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1930

737TH ORDINARY GENERAL MEETING,  
HELD IN COMMITTEE ROOM B, THE CENTRAL HALL,  
WESTMINSTER, S.W.1, ON MONDAY, MAY 26TH, 1930,  
AT 4.30 P.M.

ALFRED W. OKE, ESQ., LL.M., F.G.S., IN THE CHAIR.

The Minutes of the previous meeting were read, confirmed, and signed, and the HON. SECRETARY announced the following elections:—The Rev. F. E. Marsh, D.D., as a Member, from Associate; and Daniel G. Skeate, Esq., as an Associate.

The CHAIRMAN then introduced Mr. Israel Cohen, General Secretary of the Zionist Organization, to read his paper on "The Jews under the Palestine Mandate."

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*THE JEWS UNDER THE PALESTINE MANDATE.*

By ISRAEL COHEN.

I.

IN any attempt to review the position of the Jewish people under the Palestine Mandate, the Report of the Commission appointed by the British Government to inquire into the riots of August, 1929, must obviously take a large place, for of all the reports on Palestine that have been written since the country came under British control that Report, from various points of view, is the most important. It is the latest and longest of a number of official reports; it was occasioned by a terrible outbreak of lawlessness and bloodshed which signalized and stained the close of eleven years of British rule; it contains the fullest examination that has been made on behalf of the Government into the practical working of the Mandate; and it embodies a series of conclusions

and recommendations based on the evidence of 130 witnesses—official and unofficial—given at 47 sittings lasting over a period of two months. It is not only the most important Report, but also the most provocative and unsatisfactory—provocative, because it goes far beyond the terms of reference set to its authors and deals with several important matters which they were not competent to handle; and unsatisfactory because, despite the investigation that took place with the aid of counsel representing the Jews, the Arabs, and the Government, it fails to fix any definite responsibility for the outrages, and betrays a remarkable degree of bias. But before we can properly appreciate the findings of the Report or criticize its recommendations, it is necessary to survey—or, at least, to summarize—the position of the Jews in Palestine as it was up to the eve of the unfortunate outbreak.

Two salient facts must be borne in mind: one is that the resettlement of the Jews in Palestine is not the return of individual Jews in a haphazard and unorganized manner, but a national movement that is systematically endeavouring to realize an ideal that was fervently cherished for hundreds of years; the other is that this national movement is officially recognized and approved in a document that constitutes an international guarantee in regard to various agreed measures to be taken for its furtherance. The Jewish national movement had been in existence long before the War, and a considerable number of Jewish settlements, established in the face of great difficulties, had already attained a certain measure of success. But in the course of the War, when all the small nations were clamouring and fighting for the recognition of their independence and the right of self-determination, the Jewish nation likewise put forward its claim; but, unlike all other nations, the Jews could not engage in a united struggle, since they were dispersed among all the nations and were consequently obliged to fight in opposing camps. Nevertheless, the British Government recognized the claim of the Jewish people to re-establish its National Home, more especially as such a recognition was calculated to subserve the interests of the Allies at a critical stage of the War by reason of the effect which it might be expected to produce among the Jews in America and other countries, whose sympathy was of no small value. Hence the issue on November 2nd, 1917, of the Balfour Declaration, which not only expressed the Government's approval of the establishment in Palestine of a National Home for the Jewish people, but promised that the Government would use their best endeavours to facilitate the

achievement of this object. This Declaration was endorsed by several of the Allied Governments and was re-affirmed at the Conference of San Remo in April, 1920, which conferred the Mandate for Palestine upon Great Britain. The Mandate, be it remembered, was not forced upon Great Britain; on the contrary, it was claimed; and the claim, whilst primarily inspired by political considerations, was strengthened by the fact that the British Government had taken the lead in espousing the cause of the Jewish people, that a British Military Administration was set up in Jerusalem as soon as the Turks were driven northward, and last, not least, that England had not only shown her sympathy with Jewish national aspirations by the offer to the Zionist Organization in 1903 of an autonomous territory in British East Africa, but had, as far back as the middle of the nineteenth century, officially instructed her consuls in Palestine to befriend in every possible way those Jews who had no kind of European protection. The Balfour Declaration was embodied in the preamble of the Mandate, which also stated that "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 the Mandate, as approved by the Council of the League of Nations on the 24th of July, 1922, contained a number of articles setting forth the specific obligations of the Mandatory in reference to various political, administrative, religious, and economic matters pertaining to the establishment of the Jewish National Home.

## II.

From the very outset there was a lack of harmony in regard to the question of the Jewish National Home between the Government in London and their authorized representatives in Jerusalem. In London, Viscount Cecil, a member of the Cabinet, declared at a great demonstration on December 2nd, 1927: "Our wish is that Arabian countries shall be for the Arabs, Armenia for the Armenians, and Judea for the Jews," and two years later Sir Herbert Samuel likewise, at a public meeting, stated that "the policy propounded before the Peace Conference" was one whereby "with the minimum of delay the country may become a purely self-governing Commonwealth under the auspices of an established Jewish majority." But in Palestine the Military Administration

had different views : from the very moment of its establishment it set its face against Zionist aspirations and made no secret of its anti-Jewish attitude, even though Jewish battalions had fought in the Army of redemption under General Allenby and received distinguished mention.

Early in 1918 " Arab leaders in Palestine and Egypt were eager to come to terms with Zionists on the basis of mutual concessions,"\* but as soon as they realized that the military authorities were hostile to the Jews and favourably disposed towards themselves, they refrained from such a move and began to develop an anti-Jewish agitation. So marked had the hostility of the Military Administration become by the middle of 1919, that Lord (then Mr.) Balfour despatched a detailed instruction to remind them of the Government's policy and of their duty. The instruction stated that " the American and French Governments were equally pledged to support the establishment in Palestine of the Jewish National Home, that this should be emphasized to the Arab leaders at every opportunity, that the matter was a *chose jugée*, and that continued agitation would be useless and detrimental." Lord Balfour's note produced a little, but only temporary improvement ; the Arabs were officially allowed to hold anti-Zionist demonstrations in Jerusalem and Jaffa in the spring of 1920 ; and the result was a three days' attack by the Arabs upon the Jews in Jerusalem, in which six Jews and six Arabs were killed. The alarm aroused by this riot (of which not the least astonishing feature was the arrest and imprisonment of the organizers and members of the Jewish Self-Defence) brought the existence of the Military Administration to an early end. On July 1st, 1920, a Civil Administration was set up under Sir Herbert Samuel as High Commissioner.

The advent of a Jewish High Commissioner ushered in a period of hope in regard to the policy of the Jewish National Home, but unfortunately this did not lead to a period of fulfilment. So far as the development of the country was concerned, remarkable improvement was made, especially in the spheres of administration, agricultural development, town-planning, road-building, education, and hygiene ; but as for a practical recognition of the policy of the Jewish National Home on the part of the Adminis-

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\* Political Report of the Executive of the Zionist Organization to the 12th Zionist Congress, 1921, p. 51.

tration in general, there was only a slight and ephemeral improvement. Unfortunately most of the officials of the Military Administration were retained, and as their spirit underwent no change, there were no influences to check the agitation among the Arabs. The discontent in the Arab community, which was artificially fostered and limited in extent, expressed itself, first, in a clamour for the abrogation of the Balfour Declaration, and then in May, 1921, in the more violent form of attacks upon the Jews in Jaffa and neighbouring Jewish colonies, in which the total casualties amounted to 95 killed—48 Arabs and 47 Jews—and 219 wounded, of whom 73 were Arabs and 146 Jews. The immediate result of this second outbreak of savagery was a temporary stoppage of Jewish immigration, which dealt a severe blow at Jewish hopes. But a much more serious consequence followed, largely as the outcome of the agitation carried on by an Arab Delegation that came to London to vindicate the conduct of the rioters. This was the issue by the British Government of a statement of policy, known as the Churchill White Paper, in which the Jewish National Home was defined as “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 pride.” This definition was far removed from Viscount Cecil’s “*Judea for the Jews*” and from all the other early optimistic glosses on the Balfour Declaration. Its publication evoked a feeling of disappointment and disillusion among all sections of the Jewish people, but the Zionist Organization—recognized in the Mandate as “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”—had no alternative but to accept it.

### III.

Thereafter there was peace in the land, and the troops were gradually withdrawn, only a small Air Force being left. The Arab leaders continued to agitate and to pass resolutions demanding the annulment of the Balfour Declaration; they rejected the proposals that were made by the Palestine Administration successively for the creation of a Legislative Council, of a reconstituted Advisory Council, and finally of an Arab Agency analogous to the

Jewish Agency ; and as they were unable to arouse sufficient enthusiasm among their people in their political agitation, and were, moreover, divided among themselves, they gradually ceased from troubling. The interest of the people in general and of the Jews in particular become concentrated upon social and economic developments. The Zionist Organization devoted itself with increased energy to the prosecution of its work which had been interrupted or, rather, temporarily retarded, and every endeavour was made to further the creation of the Jewish National Home in every possible direction. The progress that was achieved during the next few years was such as to arouse the admiration of all impartial observers. The National Home was not yet established, but its foundations were certainly well laid. The position as it was at the time of the next outbreak—the riots of 1929—may be summarized as follows :—

The Jewish population of Palestine had been trebled since the beginning of the British Administration, having grown from 55,000 to 160,000, largely through the influx of new settlers and to a smaller extent through natural increase. The immigrants had been drawn from all parts of the world, mainly from Eastern and Central Europe, but also from lands as varied and remote from one another as Siberia and South Africa, Argentine and Persia, England and the United States. They were mostly young and robust, both men and women, all animated by a fervid enthusiasm, and a good proportion consisting of students who had broken off their academic career to assume the more laborious toil of rebuilding their ancestral home. They had all been previously examined at home as to their physical fitness and capacity before receiving immigration permits—for there were hundreds of thousands clamouring for such permits, which were strictly limited by the Government to a certain number each year—and many of them, especially those from Russia, underwent the severest privations on the way. These pioneers engaged in all manner of hard work—breaking stones, making roads and railways, building bridges, erecting houses and factories, weeding the soil, draining marshes, reafforesting the bared hills, boring wells, installing telegraph and telephone connections, and attending to every other initial requisite in the development of a long-neglected country.

In the field of agricultural development there were added to the 40 old Jewish settlements 60 new ones in all parts of the country, the majority being situated in the Vale of Jezreel and

stretching almost continuously from Haifa to near Beisan. The land for these settlements had all to be bought by the Jewish National Fund (the land-purchasing agency of the Zionist Organization), for the provision of the Mandate that Jews are to be settled upon State and waste lands remained a dead letter. The kinds of farming comprised fruit-growing, cereal cultivation, dairying, vegiculture, and tobacco-planting, and the methods were in accordance with the most advanced scientific principles, the farmers having the benefit of guidance from the Agricultural Experiment Station at Tel-Aviv, which experts have pronounced to be one of the finest institutions of its kind in the world. Not only were developments made in the country but also in the towns. New residential quarters were built in the suburbs of Jerusalem, Haifa, and Tiberias, whilst the Jewish township of Tel-Aviv, which had only 2,000 inhabitants in 1914, now boasted of 40,000. Factories, mills, and workshops had sprung up all over the country, industrial development was furthered by an extensive electrification scheme, including power stations at Jaffa, Haifa, and Tiberias, and the promotion of commerce was facilitated by the credits supplied by the Anglo-Palestine Company, the General Mortgage Bank, and other Jewish financial institutions.

In the domain of social welfare and cultural work, considerable progress had also been achieved. A complete medical service had been organized, with hospitals, clinics, and infant-welfare centres. The Zionist educational organization, with over 222 schools of all grades and 20,000 pupils, embraced 80 per cent. of all the Jewish schools and 70 per cent. of the Jewish school-children, and the language of instruction was Hebrew, which had been adapted to all the requirements of modern thought and scientific progress and had indeed become the ordinary medium of intercourse in Jewish life. Advanced technical training was provided at the Haifa Technical Institute, and the crowning feature of Jewish education consisted of the Hebrew University, which comprised not only the principal scientific departments of such an establishment, but also institutes of Jewish Studies and Oriental studies and a library with 200,000 volumes. Moreover, the muses were also cultivated with zest: Hebrew drama and opera were regular features of social life; there were concerts galore; artists, painters, and sculptors had begun to give expression to the inspiration derived from the new Judea; and the production and publication of books had grown into a busy industry.

## IV.

The driving and directing force in the development of the Jewish National Home was the Zionist Organization, which raised about £750,000 a year by means of voluntary contributions from Jews in all parts of the world in order to pay for the land which it acquired and for the various social, economic, and cultural activities in which it was engaged. Other and smaller bodies, as well as private individuals, also participated in this task of civilization, and the total amount of money which they are all estimated to have brought into the country is the imposing figure of about £40,000,000. The Government benefited very largely by this influx of capital—so much so, indeed, that they were able to pay off Palestine's share in the Ottoman Debt, to refund to the British Treasury the expenditure incurred by the previous Military Administration on various works, to make large investments in railways, telegraph, telephones, and other public works, and yet to have a surplus balance at the end of 1928 of over £500,000. The Jews, although forming only 20 per cent. of the total population, contributed 42 per cent. of the Government's revenue. On the other hand, the Government contributed very little to the furtherance of the Jewish National Home. Their financial support was confined to a grant for the Jewish schools, which rose slowly from £2,000 to £20,000 a year (although the expenditure on the Zionist schools alone amounted to over £150,000), whilst £116,000 a year was expended on Arab education. Besides, the Arabs benefited in an even greater degree from the Government revenue through their disproportionately larger employment on public works and use of the Government medical and agricultural services. Not only did the Jews receive such niggardly financial support, but they were hampered and thwarted in their endeavours in which they were entitled to receive the Government's active support. Immigration—even of persons of means—was subjected to the most rigorous and vexatious control, so that only the most pertinacious succeeded in getting through the complicated mesh of regulations, and having the privilege of paying a landing-tax of one pound for entering their National Home.

The article of the Mandate which imposed upon the Administration the duty of encouraging the close settlement of Jews on State and waste lands not required for public purposes was ignored, whilst a large area (over 100,000 acres) of land at Beisan was

allotted to a number of Arab squatters on a part of it, who could neither pay the requisite fees nor undertake the cultivation of their plots, and who thereupon offered their surplus land at enhanced prices to the Jews, who had repeatedly to petition the Government for permission to buy. Moreover, several Jewish officials in the senior service were squeezed out, and certain departments, such as that of Public Health, severely barred all Jewish employees. The Mandate recognized the holy days of the various communities in Palestine as "legal days of rest for the members of such communities," but Jewish employees on the railways found it difficult to secure their Sabbath rest without loss of pay. The Mandate declared Hebrew to be one of the three official languages, but in practice it received scant respect from the authorities in their relations with the Jewish people, Hebrew telegrams, for instance, not being accepted even for internal transmission.

The explanation of this policy of the Government was to be sought in the attitude of a number of the higher officials who made no secret of their antipathy and even hostility to the policy of the Balfour Declaration, which they were appointed to carry out. Lest it be said that there is no justification for such a charge, it should suffice to refer to the articles contributed by several ex-officials of the Palestine Government to such journals as the *Edinburgh Review*, the *Nineteenth Century*, the *Fortnightly Review* and others between 1922 and 1925, in which they scathingly attacked the Balfour Declaration and the ideals and activities of the Zionists. A typically pernicious outburst appeared in the *Nineteenth Century* (July, 1925), in which the writer, scoffing profusely not only at the Jewish people but also at his former employer, the British Government, wrote: "International Jewry and British crankiness are the forces, which, combining together, were able to impose upon the League of Nations outward responsibility for that iniquitous document known as the Mandate for Palestine."\* But despite the indignation conveyed in this sentence, penned after the writer had left the Secretariat of the Palestine Government, it did not prevent him shortly afterwards from applying for and receiving a more important post in another department. Whether he still considers the Mandate, which he is paid to assist in administering, as an "iniquitous document," he may not now say. Proof of the antipathy of a number of the

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\* *England in Palestine*, by E. T. Richmond.

higher officials at the present day can be obtained in Palestine even by the superficial inquirer.

## V.

Such then, in brief outline, was the general position at the time when the third and most brutal attack by the Arabs upon the Jews took place, in 1929. That attack was connected in more than one way with the Wailing Wall, the remnant of the ancient Temple, before which Jews had wept and prayed for many centuries for the restoration of their former national glories. On the Day of Atonement, in 1928, a temporary canvas screen had been placed against the Wall to divide the male from the female worshippers in accordance with strict orthodox practice. The screen had been used ten days before, on the Jewish New Year, without any objection being raised by the authorities. But on the second occasion the Assistant District Commissioner, in response to a complaint made by a number of threatening Arabs that the screen constituted a departure from what was termed the *status quo*, insisted that it should be removed, and as his order was not obeyed because its execution would have involved an infringement of the most sacred day in the Jewish year, he had the screen forcibly taken away by police officials in the midst of the solemn service, causing indignation and alarm to all the worshippers, and even injury to some. Had the Government official possessed even the least regard for Jewish religious sentiment—not to speak of tact—he could have warded off the threats of the Arabs, and allowed the screen to remain until the end of the service. His conduct betrayed not only his antagonism to the Jews, but his timidity before the Arabs, and the latter were not slow to take advantage of the fact.

From that day the Arabs, under the leadership of the Mufti of Jerusalem, began to take a keener interest than before in the Wailing Wall, claiming for the pavement in front of it a sanctity which their own disgraceful treatment of it belied, and devising various steps which were calculated to annoy the Jews at prayer. They had a door made in a building near the Wall, so that the blind alley, as the place before the Wall had hitherto been, was changed into a thoroughfare; they had a new building constructed on the northern end of the Wall; they stationed a muezzin on the roof of a neighbouring house who called to prayer five times a day so as to disturb the Jewish worshippers; and they instituted,

in a garden near the Wall, a ceremony known as the "Zikr," which consisted in a cacophonous performance. Simultaneously with these innovations the Arabs engaged in an inflammatory propaganda, in which they accused the Jews of designs not merely upon the Wailing Wall but upon the Mosque of Omar itself. The agitation was organized by a Society for the Protection of the Moslem Holy Places, which prompted the formation of a Pro-Wailing Wall Committee, but whilst the Moslem Society was formed and controlled by the Mufti and the Arab Executive in general, the Wailing Wall Committee was discountenanced by the Zionist Executive. The motive of the Mufti was to mobilize on a religious issue the public opinion of the Moslems which he had been unable to arouse on purely political grounds, and at the same time to secure for himself the united support of all sections in the retention of his office as President of the Supreme Moslem Council, to which he had been appointed only for a limited number of years. Passions began to gather strength. On August 15th, 1929—the Fast of Ab, which commemorates the destruction of the Temple—a group of Jewish youths, under a heavy police escort, held a demonstration at the Wall, for which they had official permission, and dispersed peacefully; on the following day a very much larger crowd of Arabs, but with a much smaller police escort, also engaged in a demonstration at the same place, and likewise with official permission, but before they dispersed they destroyed a table, burned prayer books and petitions, and attacked and tore the clothes of the Jewish beadle. Seven days later, on August 23rd, there broke out that orgy of murder and savagery, which lasted seven days, and which shocked the conscience of the world. The Jewish victims numbered 133 killed and 339 wounded, and six Jewish colonies were destroyed, whilst of the Arabs—largely as the result of firing by the military and police—116 were killed and 232 wounded. The British Government sent out a Commission of Inquiry into what were euphemistically called disturbances, and after five and a-half months the Commission presented a voluminous report. Let us now consider this Report.

## VI.

The Commission was set two specific tasks: to ascertain the immediate causes of the outbreak and to recommend steps that should be taken to prevent a recurrence. Lord Passfield announced that the "inquiry was limited to the immediate urgency" and

was "not to extend to considerations of major policy." Nevertheless the Commission, soon after opening the inquiry, began to take evidence from the Arabs that had no bearing at all upon the causes of the outbreak, but touched the very core of the policy of the Jewish National Home. The Prime Minister, on December 23rd, stated in the House of Commons that major questions affecting the future administration of the Palestine Mandate were "clearly outside the terms of reference of the Shaw Commission, and cannot be made part of its Report." Nevertheless, those major questions do form a large and significant part of the Report, and the Commissioners pronounce judgment and make recommendation on questions of land, immigration, constitutional reform, and interpretations of the Mandate, for which they were not qualified either by training or experience. That they exceeded their terms of reference was doubtless due in some measure to the weakness of the Arab case, and to the astute manœuvring of the Arab leaders to throw them off the scent. Realizing the difficulty of disproving that they had been the oppressors, the Arab leaders sought to divert attention from the bloodshed and robbery to their alleged economic grievances and political aspirations. The acts of murder and plunder could not be denied, for the courts of law were occupied with them and were administering punishment. But in order to minimize their gravity, harrowing stories were told of the eviction from their agricultural holdings of Arab tenants who were said to have been converted into a landless proletariat in order to make room for the alleged excessive immigration of "alien Jews" from Eastern Europe.

The Commission, we read, found that the outbreak in Jerusalem "was from the beginning an attack by Arabs on Jews, for which no excuse in the form of earlier murders by Jews has been established." But was the outbreak premeditated and who was responsible? The Commissioners found that the outbreak was not premeditated, although their own narrative of the events should have led them to the opposite conclusion. They tell us that in many districts there was incitement, and that in some cases those who incited were members of the Moslem hierarchy; that agitators were touring the country in the third week in August, and were summoning the people of certain districts to Jerusalem; that a letter was delivered on August 22nd to the head men of Kabalan, a village near Nablus, saying that fighting would take place on the 23rd between the Jews and Moslems and that "all who are of the Moslem religion should come to Jerusalem to

help"; that Musa Kazim, Chairman of the Palestine Arab Executive, was found in Jaffa on August 16th inspecting the printing of anti-Jewish pamphlets; that Sheikh Taleb Markha, a member of the Palestine Arab Executive, was sentenced to imprisonment for inciting to conduct that was offensive to persons of another religion; that Subhi Bey al Khadra, another member of the Executive, was engaged in suspicious movements from August 24th to 27th; and that rumours had been spread among the Arab workmen employed in the Jewish orange groves at Petach Tikvah, as well as in other centres, that the Jews intended to attack the Mosque of Aqsa on August 23rd. And yet they conclude that the attack was not premeditated. There were other facts revealed in the evidence pointing to premeditation, to which the Commission, strangely enough, make no reference, namely, that the people of Jaffa had been summoned to the Jaffa Mosque for the 23rd, that a demonstration had been organized for Luddon that date, and that the fellaheen who streamed into Jerusalem on the morning of the 23rd were armed, not only with sticks and clubs, but also with knives, daggers, and firearms, that they were unusually numerous, that there were no women among them, and that their general demeanour was truculent.

The majority of the Commission apportion "a share in the responsibility for the disturbances" to the Mufti for the part that he took in the formation of societies for the defence of the Moslem Holy Places, as this movement became "a not unimportant factor in the events which led to the outbreak"; they have little doubt that some of the constituents who elected the Arab Executive carried out propaganda calculated to incite the more ignorant Arabs, and think it probable that "individual members of the Arab Executive further exacerbated racial feeling after the disturbances had begun"; and they blame both Mufti and Executive for failure during the week preceding the riots to make an attempt to control their followers. They make no reference to the inclusion of the Mufti—Haj Amin Husseini—in the "black list," of the police, dated August 23rd, which was published in the Palestine press, and they shirk the delicate task of fixing responsibility for the outrages. Mr. Harry Snell, who contributes a long Note of Reservations, in which he dissociates himself from the general attitude of his colleagues towards the Palestine problem, as well as from some of their criticisms and conclusions, attributes to the Mufti "a greater share in the responsibility for the disturbance than is attributed to him in the Report," and finds it

“difficult to believe that the actions of individual members of the Executive were unknown to that body, or, indeed, that those individuals were acting in a purely personal capacity.” He also rejects the conclusions of the majority “acquitting the Moslem religious authorities of all but the slightest blame for the innovations introduced in the neighbourhood of the Wailing Wall.”

## VII.

Having found that there was no premeditation, the Commission dealt leniently with the question of the responsibility of the Palestine Administration, but their conclusions are so discreetly worded as to suggest that they did not feel quite at ease on this point. They say that “it would have been a reasonable precaution if Mr. Luke had mobilized the troops within his jurisdiction at some convenient place in Palestine some time during the days which immediately preceded the disturbances,” and they observe that the Government should have suspended the newspapers that published exciting and intemperate articles, but they do not blame the Government for failing to take these steps. On the other hand, they find nothing wrong in the Government disarming British Jews, although the Government were unable to afford the Jews adequate protection, and they delicately refrain from mentioning that several of the Jews disarmed had served in the War, and that some of them had held the King’s commission. Mr. Snell dissents from the majority, and blames the Government “for not having issued an official communiqué denying that the Jews had designs on the Moslem Holy Places.” But, although the majority seek to exonerate the Government, they point out that the Arab Police proved unreliable and that the Intelligence Service proved inadequate. Now since both Police and Intelligence Service are arms of the Government, it follows that a Government which does not maintain them on a level of efficiency calls for blame. Reading between the lines of the laboured defence of the Administration, and in the light of the criticism supplied by Mr. Snell, one cannot help concluding that, had the Government displayed a greater measure of courage, judgment, and foresight, the terrible catastrophe of last August might have been averted. It was probably out of regard for the feelings of the Government that the Commissioners refrain from mentioning that during the early days of the riots one of the cries most in use among the Arabs was “The Govern-

ment is with us!" and also that in the closing speech on the Jewish side at the Inquiry, Sir Boyd Merriman complained of the antagonistic attitude adopted by the Government counsel towards the Jewish witnesses in contrast to the leniency shown in the cross-examination of the Arab witnesses.

In dealing with the causes of the outbreak, the majority of the Commissioners say that the fundamental cause was "the Arab feeling of animosity and hostility towards the Jews consequent upon the disappointment of their political and national aspirations and fear for their economic future." If that were the case why was there no outbreak between 1921 and 1929? The fact is that during this period there were increasing instances of co-operation and fraternization between Jews and Arabs; over 4,000 Arabs were employed by Jews in the colonies and the towns, over 10,000 Arabs were treated in Jewish hospitals in a single year, and Arabs attended Jewish technical classes and the Hebrew University Library. Besides that, not all Arabs are animated by a feeling of hostility towards the Jews, was proved in several cases during the riots themselves, as many Arabs declined to take part in the attacks, and even protected Jews who were exposed to danger. Mr. Snell is very much nearer the truth when he declares that "many of the immediate causes of the riots . . . were of a temporary rather than of a fundamental character, and were due to fears and antipathies which . . . the Moslem and Arab leaders awakened and fostered for political needs." The majority of the Commission include among the immediate causes—in addition to the incidents in connection with the Wailing Wall, incendiary propaganda and exciting press articles—"the enlargement of the Jewish Agency." It is doubtful whether any of the murderers of Hebron and Safed, where half of the Jewish victims were killed, ever heard of the Jewish Agency and its enlargement. A more powerful motive was the primitive lust for loot, which is not mentioned; and a sinister factor, to which also no reference is made, was the part played by Communist agitators, one of whom, Hamdi el-Husseini, had been trained in Moscow.

### VIII.

The Report makes a number of recommendations, some of which are urgently necessary, arising immediately out of the troubles themselves, whilst the others have little or nothing to

do with them. Two of the recommendations—namely, the appointment of a Special Commission to determine the rights and claims in connection with the Wailing Wall and the re-organization of the police—were promptly acted upon by the British Government. Others—such as the determining of the most suitable form of garrison, the improvement of the Intelligence Service, and the exercise of efficient control over the press, are likewise of great importance and should receive earnest consideration. But as for the other main recommendations—those in regard to issuing a statement of policy and to the immigration and land questions—they were clearly beyond the Commissioners' terms of reference. These matters were brought within the scope of the Inquiry by the Arabs for the purpose of improving their case, and the Commissioners fell in with their design, whereupon Lord Balfour, Mr. Lloyd George, and General Smuts—the three then surviving members of the War Cabinet responsible for the issue of the Balfour Declaration—addressed a letter to *The Times*, pointing out the limited terms of reference of the Shaw Commission, and suggesting that when they had reported they should be supplemented by a searching inquiry into the major questions of policy and administration. "Our pledge is unequivocal," wrote the members of the War Cabinet, "but in order to fulfil it in the letter and the spirit, a considerable readjustment of the administrative machinery is desirable." Instead of adopting this suggestion the British Government have preferred to despatch a special commissioner, Sir John Hope Simpson, to Palestine to report on the question of land, immigration, and settlement, thus showing that they have been impressed by a section of the Report which they had previously declared should not form part of it.

The plea which the majority of the Shaw Commission advance in favour of a reconsideration of the immigration and land problems, on the ground that the interests of the Arabs are injured by the present policy, is not supported by any objective and convincing proofs, but is based only on a recital of complaints. If it be urged that excessive immigration was one of the causes of the riots, then the outbreak should have taken place in 1925, when there was a record influx of 33,000, and not after the two years 1927 and 1928, in which there was an excess of 2,300 emigrants over immigrants. Moreover, the rate of immigration has always been strictly controlled by the Palestine Administration, which determines the number of persons to be admitted on

the Labour Schedule every six months, after a careful examination of the absorptive capacity of the country, and the newcomers are admitted on the undertaking of the Zionist Organization and the Jewish Agency that they will not fall a burden on the Administration. The latest Report testifies that "no unemployed Jew became a direct charge on public funds."\* The Administration is required by Article 6 of the Mandate to "facilitate Jewish immigration under suitable conditions." But the Government have now decided, pending the completion of Sir John Simpson's report, to stop immigration. Although the High Commissioner, with the sanction of the Colonial Office, had given permission on May 12th for the admission of another 2,300 Jewish immigrants on the Labour Schedule for the period ending with September, this permission was cancelled by the Government only two days later. This action is manifestly prompted by political considerations, since the Government would not have previously authorized the issue of new immigration certificates without being satisfied as to their economic justification, and economic conditions in Palestine are much easier at present than during the past three years. It is clearly a consequence of the recommendation of the Commission, that "until such time as some form of representative government is established . . . non-Jewish interests in Palestine should be consulted" (p. 165). The Arab Delegation has demanded a stoppage of immigration, and the Government have yielded. But this surrender constitutes a violation of the Mandate.

The Commission were much impressed by the stories of an Arab landless proletariat, said to have been caused by the Jewish purchases of land, and seem to suggest that the existence of such a class also contributed to the outbreak. If that were the case, then at least some witnesses should have been produced who could state that they belonged to this proletariat and that they owed their condition to the Jewish incursion. But not a single witness was forthcoming to testify that he represented the "landless proletariat." And equally significant is the fact that of all the Arabs accused and adjudged guilty of attacks upon Jews and Jewish property, not a single one was able to urge by way of extenuation that he had been evicted from his holding by a Jew or that he had suffered in any other way through the settlement of Jews in Palestine. The Commission state that "Palestine

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\* *Government Report on Palestine for 1928*, p. 116.

cannot support a larger agricultural population than it at present carries unless methods of farming undergo a radical change," but they fail to draw the moral from the evidence of the colonist, Mr. Smilansky, which they cite. Mr. Smilansky told them that " Rehoboth, which to-day supports a population of 2,500 persons, was 38 years ago a waste area occupied by about a dozen Arabs. This extraordinary improvement has been effected by the introduction of machinery for providing an ample water supply, and by utilizing water so obtained for the growing of various kinds of fruit." Clearly, what Jewish colonists have successfully accomplished with rational methods in so many parts of Palestine, they will be able to do in others too. A careful examination recently made by Dr. Arthur Rupp, who has twenty years' experience of agricultural colonization in Palestine, has shown that at least another 50,000 Jewish families can be settled in various districts. And this estimate takes no account of the vast fertile areas in Transjordan, from which Jews are at present excluded, but which lies open to all Arabs who may not find suitable holdings west of the Jordan.

## IX.

The Commission recommend the issuing of a new statement which shall contain " a definition in clear and positive terms " of the meaning which the Government attach to the passages in the Mandate providing for " the safeguarding of the rights of the non-Jewish communities in Palestine." It is apparently desired that the new statement should even outdo that of 1922 in the direction of whittling down. The Commission seem to ignore the fact that the Mandate was conferred upon Great Britain in order that she should carry out the pledge given in the Balfour Declaration, and that the cardinal feature of the preamble of the Mandate consists of the text of that Declaration. They do not discuss to what extent the articles of the Mandate specifically relating to the establishment of the Jewish National Home have been observed or carried out by the Palestine Administration. They are solely concerned with " the safeguarding of the rights of the non-Jewish communities," or, in other words, of the Arabs. At the beginning of their conclusions the Commission tell us that the outbreak of last August opened with an attack by Arabs on Jews—" a vicious attack accompanied by wanton destruction

of Jewish property"—and at the end they plead for the safeguarding of the rights of the aggressors. Could any judgment be more illogical? Mr. Snell expressly dissociates himself from it. The view that the majority of the Commission entertain of the primary duty of the Palestine Government is "one of holding the balance between the two parties in that country." They base this view upon the White Paper of 1922, which, according to their reading, contained "no clear direction to assist either party in the fulfilment of their aspirations." This reading is fundamentally wrong, for the White Paper did not and could not purport to rescind the several positive obligations laid down in the Mandate in connection with the upbuilding of the Jewish National Home. In the questionnaire of the Permanent Mandates Commission of the League of Nations which the British Government have to answer each year, the first question still continues to be:—

"What measures have been taken to place the country under such political, administrative, and economic conditions as will secure the establishment of the National Home of the Jewish people? What are the effects of these measures?"

But the Government, by the actions they have taken in regard to the land and immigration problems, appear to be of the opinion that it is compatible with their obligations to impede the establishment of the Jewish National Home. The suspension of immigration is a manifest breach of Article 6 of the Mandate. General Smuts, who delivered an important speech in Johannesburg a few weeks ago on the situation in Palestine, said:—

"If Palestine is to be a National Home of the Jewish people, surely the implication is an active policy of Jewish immigration. How on earth is the country to become a home of the Jewish people if there is no active policy of immigration?"

There is also the question of constitutional reform, in regard to which Mr. Henderson has made a statement to the Council of the League of Nations, that the Government were at present engaged upon an examination of "the problem of devising means, within the framework of the Mandate, of satisfying the legitimate aspirations" of the Palestine Arabs. The statement sounds ominous. Hitherto it had been thought that the forces opposed to a sympathetic interpretation and application of the articles of

the Mandate existed only in the upper spheres of the Palestine Administration. It will be a source of grave disappointment and painful disillusion to the Jewish people throughout the world if it should be found that kindred forces are also active in the Colonial Office, and that the Government of the day are too weak to resist their unfriendly counsel. It will mean that policy is dictated by pogroms, that the Government allow themselves to be deflected by threats and violence from their clear duty of carrying out the terms of the Mandate. The next few months will show whether this reading is correct, or whether the Government are resolved to honour and fulfil the pledge which they assumed after the most mature deliberation, and which they proclaimed to the world as the solemn undertaking of a great Imperial Power.

#### DISCUSSION.

Mr. A. W. OKE, LL.M., F.G.S., from the Chair, called for a vote of thanks to the lecturer, which was accorded with acclamation.

Mr. E. R. P. MOON, M.A., objected that the lecturer had quoted the first part of the Balfour Declaration, relating to a National Home for the Jews in Palestine, but not the second part which related to the rights of other nations and religions. As Mr. Moon was unable to read, Mr. Cohen kindly passed the copy of the Declaration to the Hon. Secretary, who read the following words which come after the first part ". . . it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine."

Mr. Moon added that he thought that the Colonial Office was harder on the Arabs than on the Jews. The lecturer had stated that the percentage of Jews in the population of Palestine was 20 per cent. on which percentage it could hardly be surprising that the Government should spend a great deal more on non-Jewish schools than on Jewish schools—regarding which the lecturer had made complaint.

Rev. Dr. MORTON fully agreed with the previous speaker that we must keep in mind the proviso concerning other races in Palestine

and the holding of the scales of justice with evenness. None the less, he felt himself deeply indebted to Mr. Cohen for the lecture. He deplored the weakness we had shown in Palestine. For example, the Mufti had been black-listed by the Police, but our Commission of Inquiry actually paid him the special honour of going in a body to his residence to receive his evidence !

Zionism, perhaps, hardly comes within the purview of a Philosophical Society, but a question that is distinctly philosophical emerges in this discussion—namely, how far can “rights of tillage” be held to inhere in those who for centuries have shown themselves incapable of tillage ? He had motored in all parts of Palestine, and spent a good deal of time tramping the country, and had observed what the Arabs called “tillage.” For the most part, the Arab watchword is “Do as little as you can, and let what must be done be done by your wife as far as possible.” Arab tillage is a mere caricature of land-cultivation.

Surely no one can question that Judea is by right the land of the Jews ? And surely also no one can question that for Great Britain to lay down the Palestine Mandate would be to ruin our reputation for the next half century. Palestine has not cost the British tax-payer anything—neither in Civil Administration, nor in Military Occupation ; and for the last two years Palestine has even made a grant in order to cover any possible cost involved by British forces being in Palestine, instead of in some other part of the Empire. To retire would be to trample British prestige in the mud.

He hoped Mr. Cohen would tell them what steps are being taken to punish perpetrators of outrage. That eminent scholar, Harold M. Wiener, was in his motor car when the Arabs surrounded the car and demanded, “Who are you ?” He folded his arms and said quietly, “I am a Jew” ; and at once they shot him dead ! Are the murderers being brought to justice ? Again, he would like to know what provision had been made for the Arabs when an estate had been bought from Arab owners by Jews and the Arab cultivators are no longer required.

Mr. S. H. WILKINSON associated himself with others in expressing warm appreciation and admiration of the paper read by Mr. Israel Cohen. Proceeding he said : Mr. Cohen has not only

presented us with a multitude of data, but has provided us with the authorities for his statements ; and it makes his paper of peculiar value that we have chapter and verse for all that has been laid before us.

I fear there is some justification for his contention that the attitude of British officials in the Palestine administration has been adverse to Jewish interests ; but this is so contrary to the reputation of British officials, who, so far as my own personal experience goes, are generally not only gentlemen, but men of honour and justice, that we are obliged to inquire what particular reason there is for the bias against Jews which seems to be the characteristic of officials of the British administration in Palestine—especially the minor officials. Nothing has been said on this point ; and I am obliged to pass on information with which some may not agree, and which will possibly be painful for some to hear.

So far as my own inquiries on this subject elicited information, it would appear that the attitude of the younger members of the Zionist organizations in Jerusalem has been so uppish, so eager prematurely to take over the reins of power and to assert themselves as masters, that it has awakened in the British officials that bias which we all regret. We must, however, remember in common fairness, that we are judging a body of men, unheard. After all, the Balfour Declaration was very cautiously drafted, and to me conveys more of the impression of a pious emotion than of a binding treaty. In any case, its interpretation is a matter of judgment ; and before we condemn British policy or British administration, we must first ascertain what have been the difficulties along the path of those who have been entrusted for the present with responsibility.

We have had before us a question which has awakened matters not only of political and administrative interest, but also of spiritual, religious and moral issues. For the carrying out of the terms of the Mandate itself I have not the slightest misgiving. The British constitution is behind it, and the honourable tradition of British governments, whatever party they represent, to carry out the undertakings of their predecessors, is certain to be observed in this case. I could sooner believe that my feet would sink beneath the floor than that any British Government would fail to discharge the obligations it has undertaken in respect of the Mandate.

Mr. W. N. DELEVINGNE said : We all as Christians desire that Palestine should once more become the national home of the Jews, and we believe, in accordance with the prophecies we find in God's Word, that the Jews scattered throughout the world will one day be brought back to Palestine and, as a nation, be re-established in the land that belonged to their forefathers. That is God's purpose for His "chosen people," and it will assuredly come to fulfilment, whatever man may do to prevent it. But we do not know when that purpose will be ready for fulfilment, and I humbly urge that we should leave God to accomplish His purpose in His own way. I listened with great interest to the first part of the lecture, and the lucid and graphic account it gave of the progress that has been made in resettling Jews in Palestine—and of the efforts put forth by the Jews to reclaim the waste places of the land—and render fruitful what before was barren and unproductive. Their achievements have been wonderful, and we have to thank the lecturer for the trouble he has taken in setting the facts before us so vividly and in presenting his view of the political situation in Palestine.

When, however, we come to his remarks upon the conduct of the Government officers responsible for the administration of the country—and upon the Report of the Commission that was appointed to inquire into the causes of the recent outbreak between the Jews and the Arabs, we are on very debatable ground, and we should hesitate, I venture to say, before expressing concurrence with the lecturer's condemnation of the Report and the strictures he has passed on the attitude of Government officials during, and subsequently to, the outbreak. It is easy to accuse officers of the Government of bias and partiality, but we have not before us the evidence upon which the conclusions of the Commission are based, and, speaking as one who has had a good many years' judicial experience in India, I would emphasize the extreme difficulty, in view of the circumstances connected with the outbreak, of apportioning responsibility for it—and the impossibility of reviewing the decisions of the Commission or disproving their soundness without a careful examination of all the evidence.

It has been asserted that Palestine belongs to the Jews by right, and that the Arabs have no right to the country, but to argue in this way is futile : we might say with equal, if not greater, force that the

English have no right to India, and should not be there. The Jews—whatever their achievements in colonizing the land, are not ready to be entrusted with the administration of the country, even as the Indians (and I say it deliberately) are not yet ready to be entrusted with the government of India. Great Britain, we may rest assured, will fulfil to the letter all the obligations it has undertaken, whether as the Mandatory Power or in pursuance of the Declaration it made that it would assist the Jews by all legitimate means to establish a national home for themselves in Palestine. But the difficulties attending this policy are great, and as a Society we should, I think, beware of adding to those difficulties by attributing bias to the officers charged with the administration—or calling in question, without full acquaintance with the facts, the impartiality of the Commission appointed by our Government to inquire into the recent disorders in Palestine.

Mr. Hoste said: We have listened with sympathetic appreciation to the able case for the defence of Zionist interests in Palestine presented to us by Mr. Cohen. I yield to no one in my sympathy for the national aspirations of the Jewish people, which will, we may be sure, be fulfilled beyond the most optimistic hopes of the Zionists, as foretold in the prophets, but only in God's time. There will clearly be room for some divergence of opinion as to whether that time has actually arrived.

Naturally the secretary of the Zionist Organization was not here to present a dispassionate account of things in Palestine under the British Mandate, though we may be sure he has tried to give us a perfectly fair account from his point of view. He writes as an advocate, not as a judge, and though we as an Institute are in no way called to pose as judges, we cannot forget that there may be another side, as the Holy Scriptures put it—"He that is first in his own cause seemeth just: but his neighbour cometh and searcheth him." Personally, I find it difficult to believe that the British Government officials are prejudiced against the Jews. These latter have, as Mr. Cohen has pointed out, large sums at their disposal, part of which is doubtless available for propaganda work. In this respect they have, I have heard it stated, a decided advantage over the rival races in Palestine, which, perhaps, would lead these officials to feel an added necessity to safeguard the interest of all.

## LECTURER'S REPLY.

Mr. ISRAEL COHEN replied: I wish to express my acknowledgment of the vote of thanks which you have so cordially adopted, and also my appreciation of the careful attention and friendly criticism that you have bestowed upon my paper. I shall content myself by replying briefly to the main points in the discussion. I made no reference to the rights of the non-Jewish communities in Palestine, for the simple reason that those rights have not been affected in any way. The alleged grievances of the Arabs are purely fictitious: the fact is that their position, thanks to British administration and Jewish colonization, is exceedingly better to-day socially and economically than it was before the War. A number of those who took part in the attacks upon Jews have been arrested and tried and many have been punished, but by no means all those guilty have been brought to justice, owing to the difficulty of collecting reliable evidence, whilst, on the other hand, the political ring-leaders have escaped scot-free. With regard to the Arab cultivators who have had to leave lands acquired by Jews, they have in every case been given monetary compensation to enable them to acquire a holding elsewhere, and by far the great majority have done so, whilst the remaining few have found employment in towns. My criticism of some of the officials of the Palestine Administration is based on facts and knowledge gained over several years, and ample confirmation of my views will be found in the book, *Palestine To-Day and To-morrow*, recently published by an American clergyman, the Rev. John Haynes Holmes. As for my strictures on the Report of the Shaw Commission, they form only a small part of the volume of criticism that could be directed against the mode of procedure and the findings of the Commission, and that fuller criticism is contained in a special Memorandum which the Jewish Agency for Palestine is submitting to the Permanent Mandates Commission, and which will shortly be published.