] They described the existing provision for Arabs as "inadequate" and the educational outlook as "disquieting", especially on account of the nationalist character of the educational system which they considered its worst feature. But they recognized that since the Mandate prescribed the right of each community to maintain its own schools, the ideal arrangement of

(1) Peel Report, pp. 110-12.

2) Peel Report, pp. 292-4. According to the *Report for 1938,* in that year only 50 per cent of Arab applicants could be admitted to Government schools in towns and villages. There were, in 1938, 779 Arab Schools with 87,498 pupils, as against 1,401 Jewish Schools with 158,874 pupils. Net Government expenditure on Jewish education was £50,207 and £216,435 on Arab (p. **145). See** also p. 32.

a bi-national system for both races was impossible, and they could not, therefore, see any remedy under the Mandate for the nationalist spirit in education which they so much deplored.

On each subject as they dealt with it they made detailed recommendations of which little need be said here since they are printed as an Appendix to this Paper.[1] One only is so revolutionary as to warrant special emphasis. When discussing immigration, they recommend that the number of Jews admitted should be regulated not only by "economic absorptive capacity" but also in accordance with political considerations. They even specified a figure: in their view the Mandatory should envisage a "political high level" of 12,000 per annum during the ensuing five years.

4in Alternative Proposal

In the third and last section of their Report the Commissioners abandoned the idea of palliatives; for the first time in an official British Government Paper the promises to Jews and Arabs were described as irreconcilable and the Mandate in its existing form as unworkable. They, therefore, suggested its transformation into some more practical system. "Partition seems to offer at least a chance of ultimate peace. We can see none in any other plan."[1] Accordingly they laid down a scheme of partition (which is summarized in full in Appendix IV below) to which they were bold enough to attach a map outlining the frontiers of a Jewish State, an Arab State, and a neutral enclave in which the British Mandatory should continue to safeguard the Holy Places at Jerusalem and Bethlehem.

Reception of the Report

So revolutionary a proposal left most observers gasping. For some forty-eight hours—the minimum time required to digest the document—public comment was largely withheld. The one body which, thanks to foreknowledge, had had time to make up its mind on the matter was the British Government. In a White Paper[3] accompanying the publication of the Report, they declared themselves satisfied that a scheme of partition on the general lines recommended by the Royal Commission represented the best and most hopeful solution of the deadlock.

British Attitude

When the Royal Commission's Report and its recommendations were debated in Parliament, several speeches betrayed anxiety lest partition might involve undesirable military and strategic

(1) See Appendix I V.
(a) Peel Report, p. 376.
(3) Cmd. 5513.

consequences. One of the few constructive proposals made during the debates came from Lord Samuel,[1] who pointed out that partition would not bring peace and order to Palestine since it involved the creation of a Jewish State containing 225,000 Arabs as against 258,000 Jews, which would involve a compulsory exchange of population, unfair and unpopular in Arab eyes. He added that there would also be a permanent "pull" exercised by the surrounding Arab States on the Arabs in the Jewish State which must inevitably work against a settlement. Further, the proposed frontiers would prove almost impossible to defend, and, finally, the difficulties of administering a partitioned Palestine would be almost insuperable. Lord Samuel declared that the partition scheme would have the effect of creating "a Saar, a Polish Corridor, and half a dozen Danzigs and Memels in a country the size of Wales".[2] He then made alternative proposals based on agreed, mutual sacrifices by Arabs and Jews in order to obtain conditions on which settlement could be achieved:

(i) Limitation of immigration to maintain the present balance of population between Jews and Arabs for a period of years, during which the Jewish population should not exceed say 40 per cent of the total population.[3]

(ii) Recognition of Arab national aspirations and the attitude of Islam towards the Holy Places. The ultimate aim of Great Britain should be to build up, with the assent of France and full co-operation of the Zionist movement, a Great Arab Confederation (to include Sa'udi Arabia, Iraq, Transjordan, Syria, etc.).

(iii) Opening of Transjordan to development and settlement both by Arabs and Jews, with the financial assistance of the British Government (possibly in the form of a guarantee loan).

(iv) A solemn guarantee in perpetuity by the League of Nations of the Holy Places of Islam in Palestine.

(v) Formation of two communal organizations (i.e. an Arab Agency in addition to the existing Jewish Agency). The Arab Agency should have *inter alia* power to prohibit land-sales within the Territory.

(vi) A Central Council for Palestine should be set up, not

(1) Lord Samuel, who held office as High Commissioner for Palestine from 1930-5, is himself a Jew.

(2) *Hansard,* House of Lords, July 20, 1937, col. 638.

(3) It is interesting to note that Mr Norman Bentwich (in his *Fulfilment in the Promised Land,* 1938) declares a primary condition of future settlement to be a "recognition that both Jews and Arabs are in Palestine as of right and not on sufferance, together with an interim limitation of immigration to give the Arabs an assurance against being 'swamped'."

elected and not based on members, but representative of the two communities, i.e. a kind of Federal Council with British members acting in an advisory capacity.

Reactions in Palestine

The immediate reaction to the Report on the part of both communities was one of disapproval, alike of the assumptions underlying the Royal Commission's Report and of its partition proposal.

The Jews

The Executive of the Jewish Agency declared, in a statement published on July 7,[1] that the supreme representative bodies of the Zionist Organization and the Jewish Agency would "discuss and decide" on the subject in conference at Zurich in August. There is some evidence, however, that before the Conference met certain officials of these bodies became convinced that it would not be politic to allow the partition proposal to be rejected out of hand.

The Arabs

Similarly, the Arab Higher Committee announced that it awaited the opinion of the rulers of the other Arab States. But in the Arab view the position was made doubly difficult by the fact that the Royal Commission had included in its Report a map showing provisional frontiers under their partition scheme. The Arabs were themselves unwilling to accept these frontiers; they felt convinced beyond all doubt that the Jews would now never accept a Jewish State comprising a smaller or less advantageous area in Palestine.

International Repercussions of the Report

While opinion in England was at first hopeful that the partition scheme would provide a basis for settlement, opinion in the rest of the world was on the whole unfavourable to it, either from a direct or an indirect partisanship, or from a sentimental dislike of the dividing of the Holy Land.

Permanent Mandates Commission

Speaking before the Permanent Mandates Commission at Geneva,[2] the British Colonial Secretary, Mr Ormsby-Gore, emphasized the incompatibility of the aims and demands of the Jews and Arabs with regard to Palestine, and the changed situation in surrounding countries since the Mandate had been drafted seventeen years earlier. He also referred to the strong plea for the Arab case made at the Imperial Conference held in London[8] by the principal Indian delegate, a Punjab Mohammedan, and an

(1) *Manchester Guardian,* July 8, 1937.
(a) *Minutes of the Thirty-second (Extraordinary) Session,* July 30-August 18, 1937 (C 330. M. 222.1937. VI.), pp. 13-18.
(3) In May-June 1937.

elected member of the Council of State, and used this fact to illustrate his contention that the continuation of a policy of repression in Palestine was likely to embroil not merely Great Britain, but Jews all over the world in conflict with the Mohammedans. Tinkering with the Mandate would give no finality and certainly would not give peace. Partition was, the British Government believed, the best and most hopeful, though not the only conceivable, solution; it had, moreover, the great merit that the establishment of even the small Jewish State contemplated by the Royal Commission would make it possible to find room for more refugees than by a continuation of the Mandate. The wider implications of the Palestine problem were thus admitted to the world by His Majesty's Government as a decisive factor in their new endeavour to find its solution, and it became apparent that since the publication of the Royal Commission's Report "things had happened to weaken the stand of His Majesty's Government on the subject of partition."[1]

The Permanent Mandates Commission, in the "preliminary opinion" on Palestine which they drafted for the Council of the League of Nations, pointed out that the present Mandate became almost unworkable once it was publicly declared to be so by a British Royal Commission, more especially since that Commission spoke with the two-fold authority conferred on it by its impartiality and its unanimity, and was endorsed by the Government of Mandate itself.[2] At the same time the Permanent Mandates Commission damned the idea of partition with faint praise by expressing themselves as favourable in principle to an examination of a solution involving partition, but as opposed to the immediate creation of two independent States. The Commission believed that a prolongation of the period of political apprenticeship by the continuation of the Mandate would in any case be essential, and that this could best be done either by provisional cantonization or by two new Mandates. Finally, they stressed the need for immediate measures to carry out the "urgently needed reforms in the administration of Palestine" recommended by the Royal Commission.[8]

On July 30 the Government of Iraq addressed a letter to the

(1) *Minutes of the Thirty-second (Extraordinary) Session,* p. 140, speech by M. Rappard.
(a) ibid., p. 229.
(3) ibid., p. 233.

Arab and Moslem Protests

Secretary-General of the League of Nations,[1] in which they solemnly protested against the proposals of the Royal Commission, and, in particular, against the proposal to partition Palestine. Such partition would be, in the opinion of the Iraqi Government, an injustice to the people of that country which could not be viewed without the gravest alarm. The letter further asserted that the hope of a permanent settlement depended upon the recognition of an integral independent Palestine in which the Jews accepted once and for all the position of a minority. So far as the control of immigration could secure this end, the proportion of the Jewish population in Palestine should be fixed approximately as at present, since in every essential the promises of the Balfour Declaration had already been fulfilled. The Iraqi Government justified the strong terms of its appeal by reference to the grave moral responsibilities towards the Arabs of Palestine, which had been undertaken by the King of Iraq, together with the Kings of Sa'udi Arabia and the Yemen, and the Emir of Transjordan, when they had intervened in October 1936 to secure peace in that country. In addition to this protest, the Permanent Mandates Commission also had before it a petition[2] asserting the right of the Arabs to complete independence in the whole of Palestine, and demanding the end of the "Jewish National Home and an immediate cessation of immigration and land-sales, till the conclusion of a treaty like those existing between Great Britain and Iraq and Great Britain and Egypt, to replace the existing British Mandate."

On September 11,1937, an Arab National Conference,[3] meeting at Bludan in Syria, passed a resolution closely following the petition of the Arab Higher Committee to the League of Nations, accompanied by a solemn declaration that the Arab nation and the Moslem people would continue the struggle for the Arab cause in Palestine, to achieve the liberation of the country and the establishment of an Arab Government.[4] In India, the All-India Mos-

(1) *League of Nations Official Journal,* August-September 1937, pp. 660-1.

(2) A petition from the Arab Higher Committee communicated by His Majesty's Government on July 30.

(3) This Arab National Conference consisted of 500 representatives from Syria and neighbouring Arab countries, including Egypt, under the presidency of Nabih bey Azmey, President of the Palestine Assistance Committee. Very few of the delegates were official representatives of their respective Governments. See Montagne, "Pour la paix en Palestine," in *Politique Etrangere* August 1938, p. 393.

(4) Montagne, p. 394.

1cm League condemned the Royal Commission's Report,[1] and a committee of defence for Palestine was set up, while, at a Palestine Conference organized at Calcutta in September by the League, the partition proposal was bitterly attacked and one delegate condemned it as "putting 80,000,000 Indian Moslems in the difficult position of choosing between loyalty to the State and loyalty to their faith."[2]

Meanwhile, the twentieth Zionist Congress, which met at Zurich from August 3-17, debated the Royal Commission's Report, together with the accompanying British Statement of Policy, which had included as an interim measure the restriction of jewish immigration in Palestine. The Congress revealed a division of opinion in Jewry. While some speeches concentrated, with religious fervour, on the Jewish right to Eretz Israel dating back for many centuries before the Balfour Declaration, others reflected the desperate need to save those millions of Jews to whom the right to live and work was being denied elsewhere, and the conviction that Jewish achievements in Palestine proved that "Jews could do on one dunum of land what other nations could not do on a hundred dunums," thus making possible large-scale immigration.[8] Cc

Dr Weizmann reminded the Congress that now for the first time the world was discussing the problem in terms of a "Jewish State", and for this reason appealed for support on a modified partition proposal. Representatives of the persecuted Jews of Central and South-Eastern Europe urged that at least as much attention should be paid to the grave distress of millions of Jews at the present day as to the traditional aspirations of former Jewish generations. The resolution finally adopted by the Congress denied that the Mandate had become unworkable and, while condemning the "palliatives" recommended by the Royal Commission, more especially those concerning the "political high level for immigration and limitation of land purchase," authorized

(1) *The Times*, July 12, 1937.

(2) ibid., September 25, 1937.

(3) Figures as high as 1½-2 million were suggested in a speech by Mr Ben Gurion as the number of Jews who could be settled in the Jewish State in the near future. But during a discussion on economic development in Palestine an estimate by Dr Ruppin of 200,000 during the next two or three years was accepted as a reasonable figure. (*New Judea*, August-September 1937, pp. 220-9.) A recent independent estimate, however, suggests that immigration on this scale would mean a density of population in Palestine two and a half times as great per square mile as that in Great Britain. (See letter in *The Times*, August 18, 1937-)

the Executive to enter into negotiations "with a view to ascertaining the precise terms of His Majesty's Government for the proposed establishment of a Jewish State."[1] The resolution concluded with a rejection of the thesis that the national aspirations of the Jewish people and the Arabs of Palestine were irreconcilable, and attributed the existing *impasse* to general uncertainty in regard to the intentions of the Mandatory Power and to the vacillating attitude of the Palestine Administration.

At the close of the Congress, the Council of the Jewish Agency[1] met in session and passed a resolution on the same lines as the Zionist Organization, but whereas the latter authorized negotiations with the British Government, the former in addition directed the Executive to request His Majesty's Government to convene a conference of Jews and Arabs with a view to "exploring the possibilities of a peaceful settlement between Jews and Arabs in and for an undivided Palestine on the basis of the Balfour Declaration and the Mandate."[8] Subsequent events gave an added importance to this constructive proposal, which had first taken shape in the speech of Dr J. L. Magnes, President of the Hebrew University of Jerusalem, who had urged the appointment of a committee composed equally of Zionists and non-Zionists "to negotiate with Great Britain, the Arabs, the League of Nations and the United States of America."[4] Although Dr Magnes's resolution was not adopted and he himself was severely criticized for basing his opposition to the partition scheme chiefly on the ground that it was against the wishes of the Arabs, it is important to recognize the existence of a moderate element in the Jewish Agency which was prepared to emphasize the complexity of a problem too often represented as a simple case of bad faith and injustice.

United States and the Report

Since the United States was not a Member of the League of Nations, the relations between Great Britain, as the Mandatory Power, and the United States Government in regard to the position of American nationals in Palestine had been regulated by a Convention signed on December 3,1924.[5] When the Mandatory

(1) *New Judea,* August-September 1937, p. 227.
(2) See pp. 19-20, for the relations between the Zionist Organization and the Jewish Agency.
(3) *New Judea,* pp. 235-6. The Council set up a Political Commission of thirteen, including six non-Zionists', to undertake future investigations and negotiations.
(4) ibid, p. 234.
(5) British White **Paper,** Cmd. 2559, 1925.

regime in Iraq was terminated in 1932 the United States Government set forth in some detail the view that "the termination of a Mandatory regime necessarily involves the disposition of the Territory, and affects the interests of American nationals therein," and claimed that they had, therefore, a right to be consulted as to the conditions under which the Territory is subsequently administered.[1] Equally, the United States Government regarded the possibility of a change in the status of Palestine as a matter which directly affected the interests of American nationals, and just before the publication of the Royal Commission Report they therefore requested from the British Government "elucidation of the official British position" with respect to any change proposed in Palestine as arising out of that report.[2] An exchange of correspondence followed in which the United States Government made it plain that their position was "based exclusively on their obligation and purpose to provide for the protection of American interests in Palestine on a basis of equality with those of other Governments and their nationals," but that any proposal for a modification of the Palestine Mandate was a matter which directly concerned them.[8] Although the Government are thus chiefly concerned with the protection of the rights of American citizens in Palestine, the fact that the Jewish population of the United States is 4½ million makes plain the extent of that country's interests in the "great purpose of a National Jewish Home in Palestine."[4]

Assembly of the League of Nations

Proof, if any be needed, that strong pressure was being exerted on His Majesty's Government from, outside is also to be found in the resolution passed by the Council of the League of Nations on September 16, 1937. The Council authorized the United Kingdom Government to explore the idea of partition, while pointing out that the Mandate must remain in force "until such time as it may be otherwise decided." In other words, the British Government received the necessary authorization from the League of Nations to work out detailed schemes for partition, without being committed to carry them into effect. But at the same time there was a significant proviso in the Council's resolution "recalling the assurances given by His Majesty's Government on the subject of

(1) Quoted in British White Paper, Cmd. 5544, 1937.
(a) ibid.
(3) ibid.
(4) President Roosevelt in a message of greeting to the National Conference for Palestine, February 1,1936.

immigration." The hope that partition would make possible the admission of a greater number of Jews into Palestine was its chief commendation in the eyes of representatives alike of those countries which have a large and unpopular Jewish population and of those which were likely to be embarrassed by an influx of refugees. On the other hand, speeches made in the League debate by representatives of the Moslem countries of the Near East showed that they, for their part, could not remain indifferent to the hopes and fears of the Arabs of Palestine.[1]

By the end of September 1937 the period of stocktaking, which followed the publication of the Royal Commission Report, was over. World opinion was clearly indifferent neither to the need for a settlement in Palestine, nor to the form that settlement might take, but there was no unanimous conviction that the "surgical operation" of partition was an essential preliminary to its attainment. Rather, there appeared to be apprehension at the prospect of the termination of the Mandate, whether or not it had, in fact, become unworkable, and uncertainty with regard to the suggested alternatives. In these circumstances, the British Government played for time and postponed a final decision.

Partition Commission

A technical commission was, therefore, sent to Palestine to work out a detailed scheme of partition on the basis of the scheme recommended by the Royal Commission, but with full liberty to suggest modifications. By its terms of reference the Commission was required to bear in mind that the boundaries it suggested must afford a reasonable prospect of the eventual establishment of self-supporting Arab and Jewish States; include the fewest possible number of Arabs and Arab enterprises in the Jewish area, and *vice versa;* enable His Majesty's Government to carry out their Mandatory responsibilities, including their obligations with regard to the Holy Places; and create no insuperable difficulties.

Its Report

The Report of this Partition Commission, published in October 1938,* examined, and found wanting, three plans of partition: that

(1) *League of Nations Official Journal,* Special Supplements, No. 169 (Records of the 18th Ordinary Session of the Assembly), and No. 175 (Minutes of the VIth Committee). See especially speeches by Hr Lange (Norway), M. Komarnicki (Poland), Wacyf Boutros-Ghali Pasha (Egypt), and Tawfik el Sawaidy (Iraq).

(a) *Palestine Partition Commission : Report,* Cmd. 5854 (afterwards cited as Woodhead Report). The Commission consisted of Sir John Woodhead (Chairman), Sir Alison Russell, Mr A. P. Waterfield, and Mr I. Reid, with Mr S. E. V. Luke as secretary. The personnel of the Commission was announced in March 1938 and its terms of reference had been published in a White Paper (Cmd. 5634) on January 4,1938. For a summary of its findings, see Appendix V.

of the Peel Commission,[1] and two modifications of its own devising. The Commission found it impossible so to divide Palestine as to avoid leaving Arabs in the Jewish State, and *vice versa,* without at the same time doing injustice to either Jews of Arabs.* Moreover, it seemed impossible to devise a self-supporting Arab State without an annual deficit amounting to perhaps £550,000,[3] or so to draw its frontiers as to avoid excluding the bulk of the Arab-owned citrus areas.[4] If the Arab State were to be self-sufficing, it must either have a subvention from the Jewish State—a solution which the Commission rejected as inequitable[5]—or it must form part of a Customs union.[6] This Customs union would be an essential part of any scheme involving partition from the standpoint alike of the Arab and Jewish States and the Mandated areas. The northern and southern Mandated Territories (forming part of the partition plan which seemed to the Commission the least objectionable of the available alternatives) would be a charge on His Majesty's Government and must, therefore, have control of the Customs union which would, of course, infringe the sovereignty of the independent Arab and Jewish States.

The Commission, in concluding its Report, put forward the suggestion of economic federalism,[7] an arrangement by which Palestine would be partitioned into Arab and Jewish States, northern and southern Mandated Territories, and a Jerusalem enclave, without fiscal autonomy, and under which the Customs service should be administered and fiscal policy determined by Great Britain as Mandatory.

Rejection of Partition

A White Paper[8] was issued by His Majesty's Government at the same time in which they rejected the partition scheme on the

(1) With slight alterations of frontiers, suggested by considerations of defence.

(2) For example, it appeared to them impossible to include Galilee in the Jewish State, because to do so would involve putting approximately 90,000 Arabs under 3,000 Jews; but Galilee could not be in the Arab State by reason of its geographical position without dominating, and constituting a menace to, the Jewish State. On the other hand, to make it into Mandated Territory would be to sacrifice the Arabs in the interests of the Jews. (Woodhead Report, pp. 86-92.)

(3) Woodhead Report, p. 193.

(4) Sir John Woodhead in *International Affairs,* March-April 1939.

(5) Woodhead Report, pp. 193-4.

(6) ibid, pp. 238-40.

(7) ibid., p. 244.

(8) Cmd. 5893, 1938. This White Paper was, whether by accident or by design, entitled: *"Palestine: Statement by His Majesty's Government" in* place of the more usual "Palestine: Statement of Policy."

ground that the political and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine were so great as to make such a solution of the problem impracticable. Since the surest foundation of peace and prosperity in Palestine would be an understanding between Jews and Arabs, His Majesty's Government declared their intention, as an alternative means of meeting the needs of the situation, immediately to invite representatives of these two communities,[1] and of the Arab States, to confer with them in London. The Conference would consider future policy, including the question of immigration. If, however, the discussions did not produce an agreement within a reasonable time, His Majesty's Government would themselves come to a decision on policy and proceed to implement it.

Influence of International Situation

By November 1938 it was less than ever possible to consider the Palestine problem without regard to the international situation as a whole. The political climate into which the Woodhead Report emerged was not inappropriate to the month of its birth; in comparison even the Peel Commission had seen the light, politically as in point of time, in summer weather. The autumn of 1938 was one of tension, in spite of the Munich Agreement and the Anglo-German and Franco-German Peace Pacts. In particular, the Jewish pogrom in Germany poisoned the international atmosphere, in addition to initiating a more acute phase of an already serious refugee problem. At the same time Italian demands on Tunis, Corsica and Nice increased the difficulties of Franco-Italian relations, and impressed on British minds by implication the military and strategic importance of the Eastern Mediterranean.

Jewish Comment

Jewish comment on the Woodhead Report and the British Government's proposals reflected this situation. The Jewish Agency pointed out that the Commission's proposals dismembered the existing Jewish settlements by excluding from the "Jewish State" (which would comprise less than one-twentieth of Western Palestine and less than one-hundredth of the area designated by the Peel Commission as having been intended in 1917 for the National Home), the greater part of Jewish land holdings, and the most important area of colonization.[2] The Zionist General Council[3]

(1) The British Government expressly stated that they retained the right not to invite those Arab leaders whom they held responsible for the campaign of violence and assassination in Palestine.

(2) For Arab and Jewish views of the Report, see *Bulletin of International News*, November 19, 1938, p. 12.

(3) *Manchester Guardian*, November 12, 1938.

deplored the lack of understanding of "Jewish homelessness and the deep Jewish tragedy" shown by the Woodhead Commission; the Zionist Organization would not, because it could not, retreat on the question of immigration. Thus, while the Jews thought that they saw in the Woodhead Report and the invitation to the Arab States signs that Arab violence had successfully intimidated British opinion in the hour of Jewry's greatest need, all but the most intransigent among them welcomed the idea of a round table conference.*

Arab Comment

Arab and Jewish critics were united in complaining that the White Paper had no policy to state. Otherwise the Arabs in general were less critical of the Report and of His Majesty's Government's proposals for the future than were the Jews, although Arab leaders in Jerusalem declared that a conference without the Mufti would be useless, and the Palestine Defence Committee in Damascus maintained that the future of Palestine must be settled between the British and the Arabs without intervention of the Jews, and must involve the cession of no Arab territory. Subsequent developments, however, caused a considerable modification of Arab criticism, in spite of increasing apprehension lest the urgency of the Jewish refugee problem should induce the British Government to relax their immigration restrictions. The Arabs in New York, for example, drew up a protest in which they asked the American nation not to "play up" the situation at the expense of one small country. It soon became apparent that the Arabs had no intention of boycotting the proposed Conference, but that interest was centring, in view of the exile of the Mufti and the Arab Higher Committee and of the existence of rival factions in Palestine itself, on the important question of the composition of the Arab delegation.[2]

British Opinion

Debates in the House of Commons on November 24 and December 8 once more revealed, through pro-Jewish and pro-Arab spokesmen, the various forces influencing the British Government in regard to Palestine. They also revealed that Government's intention to continue the search for a compromise, but to seek it this time with the help of the other Arab States in the hope that they would exercise a moderating influence on their Palestinian

(1) The Board of Deputies of British Jews had themselves suggested a round table conference as early as October. *(Manchester Guardian,* October 22, 1938.)

(2) See p. 122.

brothers. There was criticism of the apparent inability of the Government to produce an effective and constructive policy over a period during which the dangers inherent in a discontented and rebellious Palestine had become increasingly visible. The Secretary of State for the Colonies pointed out[1] that a "strong" policy could not alone bring peace; British troops could restore order but not peace. British policy must recognize that the argument of material gain was of no avail against Arab nationalism[2] and must aim at removing from the Arabs their fear of Jewish domination, just as it must reject any solution which would involve putting Jews under any form of Arab rule. Concessions from both sides would be an essential pre-requisite of any settlement.[3] To give up the struggle to find a compromise would, in the Government's view, merely mean locking up a great part of the British Army in Palestine indefinitely.

In short, if the immediate situation tended to distort the true proportions of the problem, British opinion was in general alive to its urgency, and welcomed the proposed Conference as offering the best hope of compromise.

X. THE ARAB REBELLION

DURING the first part of 1937, Palestine awaited, in comparative tranquillity, the publication of the Royal Commission's Report. After its appearance a gradual increase of tension was noticeable, and travel in Palestine,-which had been relatively safe during the period of waiting, once more became hazardous. The

(1) *Hansard,* House of Commons, November 24, 1938, coll. 1989-98.

(2) Speaking in the House of Lords, Lord Samuel stressed the same point. "The Arab movement exists; it is a reality and not an artificial creation fostered by British timidity and foreign intervention." *(Hansard,* House of Lords, December 8, 1938, col. 425.) See Antonius, *The Arab Awakening,* pp. 405-9, for a further discussion of the nature of Arab nationalism.

(3) After the pogrom of November 1938, the Jewish Agency for Palestine declared itself prepared to undertake the financial responsibility and organization involved in the immediate absorption into Palestine of 100,000 German Jews *(The Times,* November 24, 1938), and also requested the British Government to grant facilities for the admission to Palestine of 10,000 German Jewish children for whom homes had already been found. The Government were unable to agree to the immediate immigration of these refugees, in view of their refusal of Arab demands for a complete cessation of all Jewish immigration into Palestine until the proposed Conference had met and come to a decision on future policy *(Hansard,* December 14, 1938, col 1979).

murder on September 26 of Mr Andrews, Acting District Commissioner for Galilee, and of his police escort,[1] marked the renewal of a terrorist campaign of murder and intimidation.

Government Measures

A twofold task of restoring public order and removing the causes of lawlessness thus devolved upon the Government. In addition, it must be presumed that the administrative reforms recommended by the Royal Commission's Report and underlined by the Permanent Mandates Commission were under consideration during this period. At all events, the closing months of 1937 were marked by a radical and striking departure from the policy of conciliation, which had been hitherto pursued by the Mandatory Power. Apart from the adoption of certain measures, described below, the retirement in November of Sir Arthur Wauchope from the post of High Commissioner[2] might reasonably have been interpreted as a sign that his departure from Palestine would see the end of the experiment of "gentle handling" which he had consistently and with conviction tried to carry out.

Action Against Arab Leaders

An official *communique was* published on October I announcing the dissolution of the Arab Higher Committee and all National Committees, and the issue of warrants for the arrest of six prominent Arab leaders,[8] members of the Arab Higher Committee. At the same time Haj Amin Effendi al Husseini, the Mufti of Jerusalem, was deprived of his office as President of the Supreme Moslem Council and of membership of the General *Waqf* Committee, of which he was chairman.[4] Five of the prosecuted leaders were arrested and subsequently deported to the Seychelles[6]; Jamal Husseini escaped and fled to Syria, and the Mufti left Palestine secretly for the Lebanon. The dismissal of the Mufti from his office meant that he was no longer able to administer the funds of the Supreme Moslem Council and the *Waqf* Committee,[6] amounting to £60,000 annually, or exercise the extensive rights of patronage, and the local influence resulting therefrom, which the Presidency of the Supreme Moslem Council carried with it.

(1) *Report for 1937,p.8.*
(2) The appointment of Sir Harold MacMichael as his successor was announced in March 1938.
(3) Jamal Effendi al Husseini, President of the Arab Party; Ahmad Hilmi Pasha, Director of the Arab Bank; Fuad Effendi Saba; Yacoub Effendi Ghussein; Dr Hussein Fakhri Effendi al Khalidi, Mayor of Jerusalem; and Haj Rashid Effendi Ibrahim. See *Report for 1937*, p. 21.
(4) See p. 29.
(5) *The Times*, October 4, 1937.
(6) See pp. 25-6.

When the ban *on* press comment, which had accompanied this drastic action, was lifted (October 6) Arab reaction was seen to be one of disillusionment and there was talk of "a long struggle ahead". On the other hand, in spite of the state of tension in Palestine *The Times* correspondent felt able to write that "a good beginning has been made and the field is clear for constructive, firm, and impartial administration in the future."[1]

Military Courts

Unfortunately, this comment was shortly to prove over-optimistic. Disorders increased rather than decreased. If the British Government were at last prepared to take strong action showing that they did not intend to be intimidated by terrorism, the Arab leaders were able to demonstrate that their removal from office, and their exile, did not necessarily constitute the first steps towards either the appeasement or the repression of Arab opposition as a whole. The British authorities, however, quickly took another step to grapple with disorder by setting up Military Courts[2] throughout Palestine. These Courts, established under the Palestine (Defence) Order in Council 1937,[3] were set up to try offences against law and order such as discharge of firearms, carrying arms or bombs (both these sets of offences being punishable by death) and causing sabotage or intimidation. All sentences pronounced by the Courts were to be subject to confirmation by the General Officer Commanding the Troops, from whose decision there would be no appeal. In addition, the regulations empowered any commissioned officer of His Majesty's Forces to issue a warrant for the arrest of suspects. A week was allowed to elapse between the issue of the order and the actual setting up of the Courts; during this week the *Communiqué* explaining the measure was broadcast and published daily. But the hope that this period of grace would induce those possessing arms to surrender them was not fulfilled.[4] It should be noted, moreover, that this measure was only "halfway to martial law"; ordinary civil rules of evidence were used as under English law and "the extraordinary power of reticence which can be exercised by one community in protecting one of its members" was able in some measure to curtail the activities of the Military Courts.[5] But figures given in the House of Com-

(1) ***The Times*, October 4, 1937.**
(2) Official *Communique'* issued November 10, 1937, to take effect on November 18. *Report for 1937*, p. 23.
(3) See p. 97.
(4) *Manchester Guardian*, December 8, 1937.
(5) ibid.

mons towards **the** end **of** December showed **that 26 Arabs had been** tried: 21 sentences and 3 acquittals resulted from these trials, and by the end of the year 4 death sentences had been inflicted.[1] During 1938, 382 persons were tried; there were 54 death sentences, 38 life imprisonments, and 141 acquittals.[2]

Deterioration of Situation

Lawlessness in Palestine, unfortunately, still did not decrease in spite of these stronger measures[3]; and there were signs that the restraint previously shown by the Jews was beginning to break down[4] under the provocation of increasing Arab violence. Nor were Jews the only victims: in December Arab notables at Tulkarm petitioned the District Commissioner for permission to bear arms against Arab extremists,[5] while in the previous month Jewish and Arab members of the Jerusalem Municipal Council had issued a joint appeal to stop terrorism.[6] Such welcome departures from precedent, however isolated and unsuccessful, deserve to be put on record, although the year 1937 ended with further outrages.

The outlook for 1938 was thus far from encouraging. The British Government had, it is true, shown that they were prepared to take whatever action might prove necessary to stamp out terrorism, although a certain reluctance to adopt adequate military measures may not unfairly be imputed to them. Perhaps they still hoped that time and the threat of force would be effective. But the political atmosphere did not improve and the general situation remained unaffected by the presence in Palestine of the Woodhead Commission.[7] The preface of their Report laconically states that no Arab witnesses came forward to give evidence to them,[8] and goes on to record an intensification of violence after their departure on August 15, 1938.

(1) *The Times*, December 31, 1937.

(2) On November I an order was issued prohibiting any male person from travelling by train or motor car in rural areas without a military permit, and later in the month (23rd) a curfew from 6 p.m. to 5 a.m. was imposed on all Palestine, except in municipal and built-up areas, while in October Sir Charles Tegart, former Commissioner of Police in Calcutta, arrived in Palestine to advise the Administration as to the best methods of dealing with terrorism.

(3) *Report for 1938*, p. 24.

(4) Forty-five Jews were arrested in various parts of Palestine on November 15 after an outburst of terrorism the previous day. *The Times*, November 16, 1937.

(5) *Daily Telegraph* and *Morning Post*, December 17, 1937.

(6) ibid., November 17, 1937.

(7) See p. 108.

(8) Woodhead Report, p. 8.

Military Operations

Throughout 1937 British armed forces in Palestine had amounted to no more than two infantry brigades. In July 1938 two additional infantry battalions, two squadrons of the Royal Air Force, an armoured car and cavalry unit, and a battle cruiser were endeavouring to suppress terrorism which, since April, had become open rebellion.[1] By the end of October there were in the country eighteen infantry battalions, two cavalry regiments, a battery of howitzers, and armoured car units, or a total of 18,000 to 20,000 troops,[2] while some 2,930 additional British police were recruited during the year.[8] A virtual military reoccupation of the country proved necessary to deal with the explosion of bombs and land mines, the murders and snipings which were almost daily occurrences. Heavy military concentrations alone preserved a semblance of order in the northern and central parts of the country, while the Jerusalem and southern districts were entirely out of hand. Armed gangs were lodged in all the main cities and rebel bands openly dominated the smaller centres. Communications were everywhere interrupted by bold attacks and by sabotage, and throughout the summer the administration passed more and more into the hands of the military, and civil life was progressively dislocated. Early in September the High Commissioner was given new power over property and land for defence purposes, and later permitted to seize and demolish the property of rebels. A rigorous press censorship was also established. Every traveller and motor driver was required to possess an identity card and permit. In short, civil life was severely hampered; communications were disorganized, railway services were curtailed, and trains ran only with armed escorts. The main military campaign culminated during the first weeks of October,[4] when troops peacefully occupied the old city—or Arab quarter—of Jerusalem. This operation, which might have been dangerous owing to the narrow

(1) In May the authorities announced the erection of a wall of barbed wire (known as "Tegart's Wall") across the frontiers of Palestine, Syria, Transjordan and the Lebanon, to prevent illegal entry of armed bands. This scheme had been turned down in 1937 because of the cost, which was estimated at £90,000.

(2) *Hansard,* November 1, 1938, col. 40. On November 16,1938, the Secretary of State for the Colonies stated the personnel of the Army and Royal Air Force in Palestine to be 15,500 and 700 respectively, and that of the police 7,300. He gave the cost of maintaining the additional military forces then in Palestine as about £175,000 a month. *Hansard,* November 16, 1938,col. 861.

(3) *Report for 1938,* p. 111.

(4) During the first fortnight of October casualties amounted to 350 killed and 100 injured. *Manchester Guardian,* October 17, 1938.

streets, was accomplished without serious loss, and by the end of that month all Palestine was under military control. The country was thereupon divided into four districts, each under a military governor, for the purpose of restoring order in as short a time as possible by the capture or driving out of armed rebel bands, a process which unhappily proved long and fraught with unsuspected difficulties.

Disposition and Methods of Rebels

The nature and extent of the Arab rebellion of 1938 can be gauged not only from the figures given above of British armed forces in the country, but also from the fact that casualties during the year reached a total of 3,717,[1] as against 246 in 1937. In a strictly military sense, the difficulties encountered during the process of restoring order in Palestine were probably expected and inevitable. But the organization and disposition of the rebels complicated the task of the authorities in several ways.

The permanent active rebels probably amounted to no more than 1,000 or 1,500, split up in small bodies and mixed among peaceful citizens in towns and villages—though it may well be that the operations of these rebels would never have been possible without the sympathy of the bulk of the Arab population.[2] Two elements of the population, however, gave support which went far beyond this general sympathy. These were educated *effendi* and terrorist "thugs," of whom the former, chiefly engaged in organizing supplies and finance, were unfortunately not in effective control of the latter. The two principal rebel leaders were? Abdul Rahim Haj Ibrahim,[8] titular commander-in-chief, an honest genuine patriot who endeavoured to conduct his campaign on decent lines, and the more unprincipled and ruthless Aref Abdul Razzik.[4]

Arab Parties and Feuds

Both these men were in touch with and largely directed by the Mufti and the Arab Higher Committee from outside Palestine,[5] but Abdul Rahim was alleged to dislike the policy recently developed by his superiors, of intimidating and assassinating the so-called moderates, supporters of Nashashibi. It may be that this

(1) These figures included 69 British, 92 Jews, 486 Arab civilians, and 1,138 armed rebels killed. *The Times,* January 2, 1939.
(2) *Round Table,* March 1939.
(3) Killed March 27, 1939. *The Times,* March 28, 1939.
(4) Surrendered to the French in Syria on April 12, 1939 *{The Times,* April 14,1939), but later escaped.
(5) See British War Office Statement, *Manchester Guardian,* January 10, 1939.

conflict arose in the first instance out of family or even personal feuds; it was certainly concerned with methods rather than underlying principles of the Arab opposition to the Jews, but the rivalry between the leaders and the struggle of Arab against Arab obviously added to the difficulties of the situation.

"Combing out the Rebels

The rebels were scattered among the civil population and in many cases protected by them. It was, therefore, necessary for the authorities to check and search every district or village suspected of being a centre of rebel activity; this in itself was no easy task in a countryside where olive groves provided admirable cover and a rifle could be exchanged for a hoe, and hidden, before a British patrol could approach. Moreover, all males had often to be rounded up in order to identify a wanted man; sometimes innocent persons were marched away, to the distress of their womenfolk. Punishment for harbouring of rebels or for attacks on the military from a given village were usually collective, in the form of fines or demolition of houses, and inevitably inflicted suffering on innocent as well as guilty.

Anti-British Propaganda

It is easy to see the political and international implications of this state of affairs. The nature of the rebel organization made a perfect weapon, intelligently directed, for those who wish to use terrorism to draw attention at a given moment to any specific unwelcome change in the aims or methods of British policy. There was, for example, a recrudescence of violence in Palestine in January and February 1939, while the Round Table Conference was meeting in London.[1] This account of the nature of the rebellion, and the circumstances in which it had to be suppressed, may serve to show, in the first place, the nature of the task which faces the British authorities in the absence of an "agreed settlement" between Jews and Arabs in Palestine. Secondly, it reveals the injustice done to the British Army by the violent and continued propaganda in the German press and wireless bulletins at the close of 1938 and in the first half of 1939.[2] The German authorities did not confine themselves to describing the difficulties confronting Great Britain in Palestine, or the defects of British policy, but chose to dwell persistently on the heartrending maltreatment of an innocent civil population by a brutal soldiery, characterizing an

(1) See Chapter XI

(2) It is not without interest that German propaganda began to increase in extent and intensity soon after the conclusion of the Anglo-Italian Agreement of April 16, 1938.

official statement[1] by the British War Office refuting the charges against the British Army in Palestine as an open admission of terrorism by the military.[2] From April onwards regular broadcasts in Arabic were given from Berlin. According to a report from Jerusalem, the first (April 24) included the statement that Arab women were being dispersed by jets of water from hoses when on a protest march through the Old City (the falsity of which could be attested by all local listeners who cared to investigate), and a list of British "atrocities".[8]

Disintegration of Rebellion

But in spite of such propaganda, and of assistance from abroad in the form of money and weapons, there were signs by the middle of May that the "combing out" operations were being effective. Of still greater significance, however, were the unmistakable indications that the revolt was disintegrating from within. There was evidence of dissension between the Palestine terrorist leaders and the Arab Higher Committee in Damascus over the question of funds which the terrorists believed the latter were using for their own benefit. Mohil Zawati, a lieutenant of Aref Abdul Razzik, was alleged to have stated openly in Transjordan that he could no longer obtain money or help from the Committee and that he had no further interest in the rebellion, but would return to Palestine to extort money for his own benefit.[4]

XL THE LONDON CONFERENCES FEBRUARY-MARCH 1939, AND THE NEW BRITISH POLICY

Issue of Invitations by H.M.G.

INVITATIONS to attend the Round Table Conference in London were sent by the British Government to the Palestinian Arabs; the neighbouring States of Egypt, Iraq, Sa'udi Arabia, and the Yemen and Transjordan; and to the Jewish Agency.[5] Mr MacDonald, Secretary of State for the Colonies, made it clear that the

(1) *Manchester Guardian,* January 10, 1939.
(2) *Angriff,* January 10, 1939, and *Berliner Tageblatt,* January 12, 1939.
(3) *The Times,* April 29, 1939. For an account of German propaganda in the Near East, see Vernier: *"La Politique Islamique de l'Allemagne"* (Paris, Centre d'Etudes de Politique Etrangère, 1939), and Viton: "Hitler goes to the Arabs", *Asia* July 1939, PP- 419-22.
(4) *The Times,* May 10,1939.
(5) For the composition of the Jewish Agency, see pp. 19-20.

Jewish Agency was at liberty to select whatever Jewish representatives-it wished.[1] But the White Paper announcing that a conference would be held had stated that the Government would reserve the right to refuse to receive those leaders whom they regarded as responsible for the campaign of assassination and violence.[2] In actual fact, although the Mufti himself was regarded as "unacceptable," members of the Arab Higher Committee in exile in the Seychelles[8] were set at liberty and, although refused permission to return to Palestine, were free to consult with the Mufti and to act as delegates of the Palestinian Arabs at the Conference.

Arab Party Differences

The differences of opinion between those Palestinian Arab parties which accepted the leadership and policy of the Mufti on the one hand, and the National Defence Party[4] on the other, appeared to have been intensified and embittered during the Arab revolt.[6] These differences were clearly revealed during the period preceding the Conference in which the parties were manoeuvring for position. It is, however, essential to realize that they were differences of method and policy, rather than principle, and accentuated by family rivalries. For example, Fakhri Bey Nashashibi, cousin and political assistant of Ragheb Bey Nashashibi, former Mayor of Jerusalem and leader of the Palestine Arab Defence Party, addressed a letter to the High Commissioner on behalf of "many of the Party leaders compelled to leave as a result of the campaign launched against them and their followers by the faction of Haj Amin Al-Husseini" in which he claimed that these moderate elements represented 75 per cent of the interests of the country and more than half the Arab population of Palestine.[6] Ragheb Bey immediately disowned this letter on the grounds that its author did not represent the Palestine Arab Defence "Party. There was no person in Palestine or in any other Arab countries, he declared, who did not oppose to the death the Balfour Declaration and the Mandate; during the present critical situation the Arabs stood as one man desperately defending their sacred ex-

(1) *Hansard,* House of Commons, November 10, 1938, col. 304.
(2) British White Paper, Cmd. 5893. See p. 109.
(3) See p. 113.
(4) See p. 28.
(5) For an account of Arab organization, see pp. 25-9.
(6) *The Times,* November 16, 1938; *Great Britain and the East,* December 8, 1938. Judging by subsequent Arab intransigence this figure is almost certainly an overestimate.

istence, and it was a chimaera to divide the Palestine Arabs into extremists and moderates.[1]

After discussions between the Mufti and the Palestinian leaders recently returned from the Seychelles, delegates were chosen representing five of the six Arab parties who were members of the former Arab Higher Committee; but in spite of the indefatigable efforts of Nuri Pasha, the Prime Minister of Iraq, and other non-Palestinian Arabs, it was not until after the opening of the Conference in London and as a result of the direct intervention of Mr Malcolm MacDonald, that the representation of the National Defence Party was finally settled. The Party had at first claimed six representatives; the Mufti and his supporters were prepared to allow them two, provided that Fakhri Bey Nashashibi was not one. In the end, Ragheb Bey, President, and Yakub Effendi Farraj, Vice-President, of the National Defence Party, took their places as members of the Palestinian Arab delegation at St James's Palace.

Policy of the Arab States

From an early stage in what may be described as the Conference preliminaries, the Arab States showed themselves ready to play an active part. Reasons for their interest, and indications of the nature of the influence they might be supposed to exercise, are not far to seek. Iraq and Egypt, for example, have but recently acquired independence. Both have treaty relations and close connections with Great Britain, which they do not appear to regard as derogating from their independent status. The latter is concerned[2] to obtain a settlement which, while satisfying Arab aspirations, would lead to the creation, in the shortest possible time, of a peaceful and stable Palestinian State, on the flank of the Suez Canal.

In the middle of January all the delegations (except that of the Palestine Arab Defence Party) met in Cairo; and Nuri Pasha flew to Beirut to confer with the Mufti. Nuri had already put forward a plan for Palestine,[8] which envisaged an independent State, allied by treaty with Great Britain, governed under a Constitution drawn up by a constituent assembly, and embodying guar-

(1) *The Times*, November 19, 1938.

(2) A glance at the map will show the danger to Egypt of a disturbed Palestine in the event of a general war.

(3) This plan was communicated to the British Government in October 1938. It is interesting to compare these proposals with the Arab demands put forward at the London Conferences, and with proposals alleged to have been sent to the British Government at the end of April See pp. 124-5.

antees of full civil and religious rights to all communities. Each community would, under this plan, enjoy communal rights on a basis of equality; local autonomy and education and municipal affairs would be granted to Arab and Jewish towns. Jewish immigration would cease at once, although the transfer of the administration would be gradual. The rights of the communities would be guaranteed by the British Government for the duration of the proposed Anglo-Palestirie treaty.

Composition of Arab Delegation

The Palestinian Arab Delegation finally consisted, as indicated above, of representatives of all the Palestinian Arab parties, and included the four leaders who had been exiled to the Seychelles in the autumn of 1937,[1] as well as the two members of the National Defence Party about whose choice there had been so much dispute. Egypt was represented by Prince Mohamed Abdul Moneim; the Egyptian Ambassador to London; the Chief of the ,Royal Cabinet; and the Egyptian Minister to the Iraqi and Sa'udi Arabian Governments. Iraq's representative was Nuri es Said, her Prime Minister and Minister for Foreign Affairs; and that of Sa'udi Arabia was the Emir Feisal, son of Ibn Sa'ud.

Composition of Jewish Delegation

The Jewish Delegation to the Conference was composed of a body of "negotiators", of whom five were chosen by the Jewish Agency from its Executive to be a permanent nucleus throughout the Conference, while the remainder were drawn from a wider conference committee of leading Jewish personalities, both Zionist and non-Zionist, representing the Jews of the British Empire and of foreign countries. This committee consisted of Dr Weizmann; the four members of the Jewish Executive just referred to; three other members of the Executive; eleven representatives of Palestine organizations; thirteen representatives of Zionist and non-Zionist bodies in Great Britain; two from the United States, and one each from France, Germany, Belgium, Poland, Eastern Europe, and South Africa. At the first business meeting of the Conference, for example, the Jewish Delegation numbered nineteen and was composed as follows:—Executive of Jewish Agency, 7; Palestine, 5; Great Britain, 4; United States 1; France, 1; Eastern Europe, 1. But the personnel and number of the Delegation varied at succeeding meetings. It has been claimed that the Delegation was representative of every aspect of Jewish life and thought:

(1) See p. 113.

> Non-Zionist leaders who have hitherto shown 410 practical interest in Palestinian affairs [will] co-operate with life-long Zionists. Great industrialists and labour leaders, spokesmen of extreme orthodox and Reform Rabbis, representatives of the great emancipated Jewries of the West and the leader of the Jews in Germany, a Sephardi leader of Oriental Jewry, and spokesmen of the Jewish masses in Eastern Europe . . .[1]

The Conferences

But the Conference, when it met at St James's Palace, London, on February 7, 1939, became in effect two parallel conferences, for the Palestinian Arabs refused to sit at the same conference table with the Jewish Delegation. The first two weeks were occupied by statements of the Arab and Jewish cases, and discussions between the British Government and each of the parties on points of detail arising from these claims. Both sides stated their case in its extreme form, and showed little sign of any readiness to compromise. Dr Weizmann, leader and spokesman of the Jewish Delegation, made no specific proposals. But while he stressed the right of the Jewish people (recognized in the Balfour Declaration and the Mandate) to reconstitute their National Home in Palestine, he laid even greater emphasis on their present urgent need of that Home in "this the blackest hour of Jewish history," and described Jewish homelessness as the root of the problem. The spokesman of the Arab Delegation, Jamal Effendi Husseini, made demands which also contained little that was new,[2] but revealed the enduring Arab fear of domination by the Jews and a determination to secure recognition of their right[3] to complete independence in their own country.

On February 23 the first meeting between the Jews and representatives of the Arab States took place, in a friendly atmosphere, but without positive results in narrowing the gap between the two standpoints. During the next week the British put forward proposals for an agreed settlement, which were rejected by the Jews.

(1) *New Judea*, February 1939, p. 95.

(2) His demands were nearly identical with Arab demands put forward in 1930 and 1935. See pp. 48 and 86.

(3) The question of British war-time promises was thoroughly investigated during the course of the Conference. The relevant documents were published and a committee, composed of representatives of the Arab Delegation and of His Majesty's Government, set up to investigate and report to the Conference on the subject. See p. 6, footnote 1, and Appendix I. The Jewish Delegation also published "Documents relating to the McMahon Letters" (Jewish Agency for Palestine, London, March 1939), containing a collection of material from various sources, including pronouncements during the period 1917-21 and more recent statements throwing light upon them.

More discussions followed and another meeting took place between the Arab States, the Jewish, and the British leaders, also without definite results. Finally, the British laid revised proposals before the Delegations, which were rejected by both parties, and the Conference came to an end.

Mediation of Arab States

Some weeks elapsed before the White Paper containing the final proposals of the British Government was published on May 17, 1939.[1] These weeks saw a serious crisis in Europe arising out of the occupation of Bohemia and Moravia by Germany on March 15, and the invasion of Albania by Italy on Good Friday, April 7. During this period a conference of representatives of the Palestinian Arabs, the Arab States, and the Moslems of India met in Cairo and submitted unofficial proposals to the British Government in an endeavour to bridge the gap between the latter's London Conference terms and the demands of the Palestinian Arabs. These Cairo proposals are understood to have differed little on questions of immigration and land-sales from Jhose contained in the British White Paper, but to have asked for the immediate appointment of a National Government of Palestinian Ministers with British advisers, and a National Assembly at the end of three years to draw up a Constitution for an independent Palestinian State.[2]

British Proposals

The British Government's proposals, on the other hand, envisaged the creation of an independent Palestinian State, in treaty relations with Great Britain, only at the end of a period of ten years* They proposed that, five years after the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government should be set up to make recommendations with regard to the Constitution of the new State. During the transition period Palestinians would gradually be given an increasing part in the government of their country, acting as heads of certain departments, with British advisers, and becoming members, in this capacity, of an Executive Council. The powers of local government bodies would, at the same time, be increased.

The exact form of the Constitution ultimately to be given to the new State was not laid down in the White Paper, because the British Government were then unable to foresee it. At the same

(1) British White Paper, Cmd. 6019. See Appendix V I .
(2) *The Times*, May 2, 1939.

time, however, the land regulations[1] might appear to indicate that there would eventually be three clearly defined areas in Palestine —Arab, Jewish, and mixed. Since land sales were to be prohibited in certain districts, and restricted in others, it seemed in 1939 not unreasonable to suppose that the best hope for the future of the Palestinian State would lie in some sort of federation and that these zones might ultimately constitute autonomous areas.

Immigration

But the existence of a will to co-operate is still dependent, in the last analysis, upon agreement with regard to immigration. The British Government's new proposals on this subject constituted a complete and drastic reversal of policy. By the terms of the White Paper, approximately 75,000 Jewish immigrants were to be admitted into Palestine during the next five years, and included in this total would be the number of illegal immigrants who entered the country in the period. At the end of five years further Jewish immigration would be subject to Arab consent. The Government justified these new restrictions on the ground that the Balfour Declaration did not intend that Palestine should become a Jewish State, or that the whole of Palestine should be converted into a Jewish National Home. It further declared that nothing in the Mandate, or in the obligations binding on His Majesty's Government, requires that Jewish immigration should be permitted up to the *economic* absorptive capacity of the country, regardless of other factors such as *political* absorptive capacity, that is, regardless of Arab fears and Arab goodwill.

Reception of the Proposals

As the British Government correctly surmised in the White Paper, the new proposals satisfied neither the Arabs nor the Jews. That the Palestinian Arabs and the Arab States should refuse to accept a policy which, at the same time, held out promise of an independent Palestinian State and removed their fear of being outnumbered by the Jews is at first sight not a little surprising. Possibly the instantaneous rejection of the proposals was merely a tactical move. Possibly also certain non-Palestinian Arabs had staked their reputation as statesmen on British acceptance *in toto* of their demands, and felt that they could not agree to British

The Arabs

(1) For details of the land regulations see above, p. 59, and *Palestine Land Transfers Regulations:* letter to the Secretary-General of the League of Nations, London, February 28, 1940, Cmd. 6180. For summary see Appendix V I I.

rejection of part of their plan. Moreover, the British Government's decision, to prolong indefinitely the ban on the Mufti's return to Palestine was probably not without influence on Arab opinion. Finally, it must be admitted that the Arabs would have had some justification for reserving judgement until such time as the new British policy should be translated into action, since they could point to previous occasions, notably in 1930 and 1935, when a proposed policy, described by its opponents as "pro-Arab", was never put into effect in its original form.

The Jews

The Jews not unnaturally rejected the new policy. They condemned it firstly as a breach of faith, since they claimed that it denied to the Jewish people the right, specifically given to them by the Balfour Declaration, to reconstitute their National Home in their ancestral country, and secondly as a surrender to Arab terrorism.* The Jewish community in the United States, in particular, expressed strong resentment at the policy and endeavoured to induce the United States Government to make representations to the British Government for its modification.

Permanent Mandates Commission

The Permanent Mandates Commission at its meeting in June 1939 considered the policy for Palestine laid down in the White Paper of May 1939, and submitted observations upon it to the Council of the League. In these observations the Permanent Mandates Commission declared that the White Paper was not in accordance with the interpretation which, in agreement with the Mandatory Power and the Council, it had always placed upon the Mandate. Two years before the Government of the Mandatory Power had declared that the present mandate was unworkable.[8] In the view of the Mandates Commission it almost "became unworkable by that very fact".[4] The Commission had during its discussions tried to discover whether the mandate might not be open to a new interpretation which, while still reflecting its main principles, would be flexible enough for the White Paper not to seem at variance with it. Four members of the Commission did not believe that the White Paper could be said to be in accordance with the Mandate; three considered that existing circumstances would justify the policy of the White Paper provided the

(1) *Hansard,* House of Commons, May 18, 1939, coll. 1442-3.
(2) Official statement issued by the Jewish Agency, May 17, 1939.
(3) See p. 103.
(4) P.M.C. *Minutes of the Thirty-sixth Session,* p. 275.

Council of the League did not oppose it. On August 5 the British Government submitted to the Secretary-General of the League comments on the Permanent Mandates Commission's findings with a request that they might be circulated with those findings.[1] The British Government began by pointing out that it was untrue to say that the Mandatory Power had herself stated that "the present Mandate was unworkable". What the Mandatory Power had in fact said in the statement of policy[2] to which the P.M.C. had referred was as follows:

> They [His Majesty's Government] are driven to the conclusion that there is an irreconcilable conflict between the aspirations of the Arabs and Jews in Palestine, that these aspirations cannot be satisfied under the terms of the present Mandate and that a scheme of partition ... represents the best and most hopeful solution of the deadlock.

It was the aspiration for national governments which could not be reconciled under the Mandate and which had led to the proposal for dividing the country into separate Arab and Jewish States, a proposal which had since been found to be impracticable. In their comments, the British Government went on to examine the findings of the P.M.C. with regard to immigration, land and constitution questions, and produced arguments to prove that the policy of the White Paper did not in fact conflict with the Mandale on these three issues, and, further, that the Mandatory Power fully intended that the proposals contained in it should not lead to the subordination of the rights and position of either Arabs or Jews. The concluding paragraphs of the British Government's comments repeated the statement of the White Paper of 1939 that the continuance of immigration up to the economic absorptive capacity of the country, regardless of all other considerations, would perpetuate a fatal enmity between Arabs and Jews. A policy which would perpetuate strife and enmity would, apart from other considerations, defeat the achievement of the Mandatory's obligation under Article II of the Mandate to place the country "under such political and economic conditions as will secure the establishment of the Jewish National Home". There would be no security in such a policy, and it would lead to an

(1) P.M.C. *Minutes of the Thirty-sixth Session,* Annex. 14 (ii), pp. 285-9.
(2) British White Paper, Cmd." 5513.

interminable period of government by force. It was in the interests of the Jewish community and of the Arab community in Palestine that government should be, not by force, but by consent. The outbreak of war on September 3, 1939, prevented the consideration of the P.M.C.'s report and of the British Government's comments on that report by the Council of the League.

XII. PALESTINE DURING THE WAR, 1939-45

Outbreak of War

JUST before the outbreak of war in Europe, Dr Weizmann addressed a letter to the British Prime Minister expressing the loyalty of the Jewish community and their determination to stand by Great Britain and fight on the side of the democracies. A statement in similar terms was issued five days later by the Executive of the Jewish Agency and immediate steps were taken to register Jewish volunteers for service, both under the British military authorities in Palestine and to meet the needs of the Jewish, community in general, particularly as regards security, and to safeguard its economic life.

Arab reactions were less marked, although *Falastin* published a leading article in the first days of the war declaring that there must be no more disturbances in Palestine while Great Britain was in difficulties, and Arab notables called on the High Commissioner to assure him of their loyalty. The Mufti was still directing Arab terrorists from his refuge in French Mandated Territory at Beirut, but, despite Axis propaganda, the outbreak of war considerably accelerated the process of a return to peaceful conditions in Palestine. The Arabs in general were tired of fighting, and the more moderate among them asked the Mufti to call off the rebellion. This he refused to do, and he and his more irreconcilable followers drifted gradually into the Axis camp. The Husseini party became inactive; the Nashashibis continued the help they had been giving for some time to the British authorities but on the whole Arab political activity remained dead until illegal Jewish immigration later became a major cause of irritation. The real test of Arab feeling towards the British in Palestine was provided by the rebellion of Rashid Ali in Iraq in May 1941, at a moment when Great Britain had suffered a series of signal re-

verses in the Mediterranean and when to the whole Near and Middle East the Axis Powers might well have appeared invincible. The Mufti (Haj Amin Husseini) drew upon the political armoury of Arab nationalism throughout the Middle East in order to raise the revolt in Iraq to the quality of a Jehad, for the purpose of displacing the British from Palestine and imposing himself as the Arab ruler. The apparent success of Rashid Ali's pro-Axis policy in Iraq gave him an initial advantage, and he received such help as the Axis Powers could give. Yet his' endeavour was completely unsuccessful; the Arabs of Palestine remained quiescent. In consequence, the influence of the extremists among them progressively waned and there was no Arab political activity of any importance up to the end of 1942.

Recruitment in Palestine

By October 1939, 136,000 Jewish men and women had volunteered for national service (63 per cent men, and 37 per cent women). Throughout the war Jewish authorities in Palestine and outside had pressed for permission to raise combatant forces on a Jewish national basis; Dr Weizmann asked for the formation of a Jewish Brigade in the British Army, and the Revisionist leader,[1] Vladimir Jabotinsky, made an appeal in the United States on June 19, 1940, for the recognition of a Jewish Army, permission for which was at that time withheld by the British Government. There was some delay on grounds of equipment and supply in giving an opportunity to Jews and Arabs in Palestine to join the British Forces in Palestinian units. Eventually enlistment was opened for the Palestine Pioneer Corps and auxiliary units of the British Army and the R.A.F. A company of this Corps was sent to France in 1940 and did gallant service in the withdrawal from Dunkirk. In August 1940 authority was given for the raising of six battalions (3 Jew and 3 Arab) to be known as the Palestine Companies of the Buffs, which were increased by the end of the year to fourteen companies. In the summer of 1942 these Palestine Companies of the Buffs were formed into a Palestine Regiment, organized into Jewish and Arab battalions. In addition to those who enlisted in this Palestine Regiment and in the Pioneer Corps, many Palestinians joined the R.A.S.C. as motor transport drivers and mechanics, stevedores, lightermen and builders; many also enlisted in the R.A.F., and a number of Jewish mechanics joined the Royal Navy. The Jews provided many volunteers

(1) **See p. 23** for the Revisionists' **demands.**

for special units raised for secret and sometimes dangerous missions. The leader of the *Irgun Zvei Leumi* (Revisionist Defence Corps), himself a volunteer, was killed on one of these missions in Iraq during the Rashid Ali revolt of 1941. The total figures published in 1943 gave the enlistment figure for Palestinians as 29,000, of which 21,000 were Jews (including 2,200 women members of the A.T.S.), and 8,000 Arabs. It was not, however, uhtil September, 1944, that Jewish hopes for a national Jewish Force were partially fulfilled by the formation of a Jewish Brigade, the nucleus of which was the existing Jewish battalions and units referred to above. The decision to allow the formation of this Jewish Brigade was given a rather grudging welcome in Palestine as a belated recognition of Jewish national status and of the position of the Jews as an Ally of the United Nations. The Brigade itself was reported to have done particularly fine service in the later part of the campaign in Italy.

The greatest contribution made by the Arabs to the Allied cause came, not from Arab enlistment in Palestinian or other units of the British Forces, but in the help given by the forces of the Emir Abdullah of Transjordan,[1] whose Arab Legion, operating under the command of Glubb Pasha, played a vital part in the repression of the Rashid Ali rebellion in Iraq in 1941, and later did good service against the Vichy French in Syria. The figures given above show marked disproportion between Jewish and Arab enlistment for war service, a disproportion, however, which corresponds with logic. For the Jew, enlistment offered an opportunity to fight the Nazis, arch-enemies of his race. The Arab had no such incentive; those who joined were responding, either as members of a fighting race to a chance of active service, or to the more material lure of regular pay and rations.

Land Transfers Regulations

The observations[2] of the Permanent Mandates, Commission on the White Paper of 1939 had led the Jewish Agency in Palestine and the Zionist leaders in England to hope that this statement of policy might be allowed to come into the not inconsiderable category of British declarations of policy on Palestine never fully implemented. On February 28,1940, however, the Palestine Government published Land Transfers Regulations putting into effect Part I I I of the White Paper, dividing the country into three

(1) See p. 16.
(2) See p. 126.

Zones, in one of which purchase of land by the Jews was prohibited, in another restricted and in the third free.[1]

Speaking in the House of Commons during the debate on a vote of censure against the Government on this issue (defeated by 292 to 129 votes) Mr Malcolm MacDonald stated that about 16,500 acres of land had been bought in the prohibited area by Jews since May 18, 1939. If the Land Transfers Regulations were not put into force, he feared that the whole mood of the Arab people might change; there was a growing unrest among them.[2]

The Executive of the Jewish Agency in Palestine protested to the High Commissioner, and the London Executive of the Agency issued a statement in which they once again declared their conviction that the White Paper was against the spirit and letter of the Mandate. They added: "We shall continue to uphold our rights and to oppose their infringement by every legitimate means at our disposal."[8] The enforcement of the Land Regulations led to riots in Palestine, and on March 7, 1940, there was a demonstration in Jerusalem and strikes among Jewish workmen in Jerusalem, Haifa and Tel-Aviv. Mr Ben Gurion submitted his resignation from the Jewish Agency Executive, but was persuaded to withdraw it. He had on several occasions stated his conviction that it was possible to help the British Government in their war effort while at the same time resisting the Palestine Government in every move they made to enforce the White Paper. The Jewish war effort and the desire to recruit armed forces have been mentioned above. The existence of these two policies was the explanation of continuing terrorist activities throughout the war in spite of the fact that Jewish and Zionist organizations within and without Palestine have always deplored and disowned them. If individual Jews have found it difficult to reconcile the two policies, extremist bodies have been able to point to official utterances by some of their leaders in support of their activities which, nevertheless, placed upon the word "legitimate" a more than doubtful interpretation.

Illegal Immigrants

It was, of course, not only the Land Regulations against which Mr Ben Gurion and the Jewish Agency fought. The White Paper's restriction of Jewish immigration into Palestine became

(1) For a summary of the regulations see Appendix VII.
(a) *Hansard*, House of Commons, March 6, 1940, col. 445.
(3) *The Times*, February 29, 1940.

increasingly intolerable in Jewish eyes as the course of the war intensified and extended Nazi persecution and expulsion, and made the need of hundreds of thousands of Central European Jews for refuge yet more urgent. That illegal Jewish immigration was one of the factors in the "growing Arab unrest" referred to by Mr MacDonald in the House of Commons in March 1940, seemed to most Jews, and not least to American Jewry, to be a paltry excuse and no justification at such a moment for a niggling interpretation of immigration regulations. The situation has been summed up by Mr Ben-Horin in his book *The Middle East*[1]: "The Jews valued immigration more than anything else. The Arabs combated Jewish immigration more than anything else. The illegal Jewish immigration put Britain 'on the spot' with the Arabs and with the Jews, with the various Governments in Eastern and Southern Europe involved in that traffic, and with world public opinion. By encouraging illegal immigration into Palestine, Nazi Germany contributed materially to Britain's difficulties in the Middle East and in Eastern Europe. What was more important to Hitler, it made the Nazi hatred of the Jews follow the Jews to the Middle East, to be the main cementing factor in the Nazi-Arab alliance." In other words, the Jewish community had to choose whether it would support the Allied war effort by avoiding action advantageous to the Nazis, or treat illegal immigration as part of the fight against the White Paper. The Palestine Government were faced with an equally difficult decision; if they closed their eyes to illegal immigration, they would indirectly be helping Hitler. Their only alternative was to maintain the law, however unpleasant and onerous that duty might be.

Illegal immigrants from the Balkans crossed the border from Syria into Palestine, assisted by inhabitants of Jewish villages near the frontier and by certain Arabs with influence on both sides of the frontier who smuggled Jews across in return for money payments. Other immigrants came by sea. Illegal immigration reached its climax in the autumn of 1940,[2] with the arrival of more than three thousand illegal immigrants on board various

(1) Ben-Horin, *The Middle East: Crossroads of History* (1943. New York, Norton), p. 180.

(2) Figures for illegal immigration into Palestine given in the Palestine Department of Migrations Report for 1943, p. 29: April 1, 1939 to December 1940,18,189; Aprili, 1939 to December 1941,18,411; April 1,1939 to December 1942,19,968; April 1,1939 to December 1943, 20,024.

vessels, including S.S. *Atlantic*, *Milos* and *Pacific*. Some two thousand of these immigrants were transferred in Haifa harbour to the S.S. *Patria* for deportation to Mauritius, where they were to remain until after the war. While the *Patria* was still in Haifa harbour, however, she was damaged below the water-line by an explosive charge brought on board by some one visiting the ship from the land. She heeled over and sank at once, causing many casualties to passengers. Survivors were landed, and as an act of grace permitted to remain in Palestine.[1] Despite measures taken against it, this illegal traffic continued. In February 1942 information was received of the sailing of the S.S. *Struma* from a port in the Balkans, terribly overloaded with illegal immigrants for Palestine. Her engines broke down off the Turkish coast and she was held up off Istanbul. Negotiations were begun between the British and Turkish Governments in order that permission might be obtained for the children on board the *Struma* to be landed. Before these negotiations could be concluded, however, the Turkish Government ordered the ship to return whence she had come. Unhappily she was not only grossly overloaded but an unseaworthy craft, and sank in heavy weather, possibly after striking a mine, carrying down with her about 700 people.

End of Political Truce

In Palestine the news of the loss of the *Struma* at a time when the persecution of the Jews in Central Europe was at its worst caused a hardening of Jewish feeling against the Administration. An extreme group of the *Irgun Zvei Leumi*[2] had refused to accept the political truce observed by Jewish organizations at the beginning of the war. As a result of their terrorist activities, under the leadership of Abraham Stern, Palestine police had been forced to take action. Abraham Stern was killed, and most of his gang imprisoned. During the course of 1942, several members of the gang succeeded in escaping and a series of attacks on the police and other acts of terrorism began again.

If this terrorist activity began as a result of Jewish anger at the maintenance of immigration restrictions, its persistence and increase were probably not unconnected with the success of Allied arms against the Axis Powers and the removal, after the victory of Alamein in the winter of 1942, of the immediate danger to the

(1) After the sinking of the *Patria*, some 1,500 illegal immigrants were taken to Mauritius, where they arrived in December 1940 and remained until they were permitted to go to Palestine in August 1945.

(a) See p. 24.

Middle East. However that may be, at the Zionist Conference held in New York in May 1942, Mr Ben Gurion gained support for the so-called Biltmore Programme, which was published on May 11, 1942.[1] The Programme urged that:

Biltmore Programme

(a) the gates of Palestine be opened to unlimited immigration.
(b) the Jewish Agency be vested with control of immigration into Palestine with the necessary authority for the upbuilding of the country including the development of its unoccupied and uncultivated lands.
(c) that Palestine be established as a Jewish Commonwealth.
(d) that a Jewish Army be created.

This policy, which went very much beyond either the Balfour Declaration or the declaration of policy contained in Command Paper 1700 of June 3, 1922,[2] was endorsed by a Resolution of the Small Committee of the General Council of the Zionist Organization in Jerusalem on November 10, 1942. It was not, however, at once accepted by the whole Jewish community in Palestine. In drawing the Revisionists and the Jewish Agency into closer cooperation it alarmed Left Wing parties like the *Hashomair Hatzair*, and also the *Aliyah Hadashah*, There was danger of a schism in the powerful *Mapai*[3] but this was finally overcome. Dr Magnes's *Ichud*[4] party also opposed the Biltmore Programme, which ran counter to their policy of working, for a bi-najional State in cooperation with the Arabs.[5] Nevertheless it had a profound effect on the attitude of the Jewish leaders towards the Mandatory Administration in Palestine. Pronouncements by Mr Lloyd George on January 30, 1943, and Mr Wendell Willkie on the anniversary of the Balfour Declaration of November 2, 1942, in which they supported respectively a Jewish State in Palestine and the opening of the doors of Palestine to homeless Jews of Central and Eastern Europe limited only by the needs of the Jewish people,[6] appeared

(1) *New york Times*, May 11, 1942.
(2) See p. 40 and Appendix I I I .
(3) See p. 22.
(4) See p. 24.
(5) "A Committee appointed by the Jewish Agency gave the question of an Arab-Jewish bi-national State.based on parity intensive consideration over a period of years and came to a number of constructive conclusions. Unfortunately their Report, though submitted to the Jewish Assembly in August, 1943, has been left unpublished as being out of accord with the official Zionist policy, which stands for Palestine as a Jewish State or Commonwealth," (Magnes, "Jewish-Arab Co-operation in Palestine" in *The Political Quarterly*, October-December 1945, pp. 303-4.)
(6) *Manchester Guardian*, January 30, 1943, and *New york Times*, November 2, 1942.

to strengthen the Zionist cause and had the immediate effect of alarming the Arabs of Palestine.

American Reactions

The Zionist Organization of the United States continued to press strongly for the fulfilment of the Biltmore Programme and the withdrawal of the White Paper. At its Conference at Ohio in September, 1943, it demanded the creation of a Jewish Commonwealth, and unlimited immigration under the control "of the Jewish Agency, but pledged full regard for the rights of the Arab population and full co-operation with them.[1] In 1943, and again in 1944, resolutions were introduced into both the United States Houses of Congress. The 1944 resolution urged that the United States should use its good offices ... to the end that the doors of Palestine should be open for the free entry of the Jews and ultimately for the reconstitution of Palestine as a free and democratic Jewish Commonwealth.[2] On both occasions a vote on the resolution was postponed, but their effects were seen in the action of President Truman at the end of the war. Arab alarm at the Biltmore Programme had already led in December 1942 to an attempt by Rashid El Haj Ibrahim, Chairman of the Haifa Chamber of Commerce and an old member of the Istiqlal group[8] to form a representative Executive Committee of Palestine Arabs to speak for Palestinian Arabs as a whole. Various proposals were made, including the suggestion that a body should be formed consisting of the Palestinian Arab Delegation to the London Conference of 1939, and many meetings were held, but it became obvious that there was no Arab leader in Palestine capable of uniting all the Arab parties in Palestine under his leadership. Jamal Husseini,[4] then detained in Rhodesia, appeared to be the only personality generally acceptable as a leader, but petitions for his release and return to Palestine or at least to Egypt were refused by the Palestine Government at that time.

League of Arab States

The Palestine Arabs were thus constrained to leave the representation of their case to Arab leaders outside Palestine. Thus, in February, 1944, it was the Arab States, among them Egypt, Syria and the Lebanon, which protested against the United States

(1) *New York Times,* September 3 and 12, 1943.
(2) *Manchester Guardian,* February 8, 1944.
(3) See p.28.
(4) He was deported to Rhodesia by the British Government after being arrested with other Palestinian Arab leaders in Persia in October 1941 but has now been released. *(Hansard,* House of Commons, November 14, 1945, col. 2237.)

Congress resolutions asking for unlimited Jewish immigration into Palestine. The Emir Abdullah of Transjordan sent a strong cable of protest to President Roosevelt personally. In his reply, President Roosevelt assured the Emir that, in the view of the Government of the United States, no decision altering the basic situation in Palestine should be arrived at without consultation with both Arabs and Jews.[1] Just a year later, in March 1945, the League of Arab States came into being in Cairo. The Charter of the League declared that one of its aims was to strengthen the relations between members and the organization of political plans for the protection of the independence and integrity of the Arab world and for the general discussion of its affairs. An Appendix to the Charter declared that Palestine was an Arab country which had been promised independence by the Treaty of London, the Mandate for which might properly delay, but could not withhold, that independence.

Within Palestine itself, following the announcement by Mr Ben Gurion of the Biltmore Programme, attention was not unnaturally focused upon the termination of the first period of five years laid down in the White Paper of 1939 after which all Jewish immigration into Palestine was to cease except with the acquiescence of the Arab population. Tension increased throughout 1943, although the actual date was March 31, 1944. In November, 1943, however, the British Government[2] had announced that immigration would not cease automatically at the end of the five-year period, but that the 32,000 certificates which still remained unused out of the quota of 75,000 permitted by the White Paper, were to remain valid and could be used at any time. The "five-year period" therefore lost its original significance. But throughout 1943 the attitude of the Jewish community and its leaders tended more and more to oppose all Government measures which could be represented as inconsistent with the Zionist aims or as likely to interfere with Jewish plans for increased immigration after the war. For example, when the Palestine Government published official plans for post-war reconstruction on March 23, 1943, they were bitterly attacked by Mr Ben Gurion as an insidious means of giving effect

Jewish Opposition in Palestine

(1) *Chicago Daily News,* March 14, 1945. Similar letters exchanged between King Ibn Sa'ud of Sa'udi Arabia and President Roosevelt, in which President Roosevelt gave the same assurance, were later published by the State Department. *The Times,* October 20, 1945.

(a) *Hansard,* House of Commons, November 10, 1943, col. 1152.

to the White Paper policy.[1] War-time controls over industry and supplies and proposals for new taxation were also consistently opposed.

The almost inevitable result of this opposition to the Administration and the intensification of nationalist propaganda was an increase of terrorist activities on the part of extremist elements in the Jewish community. In a speech on March 20, 1943, on the anniversary of the death of Joseph Trumpeldor, who had always been regarded by the Revisionists as a martyr in their cause, Mr Ben Gurion exhorted Jewkh youth to prepare themselves for the fighting which would fall to their lot at the end of the war.[2] An American correspondent could write in August 1943 of "secret preparations for militant action by both Arabs and Jews".[3] In August, September and December of that year, trials took place in Jerusalem of individuals concerned in a series of thefts of arms from military installations.[4] The trials revealed the existence of a large and wealthy organization for the systematic theft of arms and explosives from the British Army, not only in Palestine but throughout the Middle East. The convicted men were Jews and British deserters. This illegal traffic in arms led in November to the search by police and military of the village of Ramath Hakovech,[5] where there was evidence that arms were being concealed and a training camp existed for an illegal military organization. The police met with furious resistance; bricks, stones and boiling water were hurled at them and the attacks were made by women as well as men. No arms were found in the village, but under the floors of tents erected to house a detachment of volunteers receptacles for rifles had been dug. This incident caused the greatest bitterness. The Hebrew press compared the conduct of the police and military with that of Nazi Stormtroopers committing atrocities. Not unnaturally Jews outside Palestine, including those serving in the armed forces, were alarmed by these distorted accounts. A British brigadier in charge of a military escort at Ramath Hakovech, who had wide experience of civil disturbances in various parts of the world, reported that he had never seen

(1) Speech at a Joint Session of the Inner Zionist Council and the Jewish Elected Assembly.
(2) Speech at Tel-Hai, on March 20, 1943.
(3) *New York Times*, August 1,1943.
(4) *Hansard*, House of Commons, October is, 1943, cols. 686-7.
(5) *Hansard*, House of Commons, January 19, 1944, cols. 202-3.

anything to compare with the ferocity of the villagers or with the exceptional restraint of the police and soldiers under the greatest provocation.

Terrorist Activities

From the autumn of 1943, despite the announcement about the continuance of immigration after May 17, 1944, conditions in Palestine steadily deteriorated. A summary of terrorist outrages in Palestine between January 1 and October 6, 1944, includes incidents on twenty-eight separate days, in some cases in different places on the same day, and covers five columns of Hansard.[1] On August 8, the High Commissioner, Sir Harold MacMichael, was fired on from an ambush on the Jerusalem-Jaffa road. But it was the murder of Lord Moyne in Cairo on November 5, which drew the eyes of the whole world to Palestine, and brought the Jewish leaders face to face with the fact that this and other crimes were being committed in support of their declared policy .Evidence in the trial of Lord Moyne's assassins proved that they believed that a word from Sir Harold MacMichael or Lord Moyne would have removed every obstacle which impeded the escape of Jews from enemy-occupied Europe during the war. The murderers were members of the Stern gang, the group in the *Irgun Zvei Leumi* which, as has already been mentioned, refused to continue the political truce in Palestine declared by the *Irgun* at the beginning of the war. The *Irgun* itself had, however, reverted to the use of force and had admitted responsibility for some of the terrorist outrages committed in Palestine during the course of 1944. After the murder of Lord Moyne it was disowned by the New Zionist Organization on the grounds that it did not accept their discipline or consult them as to its activities. It was further stated that the *Irgun* was not controlled by any reputable or responsible Jewish body.[2] The Chief Rabbis issued a statement recording their horror at the murder of Lord Moyne, and Dr Weizmann sent a letter to Mr Winston Churchill in which he declared that the Jewish Agency would call upon the Jews in Palestine to cast out terrorists from among their number.[8]

The appointment of Lord Gort as High Commissioner on October 31, 1944, resulted in a relaxation of tension. Both Jews and Arabs were quick to recognize Lord Gort's courage and sin-

(1) *Hansard,* House of Commons, December 6, 1944, cob. 557-61.
(2) *Hansard,* House of Commons, December 6, 1944, col. 557.
(3) *The Times,* November 18, 1044.

cerity and his determination to find out facts for himself. Throughout his all too short term of office he dealt with young Jewish terrorists, eagerly seeking martyrdom, with studious moderation. His retirement through ill-health just a year later was regretted by both communities.[1] Unfortunately it coincided with a new putburst of bomb explosions, terrorism and sabotage such as the widespread cutting of railway lines at the end of October. By November, 1945, however, a new chapter in the history of Palestine was about to open. Zionist pressure in the United States, which the Government of that country had resisted during the course of the war, again made itself felt on the restoration of peace, taking as its text reports of American Congressmen (and particularly Mr E. Harrison, sent to Europe by the President) on the plight of Jews in camps for displaced persons. President Truman responded to it in a letter to Mr Attlee, in which he called on the British Government to open the gates of Palestine to an additional 100,000 of the homeless Jews in Europe.[2] The return to power of a Labour Government in Great Britain at the General Election in July caused a wave of optimism among Zionists in Palestine and elsewhere. At its conference held in London in December 1944, the British Labour Party had declared for a policy in Palestine which would "let the Jews if they wish enter this tiny land in such numbers as to become a majority... the Arabs being encouraged to move out as the Jews move in."[8] This optimism was nevertheless dangerous, since it raised Jewish hopes far beyond any possibility of immediate fulfilment and thus opened the way for violent disappointment.

Zionist Pressure Against the White Paper

The World Zionist Conference, meeting in London in August 1945, endorsed the requests submitted to the British Government on May 22 by the Jewish Agency in Palestine. These were:

(1) That an immediate decision be announced to establish Palestine as a Jewish State.
(2) That the Jewish Agency be invested with all necessary authority to bring to Palestine as many Jews as it may be

(1) The appointment of General Sir Alan Cunningham, K.C.B., to succeed Lord Gort as High Commissioner for Palestine was announced on November 8, 1945.

(a) Announced in *The Times*, October 1, 1945 and confirmed by President Truman at a Press Conference on November 13. See *The Times*, November 14, 1945.

(3) International Post-War Settlement Report by the National Executive Committee of the Labour Party, December 1944.

found necessary and possible to settle, and to develop, fully and speedily, all the resources of the country—especially land and power resources.

(3) That an International Loan and other help be given for the transfer of the first million of Jews to Palestine, and for the economic development of the country.

(4) That reparations in kind from Germany be granted to the Jewish people for the rebuilding of Palestine, and—as a first instalment—that all German property in Palestine be used for the resettlement of Jews from Europe.

(5) That international facilities be provided for the exit and transit of all Jews who wish to settle in Palestine.

The outrages of October and November give colour to the idea that some at least among the supporters of this Zionist programme were prepared to use force to gain their ends. "If these provisions (the White Paper of 1939) are not changed, there are those who declare that every possible effort must then be made to encourage illegal immigration. If it be answered that force will be used to stop such immigration, the reply is that force will be used to see it through. If, so it is said, lives are lost in the process, that will be a tragedy no greater than that of accepting supinely the arbitrary pitilessly small immigration figures of that White Paper which is now the law of the land. And if lives are lost, so the argument runs, perhaps that is the only way left to us of calling the world's attention to this impossible situation."[1] Up to the present at least, Dr Weizmann's great influence has, however, been used to prevent the use of force. Before leaving for the United States on November 4, 1945, he sent a message to the Jewish community in Palestine in which these words occurred: "Nobody understands better than I the state of mind out of which recent events have come. Nevertheless I deplore and disapprove of them and urge for the sake of our cause that they should not recur. We have loyal friends on both sides of this ocean who firmly believe in the justice of our cause and share our faith in the power of reason and justice."[2]

British Statement of Policy Nov. 13, 1945

It was against this background that the British Foreign Secretary, Mr Bevin, made his long-awaited statement in the House of Commons on November 13. He began by announcing that the United States Government had accepted the invitation of the British Government to set up a joint Anglo-American Committee

(1) Magnes: "Jewish-Arab Cooperation in Palestine" in *The Political Quarterly*, October-December 1945, P. 299.

(a) *The Tims*, November 5, 1945.

of Enquiry,[1] under a rotating Chairmanship, to examine the question of European Jewry and to make a further review of the Palestine problem in the light of that examination. The terms of reference of the Committee of Enquiry would be as follows:

(1) To examine political, economic, and social conditions in Palestine as they bear upon the problem of Jewish immigration and settlement therein and the well-being of the peoples, now living therein.

(2) To examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe.

(3) To hear the views of competent witnesses and to consult representative Arabs and Jews on the problems of Palestine as such problems are affected by conditions subject to examination under paragraph I and paragraph 2 above and by other relevant facts and circumstances, and to make recommendations to His Majesty's Government and the Government of the United States for *ad interim* handling of these problems as well as for their permanent solution.

(4) To make such other recommendations to His Majesty's Government and the Government of the United States as may be necessary to meet the immediate needs arising from conditions subject to examination under paragraph 2 above, by remedial action in the European countries in question or by the provision of facilities for emigration to and settlement in countries outside Europe.

The Committee of Enquiry will make an examination on the spot of the political, economic and social conditions which are at present held to restrict immigration into Palestine, and, after consulting representative Arabs and Jews, submit proposals for dealing with these problems. They may devise whatever pro-

(1) The names of the Committee are as follows: Judge Joseph G. Hutcheson of the Fifth Circuit Court at Houston, Texas (American Chairman); Mr Justice Singleton of the King's Bench Division (British Chairman); Dr Frank Aydelotte, Director of the Institute for Advanced Study at Princeton, and American Secretary of the Rhodes Trust; Mr Frank W. Buxton, Editor of the *Boston Herald;* Mr W. P. Crick, Economic Adviser to the Midland Bank; Mr Grossman, Member for East Coventry; Mr O. Max Gardner, former Governor of North Carolina; Sir F. W. Leggett, until recently Deputy Secretary of the Ministry of Labour and National Service; Dr James G. McDonald, former High Commissioner for Refugees; Mr Manningham-Buller, Member for Daventry; Lord Morrison, until recently Member for North Tottenham; The Hon. William Phillips, former American Ambassador in Rome. *Hansard,* House of Commons, December 10, 1945, col. 37.

cedure they think fit to deal simultaneously through the medium of sub-committees with their various terms of reference, in order to achieve the maximum speed.

Mr Bevin then outlined the action which the British Government themselves proposed to take: "His Majesty's Government cannot divest themselves of their duties and responsibilities under the Mandate while the Mandate continues . . . that is, until arrangements can be made—arrangements which it is hoped will be facilitated by the Report of the Committee of Enquiry—for placing Palestine under Trusteeship." The British Government will deal with the question in three stages:

(i) They will consult the Arabs with a view to an arrangement which will ensure that, pending the receipt of the *ad interim* recommendations which the Committee of Enquiry will make in the matter, there is no interruption of Jewish immigi#tion at the present monthly rate.[1]

(ii) After considering the *ad interim* recommendations of the Committee of Enquiry, they will explore, with the parties concerned, the possibility of devising other temporary arrangements for dealing with the Palestine problem until a permanent solution of it can be reached.

(iii) They will prepare a permanent solution for submission to the United Nations and, if possible, an agreed one.

In the course of his speech, Mr Bevin pointed out that Palestine, while it might be able to make a contribution, cannot by itself provide sufficient opportunity for grappling with the whole problem of the rehabilitation of the Jewish victims of Nazi persecution. The Mandate for Palestine, he said, required the Mandatory to facilitate Jewish immigration and encourage close settlement by Jews on the land, while ensuring that the rights and position of other sections of the population are not prejudiced thereby. His Majesty's Government have thus a direct obligation, to the Jews on the one side and to the Arabs on the other. The lack of any clear definition of this dual obligation had been the main cause of the trouble which had been experienced in Palestine during the past 26 years. The whole history of Palestine since the Mandate was granted had been one of continual friction between the two races. The repercussions of the conflict had spread far beyond the small land in which it had arisen. The Zionist cause had strong supporters in the United States, in Great Britain, in the Dominions, and elsewhere; civilization had been appalled by the suf-

(t) Understood to be 1,500.

ferings which had been inflicted in recent years on the persecuted Jews of Europe. On the other side of the picture, the cause of the Palestinian Arabs had been espoused by the whole Arab world and more lately had become a matter of keen interest to their 90,000,000 co-religionists in India. All parties had entered into commitments in their dealings with Palestine. There were the commitments imposed by the Mandate itself, and in addition the various statements of policy which had been made by His Majesty's Government in the course of the last twenty-five years. The United States Government, moreover, had themselves undertaken that no decision should be taken in respect to what, in their view, would affect the basic situation in Palestine without full consultation with both Arabs and Jews. In conclusion, Mr Bevin emphasized the fact that the British Government, in making this new approach to the problem, wished to make it clear that this was not a problem which could be settled by force but by discussion and conciliation. Any attempt to use force would be resolutely dealt with. The problem created by Nazi aggression was not one which could be dealt with only in relation to Palestine; it would need a united effort by the Powers to relieve the miseries of those suffering peoples.

This latest British statement on Palestine, therefore, once more draws attention to the dual obligation under the mandate to the Jews on the one side and to the Arabs on the other. In a talk to members of the press on the subject of the Government's statement of policy in Palestine, Mr Bevin said that the British Government had never undertaken to establish a Jewish State in Palestine but they had undertaken to establish a Jewish Home there, and that promise must be performed. The tragedy of the Balfour Declaration had been that it was unilateral, in that neither its British authors nor its American and British supporters had taken account of the Arabs. To-day, the Arabs had therefore fears of Zionism, which he defined as a Jewish force concentrated on the attainment of one object. He believed that the Arabs would be generous, however, provided that they were not asked to bear the whole Burden of the Jewish problem on their backs. But he concluded with a warning to the armed Jewish organizations, whose attacks had only prejudiced their case. He urged them and the Arabs to surrender their arms.[1]

(I) *The Times*, November 14, 1945.

APPENDIX I

i. EXTRACTS FROM THE McMAHON CORRESPONDENCE OF 1915-16

The McMahon correspondence[1] consists of ten letters exchanged between Sir Henry McMahon, His Majesty's High Commissioner at Cairo, and the Sherif Hussein of Mecca, from July 1915 to March 1916. The extracts from these letters particularly relevant to the question of Great Britain's promises with regard to Palestine are as follows[2]:

No, 1. Letter from the Sherif of Mecca to Sir Henry McMahon, July 14,1915.

To his Honour:

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

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

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

Firstly—England to acknowledge the independence of the Arab countries, bounded on the north by Mersina and Adana up to the 37^0 of latitude, on which degree fall Birijik, Urfa, Mardin, Midiat, Jezirat (Ibn 'Umat), Amadia, up to the border of Persia; on the east by the borders of Persia up to the Gulf of Basra; on the south by the Indian Ocean, with the exception of the position of Aden to remain as it is; on the west by the Red Sea, the Mediterranean Sea up to Mersina. England to approve of the proclamation of an Arab Khalifate of Islam . . .

No, 2. Letter from Sir H, McMahon to the Sherif of Mecca, August 30, 79/5.

We have the honour to thank you for your frank expressions of the sincerity of your feeling towards England. We rejoice, moreover, that Your Highness and your people are of one opinion—that Arab interests are English interests and English Arab. To this intent we confirm to you the terms of Lord Kitchener's message, which reached you by the hand of Ali Effendi, and in which was stated clearly our desire for the independence of Arabia and its inhabitants, together with our approval of the Arab Khalifate when it should be proclaimed. We declare once more that His Majesty's Government would welcome the resumption of the Khalifate by an Arab of true race. With regard to the questions of limits and boundaries, it would appear to be prema-

(1) British White Paper, Cmd. 5957, 1939. In addition to the letters, the White Paper included a map of the pre-War Turkish Administrative Districts comprised in Syria and Palestine, which is printed at the end of this Paper.

(2) Letters 9 and 10 dealt only with matters relating to the prosecution of the War.

ture to consume our time in discussing such details in the heat of war, and while, in many portions of them, the Turk is up to now in effective occupation ...

No. 3, *From the Sherif of Mecca to Sir H. McMahon, September* p, *1915.*

With great cheerfulness and delight I received your letter dated the 19th Shawal, 1933 (August 30, 1915), and have given it great consideration and regard, in spite of the impression I received from it of ambiguity and its tone of coldness and hesitation with regard to our essential point.

It is necessary to make clear to Your Excellency our sincerity towards the illustrious British Empire and our confession of preference for it in all cases and matters and under all forms and circumstances.

Nevertheless, Your Excellency will pardon me and permit me to say clearly that the coolness and hesitation which you have displayed in the question of the limits and boundaries by saying that the discussion of these at present is of no use and is a loss of time, and that they are still in the hands of the Government which is ruling them, etc., might be taken to infer an estrangement or something of the sort.. .

No. 4. From Sir H. McMahon to the Sherif of Mecca, October 24, 1915.

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

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

The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, 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 Sherif of Mecca.

(2) Great Britain will guarantee the Holy Places against all external aggression and will recognize their inviolability.

(3) When the situation admits, Great Britain will give to the Arabs her advice and will assist them to establish what may appear to be the most suitable forms of government in those various territories.

(4) On the other hand, it is understood that the Arabs have decided to seek the advice and guidance of Great Britain only, and that such European advisers and officials as may be required for the formation of a sound form of administration will be British.

(5) With regard to the *vilayets* of Bagdad and Basra, the Arabs will recognize that the established position and interests of Great Britain necessitate special administrative arrangements in order to secure these territories from foreign aggression, to promote the welfare of the local populations and to safeguard our mutual economic interests . ..

No. 5. *From the Sherif of Mecca to Sir H. McMahon, November 15, 1915.*

. I received with great pleasure your honoured letter, dated the 15th Zil Hijja (October 24,1915), to which I beg to answer as follows:

1. In order to facilitate an agreement and to tender a service to Islam, and at the same time to avoid all that may cause Islam troubles and hardships—seeing moreover that we have great consideration for the distinguished qualities and dispositions of the Government of Great Britain—*we* renounce our insistence 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 .-..

No. *6. From Sir H. McMahon to the Sherif of Mecca, December 14,* 1915.

I am gratified to observe that you agree to the exclusion of the districts of Mersina and Adana from boundaries of the Arab territories.

. . . With regard teethe *vilayets* of Aleppo and Beirut, the Government of Great Britain have fully understood and taken careful note of your observations, but, as the interests of our ally, France, are involved in them both, the question will require careful consideration and a further communication on the subject will be addressed to you *in* due course . . .

No 7. ° *From the Sherif of Mecca to Sir H. McMahon, January I, 1916.*

We received from the bearer your letter, dated the 9th Safar (December 14,1915), with great respect and honour, and I have understood its contents, which caused me the greatest pleasure and satisfaction, as it removed that which had made me uneasy.

... As regards the northern parts and their coasts, we have already stated in our previous letter what were the utmost possible modifications, and all this was only done so to fulfil those aspirations whose attainment is desired by the will of the Blessed and Supreme God. It is this same feeling and desire which impelled us 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-day) for what we now leave to Fiance in Beirut and its coasts.

I do not find it necessary to draw your attention to the fact that our plan is of greater security to the interests and protection of the rights of Great Britain than it is to us, and will necessarily be so whatever may happen, so that Great Britain may finally see her friends in that contentment and advancement which she is endeavouring to establish for them now, especially as her Allies being neighbours to us will be the germ of difficulties and discussion with which there will be no peaceful condltions. In addition to which the citizens[1] of Beirut will decidedly never accept such dismemberment, and they may oblige us to undertake new measures which may exercise Great Britain, certainly not less than her present troubles, because of our belief and certainty in the reciprocity and indeed the identity of our interests, which is the only cause that caused us never to care to negotiate with any other Power but you. Consequently, it is impossible to allow any derogation that gives France, or any other Power, a span of land in those regions ...

No.8. A *From Sir H. McMahon to the Sherif of Mecca, January 25,1916.*

... As regards the northern parts, we note with satisfaction your desire to avoid anything which might possibly injure the alliance of Great Britain and France. It is, as you know, our fixed determination that nothing shall be permitted to interfere in the slightest degree with our united prosecution of this

(1) Former reading: "people."

war to a victorious conclusion* Moreover, when the victory has been won, the friendship of Great Britain and France will become yet more firm and enduring, cemented by the blood of Englishmen and Frenchmen who have died side by side fighting for the cause of right and liberty . . ,

2. STATEMENTS MADE ON BEHALF OF HIS MAJESTY'S GOVERNMENT DURING THE YEAR 1918 IN REGARD TO THE FUTURE STATUS OF CERTAIN PARTS OF THE OTTOMAN EMPIRE[1]

(i) *The Hogarth Message*

(a)

The following is the text of a message which Commander D. G. Hogarth, C.M.G., R.N.V.R., of the Arab Bureau in Cairo, was instructed on January 4, 1918, to deliver to King Hussein of the Hejaz at Jedda:

"(1) The *Entente* Powers are determined that the Arab race shall be given full opportunity of once again forming a nation in the world. This can only be achieved by the Arabs themselves uniting, and Great Britain and her Allies will pursue a policy with this ultimate unity in view.

"(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, to Christains 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 inasmuch as this opinion must remain a constant factor, and, further, as His Majesty's Government view with favour the realization of this aspiration, His Majesty's Government are determined that in so far as is compatible with the freedom of the existing population, both economic and political, no obstacle should be put in the way of the realization of this ideal.

"In this connection the friendship of world Jewry to the Arab cause is equivalent to support in all States where Jews have a political influence. The leaders of the movement are determined to bring about the success of Zionism by friendship and co-operation with the Arabs, and such an offer is not one to be lightly thrown aside."

(b)

The following is the record of the conversation which Commander Hogarth had with King Hussein about the message which he had delivered:

"I read Foreign Office Formula[1] No. 1 (Arab Nation and need of unity). King assented cordially saying it expressed the basis of all our Agreement. I said that owing to long lapse of time Allies thought it well to repeat it now.

"King then said that if any minor modifications of our Agreement with him were imposed on us by war necessities he would frankly recognize such necessity, but asked he should be as frankly informed of modification and necessity.

"I then introduced Formula[9] No. 2 (International Administration in Palestine) by reminding King of proviso in original Agreements safeguarding special interests of our Allies and especially France. He interpolated humorous reference to Fashoda, implying doubt of real and permanent community of interest

(1) British White Paper, Cmd. 5964, 1939.
(2) i.e. paragraphs No. 1, No. 2, and No. 3 in the Message.

between France and us. I let this pass with gesture of dissent and said France had come to see eye to eye with us in Arab matters, favoured as much as we Feisal's plans, took the view so strongly held in America that people should have the government they desire, and wished only to protect and assist the development of independent Government in Syria.

"I then read No. 2. King assented, saying that brain which could formulate this could devise form of administration to safeguard all interests. He lauded Great Britain's action in case Omar Mosque, comparing Caliph Omar's abstention from Christian shrines in Jerusalem. If we could draw up statement similar to No. 2 with omission of reference to political administrative control, he would publish it to all Islam.

"I passed to Formula[1] No. 3 (Jewish Settlement in Palestine) prefacing it by statement of growth of Zionism during war and great value of Jew interest and alliance. King seemed quite prepared for formula and agreed enthusiastically, saying he welcomed Jews to all Arab lands. I explained that His Majesty's Government's resolve safeguarded existing local population."

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The following are some notes by Commander Hogarth bearing on his conversation, which he addressed to His Majesty's High Commissioner in Cairo:—

"Arab unity and the King's actual and possible relation to it.—It is obvious that the King regards Arab Unity as synonymous with his own Kingship, and (for reasons given above) as a vain phrase unless so regarded. He treats our proclamations and exhortations about it as good intentions but no more, and has no faith in their effect until we support the embodiment of the idea in one single personality—himself.

"International control of the Palestine Holy Places.—The King left me in little doubt that he secretly regards this as a point to be reconsidered after the peace, in spite of my assurance that it was to be a definitive arrangement. He compared ourselves and himself (in his habitual homely way) to two persons about to inhabit one house, but not agreed which should take which floor or rooms! Often in the course of our conversations he spoke with a smile of accounts which he would settle after the war, pending which settlement he would press nothing. I doubt if he had any fixed plan or foresees his way; but I have no doubt that in his own mind he abates none of his original demands on behalf of the Arabs, or in the fullness of time, of himself.

"Settlement of Jews in Palestine and common cause among Arabs, Jews, and Armenians in Syria.—The position in regard to this matter is, I think, very much the same as in the preceding case. The King would not accept an independent Jew State in Palestine, nor was I instructed to warn him that such a State was contemplated by Great Britain. He probably knows little or nothing of the actual or possible economy of Palestine and his ready assent to Jewish settlement there is not worth very much. But I think he appreciates the financial advantage of Arab co-operation with the Jews."

"January 15,1918."

(ii) *The Declaration to the Seven*

The following is the text of a message which His Majesty's High Commissioner in Cairo was instructed to convey to seven Arab leaders resident in Cairo who had presented a memorial to His Majesty's Government. The message was delivered to representatives of the seven memorialists on about June 16, 1918, by Commander D. G. Hogarth, C.M.G., R.N.V.R., and Mr O. Walrond, C.M.G.:—

"His Majesty's Government have considered the memorial of the Seven with the greatest care. His Majesty's Government fully appreciate the reasons why the memorialists desire to retain their anonymity, and the fact that the memor-

(1) i.e. paragraphs No. 1, No. 2, and Np. 3 in the Message.

ial is anonymous has not in any way detracted from the importance which Hi* Majesty's Government attribute to the document.

"The areas mentioned in the memorandum fall into four categories:

" i . Areas in Arabia which were free and independent before the outbreak of war;

"2. Areas emancipated from Turkish control by the action of the Arabs themselves during the present war;

"3. Areas formerly under Ottoman dominion, occupied by the Allied forces during the present war;

"4. Areas still under Turkish control.

"In regard to the first two categories, His Majesty's Government recognize the complete and sovereign independence of the Arabs inhabiting these areas and support them in their struggle for freedom.

"In regard to the areas occupied by Allied forces, His Majesty's Government draw the attention of the memorialists to the texts of the proclamations issued respectively by the General Officers Commanding-in-Chief on the taking of Bagdad and Jerusalem. These proclamations embody the policy of His Majesty's Government towards the inhabitants of those regions. It is the wish and desire of His Majesty's Government that the future government of these regions should be based upon the principle of the consent of the governed, and this policy has and will continue to have the support of His Majesty's Government.

"In regard to the areas mentioned in the fourth category, it is the wish and desire of His Majesty's Government that the oppressed peoples of these areas should obtain their freedom and independence, and towards the achievement of this object His Majesty's Government continue to labour.

"His Majesty's Government are fully aware of, and take into consideration, the difficulties and dangers which beset those who work for the regeneration of the populations of the areas specified.

"In spite, however, of these obstacles His Majesty's Government trust and believe that they can and will be overcome, and wish to give all support to those who desire to overcome them. They are prepared to consider any scheme of co-operation which is compatible with existing military operations and consistent with the political principles of His Majesty's Government and the Allies."

(iii) *Certain Assurances given by General Sir Edmund Allenby*

The following are the terms in which General Sir Edmund (afterwards Viscount) Allenby reported to His Majesty's Government on October 17, 1918, a communication, which he made to the Emir Faisal, on the occasion of the evacuation of Beirut by the Sherifian forces, regarding occupied enemy territory:

"I gave the Emir Faisal an official assurance that whatever measures might be taken during the period of military administration they were purely provisional and could not be allowed to prejudice the final settlement by the Peace Conference, at which no doubt the Arabs would have a representative. I added that the instructions to the military governors would preclude their mixing in political affairs, and that I should remove them if I found any of them contravening these orders. I reminded the Emir Faisal that the Allies were in honour bound to endeavour to reach a settlement in accordance with the wishes of the peoples concerned, and urged him to place his trust whole-heartedly in their good faith."

3. THE ANGLO-FRENCH DECLARATION OF NOVEMBER 7, 1918[1]

The object aimed at by France and Great Britain in prosecuting in the East the war let loose by the ambition of Germany is the complete and definite

(I) *Report of a Committee set up to consider Certain Correspondence between Sir Henry Mc Mohan and the Sherif of Mecca in* 1915 *and 1916, March 16, 1939* (British White Paper, Cmd. 5974), Annex I, pp. 50-1.

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emancipation of the peoples so long oppressed by the Turks and the establishment of national Governments and Administrations deriving their authority from the initiative and free choice of the indigenous populations.

In order to carry out these intentions France and Great Britain are at one in encouraging and assisting the establishment of indigenous Governments and Administrations in Syria and Mesopotamia, now liberated by the Allies, and in the territories the liberation of which they are engaged in securing, and recognizing these as soon as they are actually established.

Far from wishing to impose on the populations of these regions any particular institutions, they are only concerned to ensure by their support and by adequate assistance the regular working of Governments and Administrations freely chosen by the populations themselves. To secure impartial and equal justice for all, to facilitate the economic development of the country by inspiring and encouraging local initiative, to favour the diffusion of education, to put an end to dissensions that have too long been taken advantage of by Turkish policy, such is the policy which the two Allied Governments uphold in the liberated

APPENDIX II

I. ARTICLE 22 OF THE COVENANT OF THE LEAGUE OF NATIONS

I. To those colonies and territories which as a consequence of the late War have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

2. The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

3. The character of the Mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

4. Certain communities formerly belonging to the Turkish Empire have reached a stage of development where 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.

5. Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, and arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

6. There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the territory of the Mandatory, and other circumstances,

can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above-mentioned in the interests of the indigenous population.

7. In every case of Mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

8. The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council,

9. A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the Mandates.

2. MANDATE FOR PALESTINE[1]

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 2, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a National Home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

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

ARTICLE 2. The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish National Home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

ARTICLE 3. The Mandatory shall, so far as circumstances permit, encourage local autonomy.

ARTICLE 4. An appropriate Jewish Agency shall be recognized as a public body for the purpose of advising and 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.

(1) British White Paper, Cmd. 1785.

The Zionist organization, so long as its organization and constitution are in the opinion of the Mandatory appropriate, shall be recognized as such agency. It shall take steps In consultation with His Britannic Majesty's Government to secure the 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.

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

ARTICLE 9. The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights.

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

ARTICLE 10. Pending the making of special extradition agreements relating to Palestine, the extradition treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

ARTICLE 11. The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land.

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

ARTICLE 12. The Mandatory shall be entrusted with the control of the foreign relations of Palestine and the right to issue *exequaturs* to consuls appointed by foreign Powers. He shall also be entitled to afford diplomatic and consular protection to citizens of Palestine when outside its territorial limits.

ARTICLE 13. All responsibility in connection with the Holy Places and religious buildings or sites in Palestine, including that of preserving rights existing

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

ARTICLE 14. A special Commission shall be appointed by the Mandatory to Study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council.

ARTICLE 15. The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired.

ARTICLE 16. The Mandatory shall be responsible for exercising such supervision over religious or eleemosynary bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprise of such bodies or to discriminate against any representative or member of them on the ground of his religion or nationality.

ARTICLE 17. The Administration of Palestine may organize on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defence of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the Mandatory. Except for such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine.

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

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

ARTICLE 18. The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State Member of the League of Nations (including companies incorporated under its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce, or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the Mandated area.

Subject as aforesaid and to the other provisions of this Mandate, the Administration of Palestine may, on the advice of the Mandatory, impose such taxes and Customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special Customs agreement with any State

the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

Article 19. The Mandatory shall adhere on behalf of the Administration of Palestine *to* any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic or industrial property.

ARTICLE 20. The Mandatory shall co-operate on behalf of the Administration of Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

ARTICLE 21. The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a law of antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archaeological research to the 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 authorization 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, ess 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 authorized by the competent Department.

(6) Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archaeological interest.

(7) Authorization to excavate shall only be granted to persons who show sufficient guarantees of archaeological experience. The Administration of Palestine shall not, in granting these authorizations, act in such a way as 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 recognize the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

ARTICLE 24. The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the Mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report-

ARTICLE 25. In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or

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

ARTICLE 26. The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.

ARTICLE 27. The consent of the Council of the League of Nations is required for any modification of the terms of this Mandate.

ARTICLE 28. In the event of the termination of the Mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by Articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the Mandate, including the rights of public servants to pensions or gratuities.

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

Done at London the twenty-fourth day of July, one thousand nine hundred and twenty-two.

Certified true copy:

FOR THE SECRETARY-GENERAL,
RAPPARD,
Director of the Mandates Section.

APPENDIX III

THE CHURCHILL MEMORANDUM OF JUNE 3, 1922, AND THE JEWISH AND ARAB REPLIES THERETO

(a) THE CHURCHILL MEMORANDUM[1]

The Secretary of State for the Colonies has given renewed consideration to the existing political situation in Palestine, with a very earnest desire to arrive at a settlement of the outstanding questions which have given rise to uncertainty and unrest among certain sections of the population. After consultation with the High Commissioner for Palestine the following statement has been drawn up. It summarizes the essential parts of the correspondence that has already taken place between the Secretary of State and a Delegation from the Moslem Christian Society of Palestine, which has been for some time in England, and it states the further conclusions which have since been reached.

The tension which has prevailed from time to time in Palestine is mainly due to apprehensions, which are entertained both by sections of the Arab and by sections of the Jewish population. These apprehensions, so far as the Arabs are concerned, are partly based upon exaggerated interpretations of the meaning of the Declaration favouring the establishment of a Jewish National Home in Palestine, made on behalf of His Majesty's Government on November 2, 1917. Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become "as Jewish as England is English." His Majesty's Government regard any such expectation as impracticable and have no such aim in

(1) *Palestine, Correspondence with the Palestine Arab Delegation and the Zionist Organization* (British White Paper, Cmd. 1700), pp. 17-21.

view. Nor have they at any time contemplated, as appears to be feared by the Arab Delegation, the disappearance or the subordination of the Arabic population, language or culture in Palestine. They would draw attention to the fact that the terms of the Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded *in Palestine. In* this connection it has been observed with satisfaction that at the meeting of the Zionist Congress, the supreme governing body of the Zionist Organisation, held at Carlsbad in September 1921, a resolution was passed expressing as the official statement of Zionist aims "the determination of the Jewish people to live with the Arab people on terms of unity and mutual respect, and together with them to make the common home into a flourishing community, the upbuilding of which may assure to each of its peoples an undisturbed national development."

It is also necessary to point out that the Zionist Commission in Palestine, now termed the Palestine Zionist Executive, has not desired *to* possess, and does not possess, any share in the general administration of the country. Nor does the special position assigned to the Zionist Organization in Article IV of the Draft Mandate for Palestine imply any such functions. That special position relates to the measures to be taken in Palestine affecting the Jewish population, and contemplates that the Organization may assist in the general development of the country, but does not entitle it to share in any degree in its Government.

Further, it is contemplated that the status of all citizens of Palestine in the eyes of the law shall be Palestinian, and it has never been intended that they, or any section of them, should possess any other juridical status.

So far as the Jewish population of Palestine are concerned, it appears that some among them are apprehensive that His Majesty's Government may depart from the policy embodied in the Declaration of 1917. It is necessary, therefore, once more to affirm that these fears are unfounded, and that that Declaration, re-affirmed by the Conference of the Principal Allied Powers at San Remo and again in the Treaty of Sevres, is not susceptible of change.

During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organization for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew Press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organizations, its own language, its own customs, its own life, has in fact "national" characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognized to rest upon ancient historic connection.

This, then, is the interpretation which His Majesty's Government place upon the Declaration of 1917, and, so understood, the Secretary of State is of opinion that it does not contain or imply anything which need cause either alarm to the Arab population of Palestine or disappointment to the Jews.

For the fulfilment of this policy it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic

capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment. Hitherto the immigration has fulfilled these conditions. The number of immigrants since the British occupation has been about 25,000.

It is necessary also to ensure that persons who arc politically undesirable are excluded from Palestine, and every precaution has been and will be taken by the Administration to that end.

It is intended that a special committee should be established in Palestine, consisting entirely of members of the new Legislative Council elected by the people, to confer with the Administration upon matters relating to the regulation of immigration. Should any difference of opinion arise between this committee and the Administration, the matter will be referred to His Majesty's Government, who will give it special consideration. In addition, under Article 81 of the draft Palestine Order in Council, any religious community or considerable section of the .population of Palestine will have a general right to appeal, through the High Commissioner and the Secretary of State, to the League of Nations on any matter on which they may consider that the terms of the Mandate are not being fulfilled by the Government of Palestine.

With reference to the Constitution which it is now intended to establish in Palestine, the draft of which has already been published, it is desirabje to make certain points clear. In the first place, it is not the case, as has been represented by the Arab Delegation, that during the War His Majesty's Government gave an undertaking that an independent national Government should be at once established in Palestine. This representation mainly rests upon a letter dated October 24, 1915, from Sir Henry McMahon, then His Majesty's High Commissioner in Egypt, to the Sherif of Mecca, now King Hussein of the Kingdom of the Hejaz. That letter is quoted as conveying the promise to the Sherif of Mecca to recognize and support the independence of the Arabs within the territories proposed by him. But this promise was given subject to a reservation made in the same letter, which excluded from its scope, among other territories, the portions of Syria lying to the west of the district of Damascus. This reservation has always been regarded by His Majesty's Government as covering the vilayet of Beirut and the independent Sanjak of Jerusalem. The whole of Palestine west of the Jordan was thus excluded from Sir H. McMahon's pledge.

Nevertheless, it is the intention of His Majesty's Government to foster the establishment of a full measure of self-government in Palestine. But they arc of opinion that, in the special circumstances of that country, this should be accomplished by gradual stages and not suddenly. The first step was taken when, on the institution of a civil Administration, the nominated Advisory Council, which now exists, was established. It was stated at the time by the High Commissioner that this was the first step in the development of self-governing institutions, and it is now proposed to take a second step by the establishment of a Legislative Council containing a large proportion of members elected on a wide franchise. It was proposed in the published draft that three of the members of this Council should be non-official persons nominated by the High Commissioner, but representations having been made in opposition to this provision, based on cogent considerations, the Secretary of State is prepared to omit it. The Legislative Council would then consist of the High Commissioner as President and twelve elected and ten official members. The Secretary of State is of opinion that before a further measure of self-government is extended to Palestine and the Assembly placed in control over the Executive, it would be wise to allow some time to elapse. During this period the institutions of the country will have become well established; its financial credit will be based on firm foundations, and the Palestinian officials will have been enabled to gain experience of sound methods of government. After a few years the situation will be again reviewed, and if the ex'perience of the working of the Constitution now to be established so warranted, a larger share of authority would then be extended to the elected representatives of the people.

The Secretary of State would point out that already the present Administration has transferred to a Supreme Council elected by the Moslem community of Palestine the entire control of Moslem religious endowments (*Waqfs*), and of the Moslem religious Courts. To this Council the Administration has also voluntarily restored considerable revenues derived from ancient endowments which had been sequestrated by the Turkish Government. The Education Department is also advised by a committee representative of all sections of the population, and the Department of Commerce and Industry has the benefit of the co-operation of the Chambers of Commerce which have been established in the principal centres. It is the intention of the Administration to associate in an increased degree similar representative committees with the various Departments of the Government.

The Secretary of State believes that a policy upon these lines, coupled with the maintenance of the fullest religious liberty in Palestine and with scrupulous regard for the rights of each community with reference to its Holy Places, cannot but commend itself to the various sections of the population, and that upon this basis may be built up that spirit of co-operation upon which the future progress and prosperity of the Holy Land must largely depend.

(b) THE JEWISH REPLY[1]

The Executive of the Zionist Organization, having taken note of the statement relative to British policy in Palestine, transmitted to them by the Colonial Office' under date June 3, 1922, assure His Majesty's Government that the activities of the Zionist Organization will be conducted in conformity with the policy therein set forth.

(c) EXTRACTS FROM THE ARAB REPLY[2]

... (2) We wish to point out here that the Jewish population of Palestine who lived there before the War never had any trouble with their Arab neighbours. They enjoyed the same rights and privileges as their fellow Ottoman citizens, and never agitated for the Declaration of November 1917. It is the Zionists outside Palestine who worked for the Balfour Declaration, and who, now that the world sees its impracticability, are apprehensive of its abolishment...

(4) The Memorandum goes on to discuss the existing Jewish community in Palestine, which it says possesses "national characteristics" because it has "its own political organs, an elected assembly for the direction of its own domestic concerns, elected councils in the towns, an organization for the control of its schools, an elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs, business which is conducted in Hebrew as a vernacular language, a Hebrew Press to serve its needs, etc., etc."

We would here remark that all these outward signs of a "national" existence are also possessed by the other communities in Palestine, and if these are to be considered as a reason why the Jews outside Palestine should be allowed into Palestine "as of right and not on sufferance," it is the more reason why the Arabs should be confirmed in their national home as against all intruders and immigration placed in their control...

We have shown over and over again that the supposed historic connection of the Jews with Palestine rests upon very slender historic data. The historic rights of the Arabs are far-stronger than those of the Jews. Palestine had a native population before the Jews even went there, and this population has persisted all down the ages and never assimilated with the Jewish tribes, who were always a people to themselves. The Arabs, on the other hand, have been settled on the land for more than 1,500 years, and are the present owners of the soil...

(6) ... Nothing will safeguard the interests of the Arabs against the dangers

(1) No. 7 in British White Paper, Cmd. 1700, pp. 28-9. This consists of a letter (dated June 18, 1922) from Dr Weizmann, transmitting the above resolution, as adopted by the Executive of the Zionist Organization.

(a) Cmd. 1700, pp. 22-8.

of immigration except the creation of a Representative National Government, which shall have complete control of immigration.

(7) The Memorandum then raises the question of the pledges given to the King of the Hejaz, and states that "this promise (to recognize and support the independence of the Arabs) was given subject to a reservation made in the same letter, which excluded from its scope the country lying to the west of the *Vilayet* of Damascus. That *vilayet* included the whole of the territory of Transjordania, but neither the independent Sanjak of Jerusalem, nor those parts of the then *Vilayet* of Beyrout which are now included in Palestine. The whole of Palestine west of the Jordan was thus excluded from Sir H. McMahon's pledge."

To this we reply:

In the first place the word "district" and not *Vilayet* was used. In the second place the word "district" and not *Vilayet* was also *meant* since the letter says "the districts of Damascus, Horns, Hama, and Aleppo " Now since Horns and Hama were districts included in the *Vilayet* of Syria it would be superfluous to mention "Horns" and "Hama" specifically if the *"Vilayet"* of Damascus as against the "district" of Damascus were meant.

Moreover, the " *Vilayet"* said to have been meant was called " *Vilayet* of Syria" and not *"Vilayet* of Damascus," as there was no *Vilayet* of Damascus.

Palestine thus comes within the scope of the promise . ..

(8) Speaking of self-government the Memorandum says: "It is the intention of His Majesty's Government to foster the establishment of a full measure of self-government in Palestine. But they are of opinion that in the special circumstances of that country this should be accomplished by gradual stages and not suddenly..."

We are to understand, then, that self-government will be granted as soon as the Jewish people in Palestine are sufficiently able through numbers and powers to benefit to the full by self-government, and not before. We fail to sec any other reason.

We therefore here once again repeat that nothing will safeguard Arab interests in Palestine but the immediate creation of a national government which shall be responsible to a Parliament of all whose members are elected by the people of the country—Moslems, Christians and Jews . . .

(10) The hope is finally expressed in the Memorandum that "a policy upon these lines cannot but commend itself to the various sections of the population."

We would heartily wish this were so. But what do we see as the result of this policy? Discontent of 93 per cent of the population, dislike of the Zionist policy, a strong feeling against those who enter Palestine through the sheer might of England.

At last, the Memorandum proceeds to explain that "this policy will serve to establish a spirit of association on which depends the development and prosperity of the country in future."

Whereas we see division and tension between Arabs and Zionists increasing day by day and resulting in general retrogression. Because the immigrants dumped upon the country from different parts of the world are ignorant of the language, customs and character of the Arabs, and enter Palestine by the might of England against the will of the people who are convinced that these have come to strangle them. Nature does not allow the creation of a spirit of co-operation between two peoples so different, and it is not to be expected that the Arabs would bow to such a great injustice, or that the Zionists would so easily succeed in realizing their dreams.

The fact is that His Majesty's Government has placed itself in the position of a partisan in Palestine of a certain policy which the Arab cannot accept because it means his extinction sooner or later. Promises avail nothing when they are not supported by actions, and until we see a real practical change in the policy of His Majesty's Government we must harbour the fears that the intention is to create a Jewish National Home to the "disappearance or subordination of the Arabic population, language and culture in Palestine."

APPENDIX IV

FINDINGS AND RECOMMENDATIONS OF THE ROYAL COMMISSION, 1937

(a) THE UNDERLYING CAUSES[1]

. .. This seems to us to be an appropriate point to deal with the first of our terms of reference, which requires us "to ascertain the underlying causes of the disturbances" ...

(b) RECOMMENDATIONS UNDER THE MANDATE[2]

Administration

There should be no hesitation in dispensing with the services of Palestinian officers whose loyalty or impartiality is uncertain.

There should be more decentralization.

A British Senior Government Advocate should be appointed.

The Jaffa-Haifa road should be completed as speedily as possible.

Public Security

Should disorders break out again of such a nature as to require the intervention of the military, there should be no hesitation in enforcing martial law. In such an event the disarmament first of the Arabs and then of the Jews should be enforced.

In mixed areas British District Officers should be appointed.

Central and local police reserves are necessary. A large mobile mounted force is also essential.

A more rigorous Press Ordinance should be adopted.

Financial and Fiscal Questions

Negotiations should be opened to amend the provisions of Article 18 of the Mandate and put the trade of Palestine on a fairer basis.

Land

The High Commissioner should be empowered to prohibit the transfer of land in any stated area to Jews. (The amendment of the Mandate may first be necessary.)

Until survey and settlement are complete the sale of isolated and comparatively small plots of land to Jews should be prohibited. The Commission favour a proposal for the creation of special Public Utility Companies to undertake development schemes.

An expert Committee should be appointed to draw up a Land Code.

Settlement should be expedited.

In the event of further sales of land by Arabs to Jews, the rights of any Arab tenants or cultivators must be preserved. Alienation of land should only be allowed where it is possible to replace extensive by intensive cultivation, i.e. in the plains, and not at present in the hills.

Legislation vesting surface water in the High Commissioner is essential. Possibilities of irrigation should be explored. The scheme for the development of the Huleh district is commended.

Measures of afforestation are recommended.

(1) *Palestine Royal Commission: Report, 1937* (British Blue Book, Cmd. 5479), P. 106, §31.

(2) Owing to considerations of space these are reported from the official Summary of Report (pp. 38-9), and not from the original Report.

Immigration

The volume of Jewish immigration should continue to be restricted in the first instance by the economic absorptive capacity of Palestine, but it should be subject to a "political high level," covering Jewish immigration of all categories. This high level should be fixed for the next five years at 12,000 per annum. Amendments in the categories under the Immigration Ordinance and in the definition of "dependency" are proposed.

Education

The Administration should regard the claims on the revenue of Arab education as second in importance only to those of public security. The present proportion between the grant to Jewish education and the amount spent on the Arabs should not be altered: an increase in the grant to the Jews should result from an increase in the total expenditure on education.

In any further discussion of the project of a British University in the Near East, the possibility should be considered of locating it in the neighbourhood of Jerusalem or Haifa.

Local Government

An attempt should be made to strengthen those few local councils which still exist in Arab rural areas, but not to revivify councils which have broken down, or to create new ones unless there is a genuine demand for them. The mftre important local councils and all the municipalities should be reclassified, by means of a new Ordinance, into groups according to their respective size and importance.

The services of an expert on local government should be obtained to assist in drafting the new Ordinance and improving the relations between Government and the municipalities.

The need of Tel-Aviv for a substantial loan should be promptly and sympathetically reconsidered.

Self-governing Institutions

The Commission do not recommend that any attempt be made to revive the proposal of a Legislative Council, but they would welcome an enlargement of the Advisory Council by the addition of Unofficial Members.

Conclusion

The above recommendations for dealing with Arab and Jewish grievances under the Mandate will not "remove" them or "prevent their recurrence." They are the best palliatives the Commission can devise, but they will not solve the problem.

(c) RECOMMENDATIONS FOR TERMINATION OF THE MANDATE ON A BASIS OF PARTITION[1]

Having reached the conclusion that there is no possibility of solving the Palestine problem under the existing Mandate (or even under a scheme of cantonization), the Commission recommend the termination of the present Mandate on the basis of Partition and put forward a definite scheme which they consider to be practicable, honourable and just. The scheme is as follows:

The Mandate for Palestine should terminate and be replaced by a Treaty System in accordance with the precedent set in Iraq and Syria.

Under Treaties to be negotiated by the Mandatory with the Government of Transjordan and representatives of the Arabs of Palestine on the one hand, and with the Zionist Organization on the other, it would be declared that two sover-

(I) Owing to considerations of space these are reported from the Official Summary of Report (pp. 40-3), and not from the original Report.

eign independent States would shortly be established—(i) an Arab State consisting of Transjordan united with that part of Palestine allotted to the Arabs, (a) a Jewish State consisting of that part of Palestine allotted to the Jews. The Mandatory would undertake to support any requests for admission to the League of Nations made by the Governments of the Arab and Jewish States* The Treaties would include strict guarantees for the protection of minorities. Military Conventions would be attached to the Treaties.

A new Mandate should be instituted to execute the trust of maintaining the sanctity of Jerusalem and Bethlehem and ensuring free and safe access to them for all the world. An enclave should be demarcated to which this Mandate should apply, extending from a point north of Jerusalem to a point south of Bethlehem, and access to the sea should be provided by a corridor extending from Jerusalem to Jaffa. The policy of the Balfour Declaration would not apply to the Mandated Area.

The Mandatory should also be entrusted with the administration of Nazareth and with full powers to safeguard the sanctity of the waters and shores of Lake Tiberias, and similarly with the protection of religious endowments and of such buildings, monuments and places in the Arab and Jewish States as are sacred to the Jews and the Arabs respectively.

The frontier between the Arab and Jewish States recommended is as follows: Starting from Ras an Naqura, it follows the existing northern and eastern frontier of Palestine to Lake Tiberias and crosses the Lake to the outflow of the River Jordan, whence it continues down the river to a point rather north of Beisan. It then cuts across the Beisan Plain and runs along the southern edge of the Valley of Jezreel to a point near Megiddo, whence it crosses the Carmel Ridge in the neighbourhood of the Megiddo road. It then runs southward down the eastern edge of the Maritime Plain, curving west to avoid Tulkarm, until it reaches the Jerusalem-Jaffa Corridor near Lydda. South of the Corridor it continues down the edge of the Plain to a point about ten miles south of Rehovot, whence it turns west to the sea.

Haifa, Tiberias, Safad and Acre should be kept for a period under Mandatory administration. Jaffa should form an outlying part of the Arab State, narrow belts of land being acquired and cleared on the north and south sides of the town to provide access from the Mandatory Corridor to the sea.

The Jewish Treaty should provide for free transit of goods in bond between the Arab State and Haifa.

In view of possible commercial developments in the future, an enclave on the north-west coast of the Gulf of Aqaba should be retained under Mandatory administration, and the Arab Treaty should provide for free transit of goods between the Jewish State and this enclave, as also to the Egyptian frontier at Rafah. The Treaty should provide for similar facilities for the transit of goods between the Mandated Area and Haifa, Rafah and the Gulf of Aqaba.

The Jewish State should pay a subvention to the Arab State. A Finance Commission should be appointed to advise as to its amount and as to the division of the public debt of Palestine and other financial questions.

In view of the backwardness of Transjordan, Parliament should be asked to make a grant of £2,000,000 to the Arab State.

As a part of the proposed Treaty System, a Commercial Convention should be concluded with a view to establishing a common tariff over the widest possible range of imported articles and to facilitating the freest possible interchange of goods between the three territories.

The rights of all existing Civil Servants, including rights to pensions or gratuities, should be fully honoured.

Agreements entered into by the Government of Palestine for the development and security of industries, e.g. that with the Palestine Potash Company, should be taken over and carried out by the Governments of the Arab and Jewish States. Guarantees to that effect should be given in the Treaties. The security of the Power station at Jisr el Majami should be similarly guaranteed.

The Treaties should provide that if Arab owners of land in the Jewish State or Jewish owners in the Arab State wish to sell their land, the Government of

the State concerned should be responsible for purchases at a price to be fixed, if required, by the Mandatory Government.

An immediate inquiry should be undertaken into the possibilities of irrigation and development in Transjordan, the Beersheba District, and the Jordan Valley. If it becomes clear that a substantial amount of land could be made available for the resettlement of Arabs living in the Jewish Area, strenuous efforts should be made to obtain an agreement, in the interests of both parties concerned, for an exchange of land and population. To facilitate such an agreement the United Kingdom Parliament should be asked to make a grant to meet the cost of the necessary development scheme.

For the transition period which would intervene before the Treaties came into force, the Commission's recommendations are as follows: Land purchase by Jews within the Arab Area or by Arabs within the Jewish Area should be prohibited. No Jewish immigration into the Arab Area should be permitted. The volume of Jewish immigration should be determined by the economic absorptive capacity of Palestine less the Arab Area. Negotiations should be opened without delay to secure amendment of Article 18 of the Mandate and place the external trade of Palestine on a fairer basis. The Advisory Council should, if possible, be enlarged by the nomination of Arab and Jewish representatives. The municipal system should be re-formed on expert advice, as recommended. A vigorous effort should be made to increase the number of Arab schools.

The Commission point out that, while these proposals do not offer either the Arabs or the Jews all they want, they offer each party what it wants most, namely, freedom and security ...

(d) CONCLUSION[1]

1. "Half a loaf is better than no bread" is a peculiarly English proverb; and, considering the attitude which both the Arab and the Jewish representatives adopted in giving evidence before us, we think it improbable that either party will be satisfied at first sight with the proposals we have submitted for the adjustment of their rival claims. For Partition means that neither will get what it wants. It means that the Arabs must acquiesce in the exclusion from their sovereignty of a piece of territory, long occupied and once ruled by them. It means that the Jews must be content with less than the Land of Israel they once ruled and have hoped to rule again. But it seems to us possible that on reflection both parties will come to realize that the drawbacks of Partition are outweighed by its advantages. For, if it offers neither party all it wants, it offers each what it wants most, namely, freedom and security.

2. The advantages to the Arabs of Partition on the lines we have proposed may be summarized as follows:

(i) They obtain their national independence and can co-operate on an equal footing with the Arabs of the neighbouring countries in the cause of Arab unity and progress.

(ii) They are finally delivered from the fear of being "swamped" by the Jews and from the possibility of ultimate subjection to Jewish rule.

(iii) In particular, the final limitation of the Jewish National Home within a fixed frontier and the enactment of a new Mandate for the protection of the Holy Places solemnly guaranteed by the League of Nations removes all anxiety lest the Holy Places should ever come under Jewish control.

(iv) As a set-off to the loss of territory the Arabs regard as theirs, the Arab State will receive a subvention from the Jewish State. It will also, in view of the backwardness of Transjordan, obtain a grant of £2,000,000 from the British Treasury and, if an arrangement can be made for the exchange of land and population, a further grant will be made for the conversion, as far as may prove possible, of uncultivable land in the Arab State into productive land from which the cultivators and the State alike will profit.

(1) Cmd. 5479, pp. 394-6.

3. The advantages of Partition to the Jews may be summarized as follows:

(i) Partition secures the establishment of the Jewish National Home and relieves it from the possibility of its being subjected in the future to Arab rule.

(ii) Partition enables the Jews in the fullest sense to call their National Home their own: for it converts it into a Jewish State. Its citizens will be able to admit as many Jews into it as they themselves believe can be absorbed. They will attain the primary objective of Zionism—a Jewish nation, planted in Palestine, giving its nationals the same status in the world as other nations give theirs. They will cease at last to live a "minority life."

4. To both Arabs and Jews Partition offers a prospect—and we see no such prospect in any other policy—of obtaining the inestimable boon of peace. It is surely worth some sacrifice on both sides if the quarrel which the Mandate started could be ended with its termination. It is not a natural or old-standing feud. An able Arab exponent of the Arab case told us that the Arabs throughout their history have not only been free from anti-Jewish sentiment; but have also shown that the spirit of compromise is deeply rooted in their life. And he went on to express his sympathy with the fate of the Jews in Europe. "There is no decent-minded person," he said, "who would not want to do everything humanly possible to relieve the distress of those persons," provided that it was "not at the cost of inflicting a corresponding distress on another people." Considering what the possibility of finding a refuge in Palestine means to many thousands of suffering Jews, we cannot believe that the "distress" occasioned by Partition, great as it would be, is more than Arab generosity can bear. And in this, as in so much else connected with Palestine, it is not only the peoples of that country that have to be considered. The Jewish Problem is not the least of the many problems which are disturbing international relations at this critical time and obstructing the path to peace and prosperity. If the Arabs at some sacrifice could help to solve that problem, they would earn the gratitude not of the Jews alone but of all the Western World.

5. There was a time when Arab statesmen were willing to concede little Palestine to the Jews, provided that the rest of Arab Asia were free. That condition was not fulfilled then, but it is on the eve of fulfilment now. In less than three years' time all the wide Arab area outside Palestine between the Mediterranean and the Indian Ocean will be independent, and, if Partition is adopted, the greater part of Palestine will be independent too.

6. There is no need to stress the advantage to. the British people of a settlement in Palestine. We are bound to honour to the utmost of our power the obligations we undertook in the exigencies of war towards the Arabs and the Jews. When those obligations were incorporated in the Mandate, we did not fully realize the difficulties of the task it laid on us. We have tried to overcome them, not always with success. They have steadily become greater till now they seem almost insuperable. Partition offers a possibility of finding a way through them, a possibility of obtaining a final solution of the problem which does justice to the rights and aspirations of both the Arabs and the Jews and discharges the obligations we undertook towards them twenty years ago to the fullest extent that is practicable in the circumstances of the present time . . .

APPENDIX V

SUMMARY OF THE FINDINGS OF THE PARTITION COMMISSION, 1938[1]

Terms of Reference[2]

Taking into account the plan of partition outlined in Part I I I of the Report of the Royal Commission, but with full liberty to suggest modifications of that

(1) Palestine Partition Commission: Report, October 1938. (British Blue Book, Cmd. 5854.)

(2) British White Paper, Cmd. 5634, pp. 3-4.

plan, including variations of the areas recommended for retention under British Mandate,

And taking into account any representations of the communities in Palestine and Transjordan—

(i) to recommend boundaries for the proposed Arab and Jewish areas and the enclaves to be retained permanently or temporarily under British Mandate which will—

(a) afford a reasonable prospect of the eventual establishment, with adequate security, of self-supporting Arab and Jewish States;

(b) necessitate the inclusion of the fewest possible Arabs and Arab enterprises in the Jewish area and *vice versa;* and

(c) enable His Majesty's Government to carry out the Mandatory responsibilities the assumption of which is recommended in the Report of the Royal Commission, including the obligations imposed by Article 28 of the Mandate as regards the Holy Places;

(ii) to examine and report on the economic and financial questions involved in partition upon which decisions will require to be taken, including—

(a) the allocation so far as may be necessary between the various areas of the public assets and public debt of Palestine and other "financial obligations legitimately incurred by the Administration of Palestine during the period of the Mandate" referred to in Article 28 thereof;

(b) means to ensure that the financial obligations referred to above will be fully honoured in accordance with Article 28 of the Mandate;

(c) the administration of the railways, ports, postal, telegraph and telephone services;

(d) currency arrangements;

(e) Customs administration and tariffs;

(f) the budgetary prospects of the various Administrations to be established;

(g) the preservation of the rights of civil servants in accordance with the provisions of Article 28 of the Mandate;

(h) the treatment of industrial and other concessions;

(i) the possibility of voluntary exchanges of land and population, and the prospects of providing by works of land development room for further settlement to meet the needs of persons desiring to move from one area to another;

(j) the provision of effective safeguards for the rights of religious or racial minorities in the areas to be allocated to Arabs and Jews respectively, including the protection of religious rights and properties.

Summary of Findings

The Commission examined three plans of partition which they called A, B, and C. *Plan A* is the plan of partition proposed by the Royal Commission, illustrated by their Map, with the boundaries adjusted for purposes of defence.

It was rejected for the following reasons:

(a) It would involve the inclusion of 294,700 Arabs in the proposed Jewish State, as against 304,000 Jews, and of 7,200 Jews in the proposed Arab State.

(b) The proposed distribution of land would result in there being 3,854,700 dunums owned by Arabs.

(c) The inclusion of Galilee in the Jewish State would also mean the transfer to Jewish rule of a population almost entirely Arab and land almost entirely Arab owned. The Arabs would, in the Commission's opinion, almost certainly resist such inclusion by force.

Plan B is a variant of Plan A, in which Galilee and the area at its southern

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extremity would be excluded from the Jewish State—the former becoming Mandated Territory and the latter part of the Jerusalem Enclave.

It was rejected for the following reasons[1]:

(a) Although Galilee could come under Arab control without endangering the Jewish State, to make it a Mandated Territory would be to do an injustice to the Arabs for the sake of the security of the Jewish State.

(b) Haifa, the only deep-water harbour in Palestine, could not be included in either the Jewish or the Arab States without serious detriment to the interests of whichever were deprived of it.

(c) Even with the exclusion of Galilee and the area in the south from the Jewish State, there would still be 188,000 Arabs in it, as against 300,000 Jews.

(d) In the north-eastern portion (excluding Haifa) of the Jewish State, the Arabs would be in a majority, the Jews forming only 24 per cent of the population.

Plan C proposed the division of Palestine into three parts:

(1) Northern Mandated Territory;

(2) Southern Mandated Territory;

(3) A central part (the Negeb) to be divided into an Arab State, a Jewish State, and the Jerusalem Enclave. (Here the proposed boundaries are identical with those of Plan B, except for slight changes across the Garmel Ridge and on the Negebr boundary.)

It was preferred by the Commission, subject to the following recommendations:

(a) The Mandate for the Northern Territory should last until both races agree to ask that it should be surrendered, and that the territory should be given independence as part of the Arab or Jewish States, or as a separate Palestinian State.

(b) In the Southern Mandated Territory no independent State should be set up in opposition to the wishes of the minority (unless it was so small that its wishes ought not to be allowed to prevail), and the Mandate should continue for at least ten years.

(c) The Jerusalem Enclave should be retained under permanent Mandate.

(d) Jewish acquisition of, or settlement on, land in the Northern Mandated Territory should be controlled. In Galilee no transfer of land by non-Jew to Jew should be allowed. But Haifa, Tiberias, and other urban areas should be "free areas." Such control should be reviewed after ten years, but not withdrawn without Arab consent. Elsewhere in this territory transfers without Government approval for the consolidation of Jewish holdings should be permitted.

(e) The Government should be prepared to spend sums on development and on education, with the primary object of facilitating Jewish settlement, but any surplus land made available by such schemes should be shared between Jews and Arabs.

(f) The Southern Mandated Territory should be divided into:

(i) Unoccupied area, to be declared a public domain, of which parts could be leased to a Jewish Company for development.

(ii) Occupied area, in which at present no Jews should be allowed *to* acquire land. Should closer settlement of this area prove possible in future, Beduin should have first claim to benefit from improvements.

(g) Immigration into the Mandated Territories should be regulated by political, social and psychological, and not by purely economic, considerations. Preference should be given to Jews. Permits of residence for inhabitants of the rest of Palestine and Transjordan should be regulated by an inter-Palestine quota, preference being given to Arabs leaving the Jewish State.

(h) No subvention should be paid by the Jewish to the Arab State.

(1) Plan B was preferred to Plan C by one member of the Commission—Sir A. Russell. See Report, p. 249.

Conclusion

The Commission believed that any plan of partition which could be devised would have the following objections:

(i) The Arab State would be far from self-supporting. It would be faced with difficulties of supporting a rising population without existing opportunities of obtaining supplementary employment in Mandated Territories, which would be limited by the absence of sufficient inflow of Jewish capital,

(ii) The Mandatory Power, in addition to defence expenditure, would have to provide financial assistance to the Mandated Territories.

(iii) An essential condition of the prosperity of both Arab and Jewish States would be to enter into a Customs union with the Mandated Territories. Such a Customs union between a Mandated Territory and an independent State would not only create serious constitutional difficulties, but would only be possible under conditions which ensured that the wishes of the Mandatory Power with regard to tariff policy should prevail, and that Customs for the whole Territory should be administered by it—i.e. conditions which would be inconsistent with fiscal independence of the Arab and Jewish sovereign States.

(iv) Any frontiers which could be drawn for a Jewish State would be inadequate for purposes of defence.

They therefore proposed a modified form of partition ("Economic Federalism") which would permit the setting up of a Customs union on lines referred to under (iii) above, and of some arrangement on similar lines for control of internal communications.

APPENDIX VI

STATEMENT OF POLICY, MAY 1939[1]

1. In the Statement on Palestine, issued on November 9, 1938,[1] His Majesty's Government announced their intention to invite representatives of the Arabs of Palestine, of certain neighbouring countries, and of the Jewish Agency to confer with them in London regarding future policy. It was their sincere hope that, as a result of full, free and frank discussion, some understanding might be reached. Conferences recently took place with Arab and Jewish delegations lasting for a period of several weeks, and served the purpose of a complete exchange of views between British Ministers and the Arab and Jewish representatives. In the light of the discussions as well as of the situation in Palestine and of the Reports of the Royal Commission[8] and the Partition Commission,[4] certain proposals were formulated by His Majesty's Government and were laid before the Arab and Jewish Delegations as the basis of an agreed settlement. Neither the Arab nor the Jewish Delegation felt able to accept these proposals, and the Conferences therefore did not result in an agreement. Accordingly His Majesty's Government are free to formulate their own policy, and after careful consideration they have decided to adhere generally to the proposals which were finally submitted to, and discussed with, the Arab and Jewish Delegations.

2. The Mandate for Palestine, the terms of which were confirmed by the Council of the League of Nations in 1922, has governed the policy of successive British Governments for nearly twenty years. It embodies the Balfour Declaration and imposes on the Mandatory four main obligations . . . There is no dispute regarding the interpretation of one of these obligations, that touching the protection of and access to the Holy Places and religious buildings or sites. The other three main obligations are generally as follows:

(1) British White Paper, Cmd. 6019.
(2) Cmd. 5893.
(3) Cmd. 5479.
(4) Cmd. 5854.

(i) To place the country under such political, administrative and economic conditions as will secure the establishment in Palestine of a National Home for the Jewish people, to facilitate Jewish immigration under suitable conditions, and to encourage, in co-operation with the Jewish Agency, close settlement by Jews on the land.

fii) To safeguard the civil and religious rights of all the inhabitants of Palestine irrespective of race and religion, and, whilst facilitating Jewish immigration and settlement, to ensure that the rights and positions of other sections of the population are not prejudiced.

(iii) To place the country under such political, administrative and economic conditions as will secure the development of self-governing institutions.

3. The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression "a National Home for the Jewish people," and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews. His Majesty's Government are convinced that in the interests of the peace and well-being of the whole people of Palestine a clear definition of policy and objectives is essential. The proposal of partition recommended by the Royal Commission would have afforded such clarity, but the establishment of self-supporting independent Arab and Jewish States within Palestine has been found to be impracticable. It has therefore been necessary for His Majesty's Government to devise an alternative policy which will, consistently with their obligations to Arabs and Jews,, meet the needs of the situation in Palestine. Their views and proposals are set forth below under the three heads (I) The Constitution, (II) Immigration, and (III) Land.

I. THE CONSTITUTION

4. It has been urged that the expression "a National Home for the Jewish people" offered a prospect that Palestine might in due course become a Jewish State or Commonwealth. His Majesty's Government do not wish to contest the view, which was expressed by the Royal Commission, that the Zionist leaders at the time of the issue of the Balfour Declaration recognized that an ultimate Jewish State was not precluded by the terms of the Declaration. But, with the Royal Commission, His Majesty's Government believed that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. That Palestine was not to be converted into a Jewish State might be held to be implied in the passage from the Command Paper of 1922[1] which reads as follows:

"Unauthorized statements have been made to the effect that the purpose in view-is to create a wholly Jewish Palestine. Phrases have been used such as that 'Palestine is to become as Jewish as England is English'. His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated ... the disappearance or the subordination of the Arabic population, language, or culture in Palestine. They would draw attention to the fact that the terms of the (Balfour) Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded *in Palestine."*

But this statement has not removed doubts, and His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will.

(1) Cmd. 1700.

5. The nature of the Jewish National Home in Palestine was further described in the Command Paper of 1922 as follows:

"During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs; an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organization for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew Press serves its needs. It has its distinptive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organizations, its own language, its own customs, its own life, has in fact 'national* characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognized to rest upon ancient historic connection."

6. His Majesty's Government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine. It envisaged the further development of the existing Jewish community with the assistance of Jews in other parts of the world. Evidence that His Majesty's Government have been carrying out their obligation in this respect is to be found in the facts that, since the statement of 1922 was published, more than 300,000 Jews have immigrated to Palestine, and that the population of the National Home has risen to some 450,000, or approaching a third of the entire population of the country. Nor has the Jewish community failed to take full advantage of the opportunities given to it. The growth of the Jewish National Home and its achievements in many fields are a remarkable constructive effort which must command the admiration of the world and must be, in particular, a source of pride to the Jewish people.

7. In the recent discussions the Arab Delegations have repeated the contention that Palestine was included within the area in which Sir Henry McMahon, on behalf of the British Government, in October 1915, undertook to recognize and support Arab independence. The validity of this claim, based on the terms of the correspondence which passed between Sir Henry McMahon and the Sharif of Mecca, was thoroughly and carefully investigated by British and Arab representatives during the recent Conferences in London. Their Report, which has been published,[1] states that both the Arab and the British representatives endeavoured to understand the point of view of the other party but that they were unable to reach agreement upon an interpretation of the correspondence. There is no need to summarize here the arguments presented by each side. His Majesty's Government regret the misunderstandings which have arisen as regards some of the phrases used. For their part they can only adhere, for the reasons given by their representatives in the Report, to the view that the whole of Palestine west of Jordan was excluded from Sir Henry McMahon's pledge, and they therefore cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State.

8. His Majesty's Government are charged as the Mandatory authority "to

(1) Cmd. 5974.

secure the development of self-governing institutions" in Palestine. Apart from this specific obligation, they would regard it as contrary to the whole spirit of the Mandate system that the population of Palestine should remain for ever under Mandatory tutelage. It is proper that the people of the country should as early as possible enjoy the rights of self-government which are exercised by the people of neighbouring countries. His Majesty's Government are unable at present to foresee the exact constitutional forms which government in Palestine will eventually take, but their objective is self-government, and they desire to see established ultimately an independent Palestine State. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured.

9. The establishment of an independent State and the complete relinquishment of Mandatory control in Palestine would require such relations between the Arabs and the Jews as would make good government possible. Moreover, the growth of self-governing institutions in Palestine, as in other countries, must be an evolutionary process. A transitional period will be required before independence is achieved, throughout which ultimate responsibility for the Government of the country will be retained by His Majesty's Government as the Mandatory authority, while the people of the country are taking an increasing share in the Government, and understanding and co-operation amongst them are growing. It will be the constant endeavour of His Majesty's Government to promote good relations between the Arabs and the Jews.

10. In the light of these considerations His Majesty's Government make the following declaration of their intentions regarding the future government of Palestine:

(i) The objective of His Majesty's Government is the establishment within ten years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactorily for the commercial and strategic requirements of both countries in the future. This proposal for the establishment of the independent State would involve consultation with the Council of the League of Nations with a view to the termination of the Mandate.

(ii) The independent State should be one in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded.

(Hi) The establishment of the independent State will be preceded by a transitional period throughout which His Majesty's Government will retain responsibility for the government of the country. During the transitional period the people of Palestine will be given an increasing part in the government of their country. Both sections of the population will have an opportunity to participate in the machinery of government, and the process will be carried on whether or not they both avail themselves of it.

(iv) As soon as peace and order have been sufficiently restored in Palestine steps will be taken to carry out this policy of giving the people of Palestine an increasing part in the government of their country, the objective being to place Palestinians in charge of all the Departments of Government, with the assistance of British advisers and subject to the control of the High Commissioner. With this object in view His Majesty's Government will be prepared immediately to arrange that Palestinians shall be placed in charge of certain Departments, with British advisers. The Palestinian heads of Departments will sit on the Executive Council, which advises the High Commissioner. Arab and Jewish representatives will be invited to serve as heads of Departments approximately in proportion to their respective populations. The number of Palestinians in charge of Departments will be increased as circumstances permit until all heads of Departments are Palestinians, exercising the administrative and advisory functions which are at present performed by British officials. When that stage is reached consideration will be given to the question of converting the Executive Council into a Council of Ministers with a consequential change in the status and functions of the Palestinian heads of Departments.

(v) His Majesty's Government make no proposals at this stage regarding the establishment of an elective legislature. Nevertheless they would regard this as an appropriate constitutional development, and, should public opinion in Palestine hereafter show itself in favour of such a development, they will be prepared, provided that local conditions permit, to establish the necessary machinery.

(vi) At the end of five years from the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government will be set up to review the working of the constitutional arrangements during the transitional period and to consider and make recommendations regarding the Constitution of the independent Palestine State.

(vii) His Majesty's Government will require to be satisfied that in the treaty contemplated by sub-paragraph (i) or in the Constitution contemplated by sub-paragraph (vi) adequate provision has been made for:

(a) the security of, and freedom of access to, the Holy Places, and the protection of the interests and property of the various religious bodies;

(b) the protection of the different communities in Palestine in accordance with the obligations of His Majesty's Government to both Arabs and Jews and for the special position in Palestine of the Jewish National Home;

(c) such requirements to meet the strategic situation as may be regarded as necessary by His Majesty's Government in the light of the circumstances then existing.

His Majesty's Government will also require to be satisfied that the interests of certain foreign countries in Palestine, for the preservation of which they are at present responsible, are adequately safeguarded.

(viii) His Majesty's Government will do everything in their power to create conditions which will enable the independent Palestine State to come into being within ten years. If, at the end of ten years, it appears to His Majesty's Government that, contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with representatives of the people of Palestine, the Council of the League of Nations and the neighbouring Arab States before deciding on such a postponement. If His Majesty's Government come to the conclusion that postponement is unavoidable, they will invite the co-operation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date.

11. During the transitional period steps will be taken to increase the powers and responsibilities of municipal corporations and local councils.

II. IMMIGRATION

12. Under Article 6 of the Mandate, the Administration of Palestine, "while ensuring that the rights and position of other sections of the population are not prejudiced," is required to "facilitate Jewish immigration under suitable conditions." Beyond this, the extent to which Jewish immigration into Palestine is to be permitted is nowhere defined in the Mandate. But in the Command Paper of 1922 it was laid down that for the fulfilment of the policy of establishing a Jewish National Home "it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the [present population of their employment."

In practice, from that date onwards until recent times, the economic absorptive capacity of the country has been treated as the sole limiting factor, and in the letter[1] which Mr Ramsay MacDonald, as Prime Minister, sent to Dr

(1) Quoted in the House of Commons. *Hansard,* February 13, 1931, coll. 75W-

Weizmann in February 1931 it was laid down as a matter of policy that economic absorptive capacity was the sole criterion. This interpretation has been supported by resolutions of the Permanent Mandates Commission. But His Majesty's Government do not read either the Statement of Policy of 1922 or the letter of 1931 as implying that the Mandate requires them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine subject only to consideration of the country's economic absorptive capacity. Nor do they find anything in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension. The methods employed by Arab terrorists against fellow-Arabs and Jews alike must receive unqualified condemnation. But it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the situation in Palestine may become a permanent source of friction amongst all peoples in the Near and Middle East. His Majesty's Government cannot take the view that either their obligations under the Mandate, or considerations of common sense and justice, require that they should ignore these circumstances in framing immigration policy.

13. In the view of the Royal Commission, the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British Governments ever since the Balfour Declaration was issued that in time the Arab population, recognizing the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been fulfilled. The alternatives before His Majesty's Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country; or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty's Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and the Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore, His Majesty's Government, after earnest consideration, and taking into account the extent to which the growth of the Jewish National Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.

14. It has been urged that all further Jewish immigration into Palestine should be stopped forthwith. His Majesty's Government cannot accept such a proposal. It would damage the whole of the financial and economic system of Palestine

and thus affect adversely the interests of Arabs and Jews alike. Moreover, in the view of His Majesty's Government, abruptly to stop further immigration would be unjust to the Jewish National Home. But, above all, His Majesty's Government are conscious of the present unhappy plight of large numbers of Jews who seek a refuge from certain European countries, and they believe that Palestine can and should make a further contribution to the solution of this pressing world problem. In all these circumstances, they believe that they will be acting consistently with their Mandatory obligations to both Arabs and Jews, and in the manner best calculated to serve the interests of the whole people of Palestine by adopting the following proposals regarding immigration:

(i) Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one-third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next five years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows:

(a) For each of the next five years a quota of 10,000 Jewish immigrants will be allowed, on the understanding that a shortage in any one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits.

(b) In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependants.

(ii) The existing machinery for ascertaining economic absorptive capacity will be retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted.

(iii) After the period of five years no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it.

(iv) His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas.

15. His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population.

III. LAND

16. The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced," to encourage "close settlement by Jews on the land," and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews. The Reports of several expert Commissions have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this Statement of Policy and the High Commissioner will retain them throughout the transitional period.

17. The policy of the Government will be directed towards the development of the land and the improvement, where possible, of methods of cultivation. In the light of such development it will be open to the High Commissioner, should he be satisfied that the "rights and position" of the Arab population will be duly preserved, to review and modify any orders passed relating to the prohibition or restriction of the transfer of land.

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18. In framing these proposals His Majesty's Government have sincerely endeavoured to act in strict accordance with their obligations under the Mandate to both the Arabs and the Jews. The vagueness of the phrases employed in some instances to describe these obligations has led to controversy and has made the task of interpretation difficult. His Majesty's Government cannot hope to satisfy the partisans of one party or the other in such controversy as the Mandate has aroused. Their purpose is to be just as between the two peoples in Palestine whose destinies in that country have been affected by the great events of recent years, and who, since they live side by side, must learn to practice mutual tolerance, goodwill, and co-operation. In looking to the future, His Majesty's Government are not blind to the fact that some events of the past make the task of creating these relations difficult; but they are encouraged by the knowledge that at many times and in many places in Palestine during recent years the Arab and Jewish inhabitants have lived in friendship together. Each community has much to contribute to the welfare of their common land, and each must earnestly desire peace in which to assist in increasing the well-being of the whole people of the country. The responsibility which falls on them, no less than upon His Majesty's Government, to co-operate together to ensure peace is all the more solemn because their country is revered by many millions of Moslems, Jews and Christians throughout the world who pray for peace in Palestine and for the happiness of her people.

APPENDIX VII

SUMMARY OF LAND TRANSFERS REGULATIONS, FEBRUARY 1940[1]

Letter to the Secretary-General of the League of Nations, February 28,1940.

1. These regulations may be cited as the Land Transfer Regulations, 1940, and shall be deemed to have come into force on the eighteenth day of May, 1939.

a. For the purpose of these regulations there shall be two zones in Palestine which shall be demarcated as set out in the Schedule hereto.

The exact boundaries of Zone A and Zone B are indicated on a plan marked , which is deposited in the offices of and is available for inspection during office hours.

3. The transfer of land situated within Zone A, save to a Palestinian Arab, shall be prohibited:

Provided that the High Commissioner may, if he considers it desirable so to do:

(a) permit of the mortgage of such land to such companies or societies as he may approve;

(b) permit the transfer of such land by Palestinian Arabs to religious or charitable institutions;

(c) permit the transfer of such land to persons not being Palestinian Arabs if, in his opinion, such transfer is necessary for the purpose of consolidating existing holdings, or of effecting the panellation of village musha' within the meaning of the Land (Settlement of Title) Ordinance;

(d) in the case of land within the said Zone owned by persons not being

(1) British White Paper, Cmd. 6180.

Palestinian Arabs, by general or special order, permit the transfer of such land to persons not being Palestinian Arabs:

Provided, further, that the High Commissioner may, if he considers it desirable so to do, authorize the transfer of any land situated within the said Zone to persons not being Palestinian Arabs, if application for the registration of such transfer was lodged in the Land Registry before the date of publication of these regulations in the *Gazette:*

Provided, further, that this regulation shall not apply to any transfer of land made in the execution of any judgement or order of a Court, Chief Execution Officer, or Land Settlement Officer:

(a) in satisfaction of a mortgage executed and registered before the date of the coming into force of these regulations, or

(b) delivered or made before the date of publication of these regulations in the *Gazette.*

4. The transfer of land situated within Zone B by a Palestinian Arab, save to a Palestinian Arab, shall be prohibited unless the person to whom such transfer is intended to be made has received the approval in writing of the High Commissioner, which he may, in his unfettered discretion, grant or refuse:

Provided that this regulation shall not apply to any transfer of land made in the execution of any judgement or order of a Court, Chief Execution Officer, or Land Settlement Officer—

(a) in satisfaction of a mortgage executed and registered before the date of the coming into force of these regulations, or

(b) delivered or made before the date of publication of these regulations in the *Gazette.*

5. Any transfer of land made in contravention of the provisions of these regulations shall be null and void.

6. (i) The High Commissioner may require any person making application for the High Commissioner's approval to the transfer of any land under these regulations to support such application by affidavits by himself or any other person.

(ii) Any person—

(a) who knowingly makes any false statement in any affidavit made for the purposes of these regulations, or

(b) who knowingly uses for the purposes of these regulations any affidavit containing any false statement, is guilty of an offence and is liable to imprisonment for seven years.

7. The provisions of these regulations shall be in addition to, and not in derogation of, the provisions of the Land Transfer Ordinance.

8. Nothing in these regulations shall be deemed—

(a) to apply to the transfer of any land situated within the area of any municipal corporation established from time to time under the provisions of the Municipal Corporations Ordinance, 1934, or

(b) to apply to the transfer of any public lands by or on behalf of the High Commissioner or to the transfer of any land to the High Commissioner in accordance with any law or Ordinance or otherwise, or

(c) to affect the power to expropriate land under the provisions of any law or Ordinance for the time being in force.

9. For the purposes of these regulations—

" Palestinian Arab" shall be deemed to be an Arab who is ordinarily resident in Palestine. In case of any dispute as to whether a person is an Arab or whether he is ordinarily resident in Palestine, the question shall be referred to the High Commissioner, whose decision thereon shall be final;

"land" includes water, buildings, trees and any interest in, or right in, to or over land, water, buildings or trees;

"transfer" includes leases, mortgages, charges and any other dispositions.

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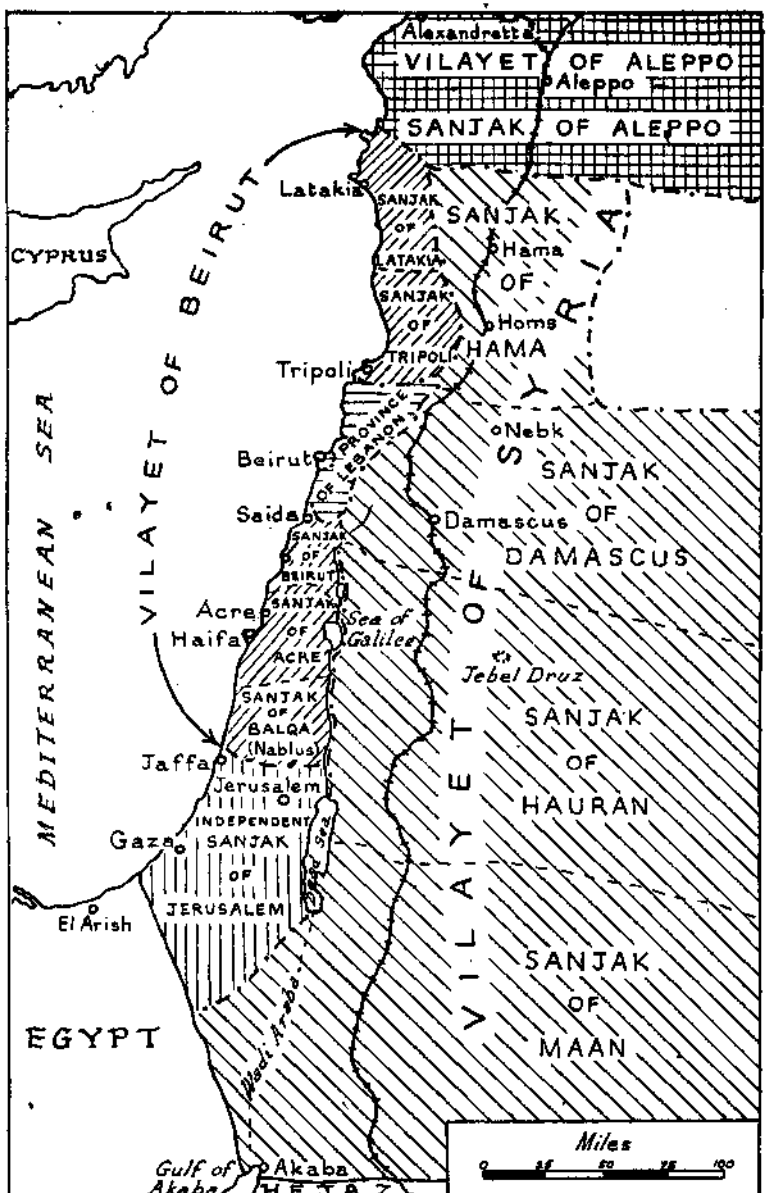

PALESTINE AND SYRIA IN 1915

(Based on map printed in Cmd. 5957, and reproduced by permission of the Controller of H.M. Stationery Office)