



**OFFICIAL RECORDS OF THE SECOND SESSION OF  
THE GENERAL ASSEMBLY**

**SUPPLEMENT No. 11**

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**UNITED NATIONS  
SPECIAL COMMITTEE  
ON PALESTINE**

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**REPORT TO THE GENERAL ASSEMBLY**

**VOLUME IV**

**ANNEX B:**

**ORAL EVIDENCE PRESENTED AT PRIVATE MEETINGS**

**Lake Success**

**New York**

**1947**



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## INTRODUCTION

The present volume comprises the records of oral evidence submitted to the United Nations Special Committee on Palestine at four of its hearings held in private meetings in Jerusalem and Beirut and constitutes Annex B to the Committee's Report to the General Assembly.

Three private meetings were devoted to hearing oral evidence in Jerusalem. Testimony was received from representatives of the Government of Palestine, the Father Custos of the Holy Land, and the Sephardic Community.

One private meeting in Beirut was devoted to the hearing of representatives of six Arab States.

The records of all but two of the hearings are reproduced *in extenso*. In the case of the thirty-first meeting, the record of the hearing of representatives of the Sephardic Community is not included in this volume, at the request of that Community. In the case of the sixth meeting, at which representatives of the Government of Palestine submitted factual information about the country, the Special Committee considered that a full summary record was sufficient because of the preliminary nature of the testimony.



## SUMMARY RECORD OF THE SIXTH MEETING (PRIVATE)

*Held at the Y.M.C.A. Building,  
Jerusalem, Palestine,  
Monday, 16 June 1947, at 4 p.m.*

### *Present:*

Mr. SANDSTROM, Sweden, *Chairman*

Mr. HOOD, Australia

Mr. RAND, Canada

Mr. LISICKY, Czechoslovakia

Mr. GARCÍA GRANADOS, Guatemala

Sir Abdur RAHMAN, India

Mr. ENTEZAM, Iran

Mr. BLOM, Netherlands

Mr. GARCÍA SALAZAR, Peru

Mr. FABREGAT, Uruguay

Mr. BRILEJ, Yugoslavia

### *Secretariat:*

Mr. Hoo, *Assistant Secretary-General*

Mr. GARCÍA ROBLES, *Secretary*

The Chairman called the meeting to order at 4 p.m.

### Hearing of the Representatives of the Palestine Government

The CHAIRMAN introduced the Chief Secretary of the Palestine Government, Sir Henry Gurney, and Mr. D. C. MacGillivray, and invited them to be seated. The Chairman said that the intention of the meeting was to seek further information concerning the material presented in *A Survey of Palestine*, and he asked Sir Henry Gurney to give an outline of the administration of Palestine.

Sir Henry GURNEY, after welcoming the members of the Committee, described how the administration of Palestine was constituted and drew the Committee's attention to the distinction made in the text of the Mandate between the United Kingdom Government, the Mandatory Power, and the administration of Palestine, the latter being constituted by the Palestine Order in Council of 1922.

Sir Henry Gurney then referred briefly to the main provisions of the Order in Council of 1922, making special reference to the Legislative Council, the Courts, including the military tribunals, the structure of the Government, the administrative areas into which the country is divided, and produced maps to illustrate the administrative divisions of Palestine.

Members of the Committee then sought information from Sir Henry Gurney and Mr. MacGillivray on points arising from the Chief Secretary's statement and on other aspects of the Palestine Administration.

Discussion opened on the position of Gaza which Sir Henry Gurney had described as almost entirely an Arab district.

In accordance with the request of members of the Committee for a full record of the information obtained, the questions and answers during

this part of the meeting are reproduced for the most part *in extenso*, as follows:

Mr. GARCÍA GRANADOS (Guatemala): What is the population?

Sir Henry GURNEY: The district population is given on Page 13 of the Supplementary Volume under Gaza District. Gaza Sub-district has a settled population of 150,000, but in addition there are in Beersheba Sub-district some 90,000 nomad Bedouins.

Mr. GARCÍA GRANADOS (Guatemala): What is the extent of the district in square miles? How large is it?

Mr. MACGILLIVRAY: 13,689 square kilometres.

The CHAIRMAN: What is considered to be the Negeb?

Sir Henry GURNEY: The Negeb is not an administrative area. There are differences of view as to what the Negeb precisely is. The word Negeb simply means "south".

Mr. GARCÍA GRANADOS (Guatemala): Is this population contained within both the Negeb and Gaza?

Sir Henry GURNEY: Yes.

Mr. GARCÍA GRANADOS (Guatemala): So the 13,689 square kilometres refers to Gaza and the Negeb?

Sir Henry GURNEY: That is the Gaza District, including Negeb. But the northern boundary of the Negeb is not determined by any legal instrument and is very often a matter of opinion.

Mr. GARCÍA GRANADOS (Guatemala): Do you know if the population is concentrated in the northern part, or is there a population in the southern part of the Negeb?

Sir Henry GURNEY: No, there is no population in the southern part.

Mr. GARCÍA GRANADOS (Guatemala): So the Negeb is more or less deserted.

Sir Henry GURNEY: Yes.

Mr. MACGILLIVRAY: The Gaza District is divided into two sub-district, the Gaza Sub-district and the Beersheba Sub-district. The Gaza Sub-district is shown on the map. It runs along the coastal belt. The population of that Sub-district is almost entirely "settled" and amounts to about 150,000. The population of the Beersheba Sub-district is predominantly Bedouin and amounts to about 90,000 Bedouins and 7,000 "settled" inhabitants. Most of the "settled" population are in the town of Beersheba. The density of the Beersheba Sub-district ranges from 1 per square kilometre in the south to 30 per square kilometre in the northwest. The bulk of the population is in the northwest.

Mr. LISICKY (Czechoslovakia): In the Gaza Sub-district, what is the density?

Mr. MACGILLIVRAY: I am afraid I do not have those figures.

Mr. LISICKY (Czechoslovakia): But it is much more?

Mr. MACGILLIVRAY: Very much more.

Mr. RAND (Canada): Those details are contained in these volumes?

Mr. MACGILLIVRAY: The density figures are not given in the *Survey*. I am afraid they have to be worked out from the figures of the population on pages 12-13 of the Supplement and the figures given elsewhere of the areas, but we shall provide the density figures in writing for each Sub-district.

The CHAIRMAN: We might ask later that it be pointed out in a graphic way on a map. Do you think that is possible?

Sir Henry GURNEY: There is another map, number 5, the population map, which does show the density of the population.

The CHAIRMAN: When was this map drawn up?

Sir Henry GURNEY: 1944, but there have been few changes since.

The CHAIRMAN: I see the number of nomads is given here as 60,000.

Sir Henry GURNEY: You will find in the *Survey* a figure of 67,000 for nomads. The nomads are very difficult people to estimate accurately and we would prefer that the Committee take 90,000 rather than 67,000 for these Bedouin nomads.

Mr. MACGILLIVRAY: Since 1931, and for purposes of official population records, the figure of the census in 1931 has always been taken for the Bedouin population; but the preliminary results of a survey which was undertaken last year, or less than a year ago, showed that the Bedouin population has increased, and the figure we now put forward for the Beersheba Sub-district is 91,000.

The CHAIRMAN: May I ask if the Sub-district is the lowest administrative unit?

Sir Henry GURNEY: Yes. There are sixteen Sub-districts. Galilee has five sub-districts, Gaza has two, Haifa has one. They are all shown on the map.

The CHAIRMAN: And the head of the administration in the District is the District Commissioner?

Sir Henry GURNEY: Yes, he is assisted by Assistant District Commissioners and District Officers. The administrative staff consists of six district commissioners, three deputy district commissioners, 39 assistant district commissioners, 53 district officers. That is shown on page 31 of the Estimates.

The CHAIRMAN: What is the administrative organisation in the Sub-district?

Sir Henry GURNEY: The assistant district commissioner is in charge of the Sub-district and he has under him the district officers. The number depends upon the size and nature of the population.

The CHAIRMAN: Is there any kind of local self-government?

Sir Henry GURNEY: Yes. The municipal councils, local councils and the village councils are all listed in Volume I of the *Survey*, Page 130. There are a large number of such councils. All of these are local authorities exercising their powers, making rates, legislating. These are elected bodies in so far as they have been able

to carry out elections, but in some cases where the local conditions have been so acute, and the disputes have been so violent that it has been impossible to create an elected body, then we have had to put in a commission. But these do represent the government's attempt to build up autonomy.

The CHAIRMAN: Who constitute the electoral body?

Sir Henry GURNEY: You mean, the voters?

The CHAIRMAN: Yes. Who votes in the elections?

Sir Henry GURNEY: Anybody who fulfils the requirements of the Municipal Corporations Ordinance, in the case of municipalities. In Tel-Aviv and Petah Tiqva, the only all-Jewish municipalities, all males and females over the age of 21, whether or not of Palestinian citizenship, are entitled to vote.

The CHAIRMAN: Where is that in the *Survey*?

Sir Henry GURNEY: Page 132, Volume I.

The CHAIRMAN: Otherwise, Jews and Arabs take part in these elections in different cases? Is there a census or list of voters?

Sir Henry GURNEY: There is a voters' roll. Both Jews and Arabs are enrolled as voters. They both vote; there is no separate roll. They vote on a common roll for the ward.

Mr. MACGILLIVRAY: There are in fact only four mixed municipalities, mixed Arab and Jewish. There are no mixed local councils or village councils. They are either all Arab or all Jewish.

Mr. LISICKY (Czechoslovakia): What are these mixed councils?

Sir Henry GURNEY: The four mixed municipal councils are: Haifa, Jerusalem, Tiberias, and Safad.

Mr. BLOM (Netherlands): Who are considered as Jews?

Sir Henry GURNEY: There is no legal definition of Jew.

Mr. BLOM (Netherlands): If a Jewish woman is married to a non-Jew, is she considered Jewish or not, in the legal sense?

Sir Henry GURNEY: I do not know. The word Jew is not defined in any law.

Mr. RAND (Canada): What, for instance, would be the municipal jurisdiction, what matters would be looked after in the municipal council?

Sir Henry GURNEY: Roads, water, electricity, sanitation, education.

Mr. LISICKY (Czechoslovakia): Local police?

Sir Henry GURNEY: No.

Mr. RAND (Canada): Well, it would have powers of taxation?

Sir Henry GURNEY: Building—

Mr. RAND (Canada): And taxation for carrying out those services only?

Sir Henry GURNEY: Yes, very much so. The municipal budget for Jerusalem for the present year is over five hundred thousand pounds.

The CHAIRMAN: In these mixed councils, I



suppose that Jews and Arabs sit together in the council and work together?

Sir Henry GURNEY: Yes.

The CHAIRMAN: And may I ask what the experience is as regards this collaboration?

Sir Henry GURNEY: Well, it is only in these four councils.

The CHAIRMAN: Yes, I mean that.

Sir Henry GURNEY: In Haifa, I think you will see for yourself that it is working very well. In Jerusalem, the system broke down a few years ago because the Arab mayor died and there was a dispute over his successor. Ever since then, it has been impossible to obtain an elected council for Jerusalem. We have had to carry on with a commission.

Sir Abdur RAHMAN (India): The Arab mayor?

Sir Henry GURNEY: The chairman is called a mayor.

Mr. MACGILLIVRAY: He is called a mayor of an elected council; of a municipal commission, he is called a chairman.

The CHAIRMAN: In the municipalities where there is only an Arab or a Jewish council, the opposite group of the population has a right to vote, I suppose?

Sir Henry GURNEY: Yes.

The CHAIRMAN: So it means only that the majority uses its power to exclude Council members from the other side.

Sir Henry GURNEY: Well, there are no municipalities other than the four we have mentioned which have any appreciable minority. Gaza has no Jews. Tel-Aviv has no Arabs.

Mr. LISICKY (Czechoslovakia): But for Jaffa, for instance, you will see that there is quite a large sector of Jewish population.

Mr. MACGILLIVRAY: That is the exception.

Sir Henry GURNEY: The Jaffa municipal area includes two Jewish wards which border on Tel-Aviv and which Tel-Aviv, in fact, looks after. It is a very acute problem of long standing.

Mr. LISICKY (Czechoslovakia): So really there are two Jewish wards of Jaffa administered by the municipality of Tel-Aviv.

Sir Henry GURNEY: Certain services are provided for.

Mr. ENTEZAM (Iran): I would like to ask the following questions. With regard to the electoral laws under which elections are conducted by the population, are those laws promulgated by the population or by the government? There is, of course, a difference in the electoral procedure as between Arabs and Jews. For example, we know that in the case of Jews, men and women over twenty-one are allowed to vote. That is different, apparently, from the procedure for Arab elections. Now, how does that procedure become reconciled in mixed districts? Is one method used or another?

Mr. MACGILLIVRAY: In answer to the first question, as to whether the law is made by the local authorities or by the government, it is made by the government; the qualifications of voters are set out in schedules which are at-

tached to the Municipal Corporations Ordinance of 1934.

The CHAIRMAN: Is it in the *Survey*?

Mr. MACGILLIVRAY: The law is not quoted in the *Survey*. A reference to it is given.

The CHAIRMAN: Where?

Mr. MACGILLIVRAY: It is in the Volume of Laws for 1934, Municipal Corporations Ordinance. As to Mr. Entezam's second question, in the mixed municipalities the franchise follows the same formula as in the Arab municipalities.

Mr. LISICKY (Czechoslovakia): Even for the Jews?

Mr. MACGILLIVRAY: For the whole population.

Mr. LISICKY (Czechoslovakia): There is equality.

Mr. MACGILLIVRAY: Yes.

Mr. GARCÍA GRANADOS (Guatemala): Do women vote?

Mr. MACGILLIVRAY: No, women do not vote, except in Tel-Aviv and Petah Tiqva.

The CHAIRMAN: One more question. To what extent are Jews in the Government service? Are they used in the Government service, the Jews and Arabs?

Sir Henry GURNEY: Yes. The Government employs, altogether, 45,000. Of those, 67.5 per cent are Arabs, 20.7 are Jews, 9.7 are British, and 2.1 per cent classified as "other". This is as at December 1945. The British figure is reduced to 4.4 per cent if the police are omitted. The table giving details is on page 89 of the Supplementary Volume. The proportion of Arabs may appear high. One of the reasons for that is that Jewish health and education services, although subsidized by the government, are staffed by people who are not government employees; whereas, in the education service, almost all Arab education is done by government officers. That is one of the reasons why the proportion of Arabs is higher than the proportion of Jews. But the earnings of the Jews are proportionately higher than the earnings of the Arabs because they tend to occupy more senior positions than the Arabs.

Mr. MACGILLIVRAY: As seen from the table on Page 89, the earnings of the Jews come to 24.4 per cent, but, if to the amount from which that figure has been calculated is added the grants made to the Jewish community for education and for health, that figure would come up to 29.5 per cent of the total.

Sir Abdur RAHMAN (India): Out of these employees who are Jews or Arabs, how many of them are in the higher posts? How many are district commissioners or higher? How many of these are Arabs; how many of these are Jews; how many of these are British? I am speaking of numbers. Are there any Arabs or Jews in the Advisory Council?

Sir Henry GURNEY: No.

Sir Abdur RAHMAN (India): Secretaries to the government? Are there any?

Sir Henry GURNEY: Yes.

**Sir Abdur RAHMAN (India):** How many Jews? How many Arabs?

**Sir Henry GURNEY:** We don't work under the system of secretaries of the government. You will remember that the 1939 White Paper did charge the administration with bringing in Palestinians to occupy higher posts in the service. We have been constantly endeavouring to carry that out, but there are certain conditions here which do not arise elsewhere, because there are areas within the administration where you cannot post an Arab to a Jewish area, or a Jewish officer to an Arab area, and where you have a mixed area, you cannot have either and you have to have a British officer. That is one of the difficulties which has prevented us from having any Jew or Arab as district commissioner. We have two assistant district commissioners and two or three more coming along, we hope, very soon.

**The CHAIRMAN:** Are they Arabs or Jews?

**Sir Henry GURNEY:** They are both Jews and Arabs.

**Mr. MACGILLIVRAY:** Of the two, one is an Arab and the other is a Jew; but there are quite a number of others who have been acting for some time, both Jews and Arabs.

**The CHAIRMAN:** Otherwise, can one say, in general, whether the Jews or the Arabs are prevailing in the top ranks?

**Mr. MACGILLIVRAY:** I think that some indication of that can be seen from the table on Page 90 of the Supplement which is headed: Numbers and Emoluments of Government Officers, by Salary Scale and Community, December 1945. Take the courts—

**Sir Abdur RAHMAN (India):** I am coming to courts later. There are a number of questions I wish to put in that connexion, and I am trying to divide them. I am just trying to take the administration first.

**Sir Henry GURNEY:** So far as the administration is concerned, we only have two assistant district commissioners.

**Sir Abdur RAHMAN (India):** Out of how many?

**Sir Henry GURNEY:** Out of 39.

**Sir Abdur RAHMAN (India):** I am just trying to find out how much the British Government has been able to do in the last thirty years. I am trying to find out from the results what has been done toward fulfilment of the Mandate given to the Mandatory Power.

**Sir Henry GURNEY:** Well, the facts are all on Page 90.

**Sir Abdur RAHMAN (India):** Would you mind telling me how many judges of the high court you have?

**Sir Henry GURNEY:** We have one chief justice, seven judges, five presidents of district courts.

**Sir Abdur RAHMAN (India):** I am only asking for the high courts.

**Sir Henry GURNEY:** Seven Supreme Court judges.

**Sir Abdur RAHMAN (India):** Has there ever been a Palestinian as Chief Justice?

**Sir Henry GURNEY:** No.

**Sir Abdur RAHMAN (India):** How many judges, normally speaking, have been Palestinians out of these seven?

**Mr. MACGILLIVRAY:** We have the figure of a year ago. There were then four judges, of whom two were British and two Palestinians.

**Sir Abdur RAHMAN (India):** There were only four. Out of these seven posts. Are they all filled up?

**Sir Henry GURNEY:** No.

**Sir Abdur RAHMAN (India):** How many are filled?

**Sir Henry GURNEY:** I think the majority are Palestinians. I do not want to give the impression, but I think the majority of the judges is Palestinian.

**Sir Abdur RAHMAN (India):** Those who have been practising in Palestine or promoted from the ranks?

**Sir Henry GURNEY:** Arabs and Jews.

**Sir Abdur RAHMAN (India):** How many of them are British?

**Sir Henry GURNEY:** I cannot tell you out of four or five.

**Sir Abdur RAHMAN (India):** Out of four or five, you think perhaps three are Palestinians?

**Sir Henry GURNEY:** Yes, but that is a little outside my own field.

**Sir Abdur RAHMAN (India):** All right. Have you any universities here, Jewish or Arab?

**Sir Henry GURNEY:** There is the Hebrew University.

**Sir Abdur RAHMAN (India):** When did it come into existence?

**Sir Henry GURNEY:** It is not a Government university. It is a private university founded in 1925.

**Sir Abdur RAHMAN (India):** Then there has been no Government university until now?

**Sir Henry GURNEY:** No.

**The CHAIRMAN:** Where do the Arab lawyers, for instance, get their degrees?

**Sir Henry GURNEY:** Many of them go to Beirut; many go to France; many go to England. There is also a local Law School.

**Sir Abdur RAHMAN (India):** How many Arab colleges are there here in Palestine?

**Sir Henry GURNEY:** Government colleges?

**Sir Abdur RAHMAN (India):** I am making a distinction between colleges and schools.

**Sir Henry GURNEY:** One government Arab college. You will find it fully described in the *Survey*. All these colleges will be found in the chapter on education.

**The CHAIRMAN:** May I ask for my information if these colleges are what we in my country call secondary schools?

**Sir Henry GURNEY:** Well, I am not quite clear what you mean.

**The CHAIRMAN:** I mean that people, in general, are educated in primary schools and then

those who want to get a further education go to secondary schools and then they go to college.

Sir Abdur RAHMAN (India): Is there any college to which a person goes after he has finished his secondary school education?

Sir Henry GURNEY: There is no college in between a secondary school and a university in our system, but the secondary school is extended to the intermediate stage, which means carrying on beyond the sixth form.

Sir Abdur RAHMAN (India): After the intermediate school, there is no Government institution for getting an education?

Sir Henry GURNEY: No.

Sir Abdur RAHMAN (India): Is there a medical college here?

Sir Henry GURNEY: No.

Sir Abdur RAHMAN (India): Is there any teachers' college?

Sir Henry GURNEY: There is a teachers' training section of the Government Arab college. It is now being extended. There is also a teachers' training section at the Kadoorie Agricultural School, Tulkarm, and there are two training colleges for women, the Women's Training College, Jerusalem, and the Rural Teachers' Training College at Ramallah. These are all Government institutions.

Sir Abdur RAHMAN (India): When was the teachers' training section of the Government Arab college founded?

Sir Henry GURNEY: About 1928.

The CHAIRMAN: Where do the Arabs go for their higher education in these other fields mentioned by Sir Abdur?

Sir Henry GURNEY: They go to the American University at Beirut, to the Sorbonne and to England to the provincial universities there.

Mr. LISICKY (Czechoslovakia): The bulk go to Beirut to the American University?

Sir Henry GURNEY: The bulk of Arabs go for higher education to the American University of Beirut and to Egyptian Universities.

Mr. GARCÍA GRANADOS (Guatemala): How many Arabs go to the Jewish University?

Sir Henry GURNEY: Practically none. There are one or two.

Sir Abdur RAHMAN (India): How many schools have been established by the Government, elementary schools? I do not want exact numbers.

Sir Henry GURNEY: There is a long chapter on education in Volume 2 (Chapter 16). May I answer your question by referring to page 647? There were 504 Arab public schools with 80,000 pupils in January, 1946, as compared with 171 public schools and 10,000 pupils in 1920.

Sir Abdur RAHMAN (India): Will you kindly tell me if it is a fact that hundreds of thousands of Arab students cannot get into schools, although they are clamouring for it? Is it true or not?

Sir Henry GURNEY: We are very short of schools.

Sir Abdur RAHMAN (India): Arabs have been trying to put their boys in schools and cannot because you are short of schools.

Sir Henry GURNEY: Quite true.

Sir Abdur RAHMAN (India): What percentage of revenue have you been spending on the education of the population itself?

Sir Henry GURNEY: Not as much as we should have liked.

Sir Abdur RAHMAN (India): How much?

Sir Henry GURNEY: Any year?

Sir Abdur RAHMAN (India): '46 or '45—any year.

Mr. MACGILLIVRAY: With regard to applications, there is a table on Page 648 of Volume 2 which shows the applications to the public town schools and the number of those who are admitted. In 1944, the percentage of admissions was 54 per cent.

Sir Abdur RAHMAN (India): How many?

Mr. MACGILLIVRAY: 8,716 applications in 1944; the table gives figures for the whole period 1932 to 1944.

Sir Henry GURNEY: The allocation for education for the present year is 1,561,000 pounds.

Sir Abdur RAHMAN (India): How much did you spend, actually, last year? Not what you hope to spend.

Sir Henry GURNEY: In 1946-1947, 1,416,000 pounds.

The CHAIRMAN: Where do you have that figure?

Sir Henry GURNEY: Page 7 of the Estimates. There is a column there entitled Revised Estimated Expenditure 1946/47.

Mr. GARCÍA GRANADOS (Guatemala): What is the amount spent in public defence, that is, in army and police?

Sir Henry GURNEY: We do not spend anything on the army at all. The amount spent on the police last year was 6,052,000 pounds, and this year, 7,010,000 pounds.

Sir Abdur RAHMAN (India): Compared with 1,000,000 pounds approximately for education. That figure does not contain what you spend on maintaining the Army?

Sir Henry GURNEY: The Palestine Government spends nothing on the Army.

Sir Abdur RAHMAN (India): I know, but who does?

Sir Henry GURNEY: The United Kingdom.

Sir Abdur RAHMAN (India): Could you give us an idea of how much money has been spent on the Army in 1946-1947?

The CHAIRMAN: We will come back more fully later in the budget question.

Sir Abdur RAHMAN (India): Is there a school of architecture in Palestine?

Sir Henry GURNEY: No Government school.

Mr. GARCÍA GRANADOS (Guatemala): How is the police composed?

Sir Henry GURNEY: The establishment of police is given on Page 3 of the Supplement which

gives you all the details. Although the actual figure for British police is approximately 4,000, 5,271 is the authorized establishment.

Mr. MACGILLIVRAY: The total strength of the whole police force on 31 March last was 21,500; that figure includes temporary additional police and supernumerary police as well as the regular force.

Sir Henry GURNEY: That includes the Jewish settlement police, too. Temporary Additional Police are recruited and are used almost entirely as guards. They are given a short training and are used for guard duties only. In fact it is rather an exaggeration to term temporary policemen part of the police.

Mr. LISICKY: (Czechoslovakia): Are they used in their own locality, or elsewhere?

Sir Henry GURNEY: There is no rule about that; they are used either in their home towns or they may be transferred to others.

Mr. GARCÍA GRANADOS (Guatemala): Did you say 21,000 or 31,000?

Mr. MACGILLIVRAY: 21,000.

Mr. GARCÍA GRANADOS (Guatemala): How is it that your figures do not correspond with the figures in the Supplement?

Mr. MACGILLIVRAY: The Supplement, at Page 3, gives the present establishment. I was talking of the actual strength. The establishment figures are those for which financial provision is made in the estimates: the Force is not recruited up to that strength.

Mr. GARCÍA GRANADOS (Guatemala): Will they be recruited to that strength?

Mr. MACGILLIVRAY: Not necessarily, but they may be recruited to that figure.

Mr. FABREGAT (Uruguay): What is the percentage of illiteracy among Jews and Arabs in the population of Palestine?

Sir Henry GURNEY: The percentage of illiteracy among Jews and Arabs in the population of Palestine?

Sir Henry GURNEY: The proportion of illiteracy among the Jews is either 1 per cent or 2 per cent. I do not think we have arrived at the existing percentage among the Arabs. I might advise you of that in writing.

Mr. MACGILLIVRAY: I think the only figures we have are the figures of Arab children who received some education. In the urban areas 85 per cent of the boys received some education, and 60 per cent of the girls; in the rural areas, 63 per cent of the boys, and 7.5 per cent of the girls. As regards adults, I do not think there is any recent figure. Figures, I think, are given in the last census of 1931; there has been no opportunity of taking another census since that time.

Mr. FABREGAT (Uruguay): How many teachers are there in Palestine Government High Schools?

Sir Henry GURNEY: There are 302 teachers for Grade III, 1603 for Grade IV. These are education officers. There are 226 supernumerary teachers. A total of nearly 2,200.

Mr. GARCÍA GRANADOS (Guatemala): I am

afraid this question of my colleague from Uruguay was not answered about the illiteracy in the Arab country.

Mr. MACGILLIVRAY: We have not got those figures. The last census was in 1931.

Sir Henry GURNEY: I should like to reply to that question in writing.

Sir Abdur RAHMAN (India): What is the percentage of revenue spent on health?

Sir Henry GURNEY: In 1946-47, 923,000 pounds out of a total of 21,000,000 pounds; that is to say, a little under 5 per cent.

Mr. LISICKY (Czechoslovakia): Is that only for the Arab community?

Sir Henry GURNEY: It includes grants to the Vaad Leumi and hospitals. Both health and education expenditures are distributed between the two communities according to formulae designed to give equality of treatment in proportion to the population.

Mr. GARCÍA GRANADOS (Guatemala): Do you mind repeating the figures for education?

Sir Henry GURNEY: Education last year, £1,416,000; health £923,000; police last year £6,052,000.

Mr. MACGILLIVRAY: The percentage for 1944-45 might be of interest. On health the percentage for 3 per cent of the total Government expenditure. It is on page 630 of volume 2. The table there gives the percentage each year since 1920. In regard to education a similar table is given on Page 641. The percentage for 1944-45 was 3.91 per cent of the total expenditure.

Mr. FABREGAT (Uruguay): What is the rate of infant mortality in Palestine? In the Arab and Jewish communities?

Mr. MACGILLIVRAY: The figures for the year 1946 of infant deaths per 1,000 live births are in the *Monthly Bulletin of Current Statistics* for May, 1947: Moslems, 90.7; Jews 31.5; Christians 56.4. The *Bulletin* is a monthly production of the Department of Statistics. I believe copies of this are available in your library.

Sir Abdur RAHMAN (India): Could you tell me the number of military in Palestine in 1946-47?

Sir Henry GURNEY: I am afraid I cannot.

Sir Abdur RAHMAN (India): Would you be able to let me know later?

Sir Henry GURNEY: That question should not be addressed to me: it should be addressed to the representative of the Mandatory.

Sir Abdur RAHMAN (India): Could you tell me whether the Palestine Government have granted concessions to any particular community in the last five years? And if so, in what connexion, and to whom? When I say, anybody, it may mean one man or a group.

Sir Henry GURNEY: During the last decade, none. I refer you to the terms of the Mandate, which say that the Mandatory Power shall see that there is no discrimination in Palestine against the nationals of any State. The concessions which have been granted by the Government of Palestine were granted before ten years

ago and they constitute mainly three concessions. One is to the Palestine Electric Corporation to generate electric power, and to distribute and supply it. Another is to the Palestine Potash Company to develop the potash resources of the Dead Sea. The third concession is to the Jerusalem Electric and Public Services Corporation.

There was also the concession which is described in the Peel Commission Report and which was granted by the Turkish Government and taken over by the Mandatory Power as a concession to drain and reclaim the marshes around Lake Huleh, which is north of the Sea of Galilee, on the River Jordan.

Sir Abdur RAHMAN (India): To whom were the three concessions first granted?

Sir Henry GURNEY: They were granted to companies.

Sir Abdur RAHMAN (India): Companies composed of Arabs, Jews and Christians?

Sir Henry GURNEY: The Jerusalem Electric and Public Services Corporation is a British company. The Palestine Electric Corporation you could call, I suppose, a Jewish company. The Palestine Potash Company is also partly Jewish, partly British. The Huleh concession was originally Syrian but has now been purchased for what it was worth by the Jews and is held by a Jewish company, the Palestine Land Development Company.

The Jerusalem electric concession was taken over from Greeks. There are those four concessions. Three of them are working; the Huleh concession is not working.

Mr. MACGILLIVRAY: There are in addition a number of concessions of minor importance: The Tiberias Hot Springs, the el Hamma Mineral Springs, a Warehouse concession, and a Light-house concession. They are of lesser importance. They are all referred to in a chapter on concessions on Page 969 of Volume 2 of the Survey.

There are in addition certain oil concessions, also referred to in the Survey. One of those concessions has been granted within the last ten years—the Trans-Arabian Pipeline Company's concession of 1946.

Mr. GARCÍA GRANADOS (Guatemala): I should like to go back to the budget question. You said the budget for 1946 was 21,000,000 pounds. On Page 3, it states that total expenditure for 1945-46 was 16,000,000 pounds.

Sir Henry GURNEY: I am taking the revised estimated expenditure for 1946-47, which you can take as equivalent to actual 1946 figures. You have them on Page 7 of the Estimates.

Mr. GARCÍA GRANADOS (Guatemala): What is the difference between "Security" and "War Services"?

Sir Henry GURNEY: "War Services" are the survival of supply and control services which were set up during the war, including price control, subsidisation of the essential commodities, import and export control, road transport control, and custodian of enemy property. They have nothing to do with actual military expenditure at all.

Sir Abdur RAHMAN (India): Have you been able to introduce any laws regarding minimum wages or maximum wages in Palestine?

The CHAIRMAN: We shall come to that when we review the standard of living. May we go to the second point upon which I shall want some information: the question of the distribution of the population.

Sir Henry GURNEY: The total population of Palestine, excluding the nomads, is 1,887,000 as at the end of June. Four towns in Palestine contain nearly one third of the population. Tel-Aviv has 184,000; Jerusalem 165,000; Haifa 145,000 (about half and half Jews and Arabs); Jaffa has 102,000 (mainly Arabs). Including the nomads, the population of Palestine is in round figures today 2,000,000, including 625,000 Jews. On Page 10 of the Supplement there is a table comparing the present population with the 1922 population, and taking 100 for the year 1922, the Jews now are equivalent to 726, and Moslems 221, Christians 203. It might be useful to mention that, in Section 1 of Volume 3, which is the Volume we are making available to you but not presenting, there is a chapter stating the basis of the calculations of population.

Mr. GARCÍA GRANADOS (Guatemala): I know the difficulty you have in dealing with two things. One is that ignorant people are very difficult when it is a matter of taking a census. They do not want to give exact figures. Secondly, they are helping certain Jewish immigrants that were not accounted for by the United Kingdom Government because they came through some other channels. I should like to know if these figures are accurate or if it is just a rough estimate.

Sir Henry GURNEY: The Jewish figures are accurate.

Mr. MACGILLIVRAY: The basis of assessment is a complicated calculation. It is explained in Section I of Volume 3 to which the Chief Secretary has referred.

Mr. GARCÍA GRANADOS (Guatemala): I understand the Arabs resent very much our coming and in some villages they did not accept, when a census was taken, the officers who were taking it. The figures are just estimates given by the local Arab chieftain. I should like to know if that is true.

Mr. MACGILLIVRAY: Are you talking of the census of 1931? That was the last one.

Mr. GARCÍA GRANADOS (Guatemala): Yes.

Mr. MACGILLIVRAY: During the war years the experience was that estimates of figures of the Arab population, particularly in the rural areas, were rather inclined to be swelled by the desire to obtain more rations and I think the figures during those years are far from being on the low side and may be a bit on the high side.

Sir Henry GURNEY: I may answer the question by saying that the 1931 census is, in our opinion, reasonably accurate. The method of calculation and the basis of estimating as explained in Section 1 of Volume 3, are, of course, open to argument.

The CHAIRMAN: Could we get an idea of how the total population is distributed in the country between Jews and Arabs?

Mr. MACGILLIVRAY: I have some figures for the distribution between the rural and the urban areas which may be interesting. They are not contained in the printed material. 49 per cent of the total population is urban. 74 per cent of the Jewish population is urban, and 36 per cent of the Arab population is urban.

The CHAIRMAN: Can we have described the areas where the Jewish population is centralised?

Mr. MACGILLIVRAY: The map shows in colors where the Jewish population is concentrated. The red shows the Jewish population; the blue the Moslem; the yellow the Christian; and the green the Druses. It will be seen that the bulk of the Jewish population is in the plains, and also in the big towns of Jerusalem, Haifa, and Tel-Aviv.

The CHAIRMAN: There are certain Jewish settlements on the Eastern frontier and in Tiberias.

Mr. MACGILLIVRAY: Yes, around Lake Tiberias and in the plain of Esdraelon, in the Huleh basin and the Jordan valley. With regard to the density, it will be seen from this map that the areas in which there is the least population are those in the south in the Beersheba sub-district and between the Jordan valley and a line drawn roughly from Nablus through Jerusalem to Hebron.

The CHAIRMAN: Are those figures somewhere in the Survey?

Mr. MACGILLIVRAY: No, they are not, Sir.

The CHAIRMAN: Then we shall ask to have them. Can anything be said about trends in the population such as the growth of the Arab population, or shall we first take the immigration figures?

Sir Henry GURNEY: I think the population figures are all set out here, the birth rates and trends.

The CHAIRMAN: And the immigration figures?

Sir Henry GURNEY: The immigration figures are brought up to date from page 17 of the Supplement, where you have a table showing the sources of Jewish immigration and the number of persons registered as immigrants in the last six years.

The CHAIRMAN: Does that include also what is called by the Palestine Government illegal immigration?

Sir Henry GURNEY: They do not include that.

Mr. MACGILLIVRAY: There is a special section on illegal immigration on page 23 of the Supplement. There is a general tendency towards an increase in the urban population over the rural. I believe the Government Statistician's approximate figure for the percentage of immigrants who settle in urban areas is 80.

The CHAIRMAN: Does that keep pace with the development of industry? I suppose for the immigrants to settle in towns to that extent would mean a means of living in a town. I think that is balanced by the development of industry.

Sir Henry GURNEY: Yes.

Mr. MACGILLIVRAY: There are no appreciable signs of unemployment.

Sir Henry GURNEY: When you asked whether these figures included illegal immigration, they include them of course as soon as they become legal. As soon as they come under the quota, they are included, but the figures do not include those who entered illegally.

The CHAIRMAN: There has been, as far as I understand it, a steady increase in the Arab population. Can we find out from which source that increase is coming? Is it immigration or is it a natural increase?

Sir Henry GURNEY: It is by natural increase, not by immigration.

Sir Abdur RAHMAN (India): Is there any possibility of finding out whether the immigrants who would be described as illegal still retain the nationality of the places they come from?

Sir Henry GURNEY: I think I must ask you, in your own interests, to stick to the statistics. I should prefer that you do that in this meeting. The Representative of India was asking about the nationality of immigrants which is not a statistical point.

The CHAIRMAN: Are there statistics on this point?

Mr. MACGILLIVRAY: There are statistics of the countries of origin.

Sir Abdur RAHMAN (India): The question is whether they have retained the nationality of the countries they have come from.

Sir Henry GURNEY: Some have and some have not.

Mr. GARCÍA GRANADOS (Guatemala): What does the Palestine Government understand by illegal immigration? Are they those who enter contrary to the provisions of the White Paper of the United Kingdom Government, or those who enter in contravention of the Mandate given to the United Kingdom Government by the League of Nations which we understand binds the United Kingdom Government?

Sir Henry GURNEY: We, like every other country, control immigration.

Mr. GARCÍA GRANADOS (Guatemala): The United Kingdom Government has a Mandate from the League of Nations. Are illegal immigrants those who enter in contravention of the Mandate?

Sir Henry GURNEY: The Mandate is not a law. The Mandate is a document.

Mr. GARCÍA GRANADOS (Guatemala): There was a Covenant. Is it illegal to violate the Covenant?

The CHAIRMAN: What do you understand by an illegal immigrant?

Sir Henry GURNEY: They are people who attempt to enter Palestine contrary to the laws of Palestine, and the laws of Palestine are made under the Order in Council which set up the Government to administer Palestine in execution of the Mandate.

Mr. GARCÍA GRANADOS (Guatemala): I understood that the Mandate, instead of forbidding immigration, tried to encourage it.

The CHAIRMAN: You have got the answer. It is immigration which takes place against the laws of Palestine.

Mr. BLOM (Netherlands): In the immigration figures for 1946, there are 2,800 neither Jews nor Arabs but classified as "others" on Page 17 of the Supplement.

Sir Henry GURNEY: Those are Armenians, Greeks, Egyptians, British, French, Americans.

Mr. LISICKY (Czechoslovakia): Temporarily?

Sir Henry GURNEY: Yes.

Mr. BLOM (Netherlands): What is the policy in giving certificates for immigration? I mean, have the Jews any priority over Greeks or any other nations?

Sir Henry GURNEY: The policy is that a monthly quota is fixed by the Government under the immigration laws, and the monthly quota at the moment is 1700, of which 1500 certificates go to Jews and 200 to others, including Arabs, Americans, British, etc. There are 200 permanent immigration certificates open to everybody.

The CHAIRMAN: We read that there were 1,439 in 1945 and 2,800 in 1946 classified as "others". That is above the figure of 200 just mentioned.

Sir Henry GURNEY: I am talking about the present rate.

Mr. HOOD (Australia): May I ask if there is any significant emigration from Palestine and are there any figures?

Sir Henry GURNEY: There are figures but there is no significant emigration from Palestine. There has not been for many years.

Mr. HOOD (Australia): Could we have the figures?

Sir Henry GURNEY: Yes, but I have not got them in my head.

The CHAIRMAN: There is a useful index at the end of the second Volume. In 1927 only 2,713 entered the country while 5,071 departed.

Sir Henry GURNEY: 1927 was the last year in which Jewish emigration exceeded Jewish immigration. There were then 3,000 more Jews who went out than came in.

Sir Abdur RAHMAN (India): Can you give me the reason as to why it began to increase after 1927?

Sir Henry GURNEY: I prefer to stick to the statistics. I do not know whether copies of the Peel Commission Report are available to each member of the Committee. The Peel Commission sets out facts in a way in which no other document has done up to 1936. One may not agree with the conclusions, but it is a classic exposition of Palestine which is as true today as when it was written.

Mr. FABREGAT (Uruguay): May I ask a question about social conditions in Palestine?

The CHAIRMAN: We come to that under the next heading. I want now to go into the question of the population and the different activities of the population. I suppose there is something in the Survey about that.

Mr. MACGILLIVRAY: I think the best statement of that is in another publication called the National Income of Palestine 1944 of which copies are available. On Page 27 there is a summary showing the estimated numbers of persons in the principal trades and occupations.

The CHAIRMAN: That answers my question on this point. We have moreover heard that there is practically no unemployment.

Mr. MACGILLIVRAY: It is difficult in the absence of a general system of labor exchanges to give any firm figures of unemployment. Some conclusion can be drawn however from the fact that the wage levels have remained very high, and also from the fact that the demobilisation of 21,000 Palestinian soldiers has not presented a serious unemployment problem.

Sir Abdur RAHMAN (India): It may not have been because of unemployment or their being employed, but because of the price of foodstuffs being high. It might have remained at a higher level for that reason, also.

The CHAIRMAN: We will speak first on the rate of wages. Are they set out in some way?

Mr. MACGILLIVRAY: The latest figures are given in the Supplement, Pages 91 to 95. Fuller material is contained in the original volume, pages 734-745.

The CHAIRMAN: Wages have been rising, I understand. Is there any indication as to what extent they have risen?

Mr. MACGILLIVRAY: Yes, the figures are given in the Supplement in comparison between 1939 and 1946.

The CHAIRMAN: Can you give a general formula for these figures—a percentage?

Sir Henry GURNEY: It might help the Committee to know that the cost of living index of Palestine is 277 on a basis of 100 in 1939.

The CHAIRMAN: Can you give corresponding figures for the salaries—1939 wage rates?

Sir Henry GURNEY: They are given on Page 735 going back to 1939, for Arabs and Jews.

The CHAIRMAN: So it seems that the wages for Arab labour could have risen in the same proportion?

Sir Henry GURNEY: Yes.

The CHAIRMAN: 272 against 277 for the cost of living?

Sir Henry GURNEY: Almost the same.

The CHAIRMAN: And the trend has continued rising?

Sir Henry GURNEY: It has just reached its peak. It rose up to 281 and it is now 277, slightly down.

The CHAIRMAN: To what do you attribute this rise?

Sir Henry GURNEY: Partly to the war, which has resulted in shortages of consumer goods and military expenditure—

The CHAIRMAN: And that has caused the rise of wages?

Sir Henry GURNEY: Those are the main causes of the rise of the cost of living.

Sir Abdur RAHMAN (India): The standard of living had nothing to do with it?

Sir Henry GURNEY: Yes, it has, over 25 years.

Sir Abdur RAHMAN (India): I mean between 1939 and 1946.

Sir Henry GURNEY: I doubt it—not appreciably.

The CHAIRMAN: We spoke a little while ago about unemployment. Now, I should like to put the opposite question. Is there any shortage of labour?

Sir Henry GURNEY: There is a shortage of labour in certain skilled trades. Building, as in every other country, is in need of skilled labour. The building industry here could use an appreciable number of labour. However, I think it is true to say that the capacity is confined to the building industry. It is a matter of opinion. The fact that we have been able to demobilise 21,000 soldiers recently and find employment for them all except 700, I think, is significant.

Mr. MACGILLIVRAY: There were only 700 on 31st December last who were in need of transitional financial assistance. You put a question just now in regard to the causes of the increase in the cost of living. I would like to draw attention to a brief appreciation of those causes in a section of the document "The National Income of Palestine" at page 15, (headed "The Inflation of Money Values"). This section also shows towards the end the effect of military expenditure on the cost of living.

The CHAIRMAN: Now, I think the right moment has come to ask about the standard of living.

Sir Abdur RAHMAN (India): The answer is that appreciably it has not risen between 1939 and 1946.

The CHAIRMAN: Yes, but I think we could put the question in general and perhaps come also to the different groups of the population.

Mr. MACGILLIVRAY: The information is contained principally in Chapter 16 "The Social Services". There is a special section there on the standard of living of the Palestine Arabs. That is Chapter 16, Volume 2 of the Survey. It is page 697 of Volume 2—"The Standard of Living of Palestinian Arabs."

The CHAIRMAN: Can we ask if there is a marked difference between the standard of living among the Arabs and Jews.

Sir Henry GURNEY: There is a marked difference in the mode of life, of course. They are quite different people. In comparing standards of living I think the Arabs do not necessarily want to live like the Jews nor the Jews like the Arabs. Therefore if you are comparing standards of living you haven't really got common criteria.

The CHAIRMAN: We might perhaps have asked beforehand whether there is a difference in wages for Jews and Arab labour?

Sir Henry GURNEY: The answer is yes.

The CHAIRMAN: Is there a big difference?

Mr. MACGILLIVRAY: Yes.

Mr. RAND (Canada): Is there any tendency

towards a change in the living conditions of the Arabs?

Sir Henry GURNEY: Well, you will see that for yourselves. But over the 25 years it is a fact that the Arab's standard of living has risen.

Mr. RAND (Canada): In what respect?

Sir Henry GURNEY: In respect of housing, standard of housing, standard of hygiene, nutrition, education.

Mr. RAND (Canada): Those standards apply to the other groups as well, don't they?

Sir Henry GURNEY: Yes.

The CHAIRMAN: But the health conditions, I understand, are rather different in the two groups. We have had quoted mortality rates which show worse living conditions among the Arabs than among the Jews; isn't this right?

Sir Henry GURNEY: Yes, that is so. The standard of housing among the Arabs is considerably worse. But it is much better than it was.

The CHAIRMAN: It might also depend upon their way of living?

Sir Henry GURNEY: Yes, that it so.

Mr. RAND (Canada): Well is the improvement in housing tending to affect the mode of life? If they improve their housing conditions, in what direction is the improvement?

Sir Henry GURNEY: Coupled with education.

Mr. RAND (Canada): Is it towards a general improvement of housing? Are they aiming at the same ends in the Jewish area?

The CHAIRMAN: I think we will see that when we travel through the country.

Mr. MACGILLIVRAY: Having been affected by a western civilization, there is a tendency to depart from the old Arab type of housing, particularly in regard to roofing. Actually a number of Arabs have hired Jewish architects to plan their houses for them.

Mr. RAND (Canada): For modern sanitary improvements?

Mr. MACGILLIVRAY: Yes.

Mr. RAND (Canada): Is that true for educational methods and facilities?

Mr. MACGILLIVRAY: Yes. In the schools the curriculum includes hygiene, especially in the girls' school.

Sir Abdur RAHMAN (India): Have laws about inoculation been introduced?

Mr. MACGILLIVRAY: Certainly. Under the Health Laws the Director of Medical Services may insist on certain health measures.

Sir Henry GURNEY: There is a provision for compulsory inoculation.

Mr. MACGILLIVRAY: But only at his discretion.

The CHAIRMAN: I suppose the nomadic population stick more to their traditional habits?

Sir Henry GURNEY: To agriculture.

Mr. ENTEZAM (Iran): Before going into the question of nomads, I would like to ask whether the raising of import tariffs and duties to protect local industries has had an effect on the rising cost of living and has affected the standard of living of the population.



Sir Henry GURNEY: That is a little outside the examination of statistics which, I understand, are under discussion.

The CHAIRMAN: Then we should put the question in a statistical way.

Mr. ENTEZAM (Iran): I think you have not answered my question.

Sir Henry GURNEY: The import duties and excise duties have not been increased recently.

The CHAIRMAN: I think we will see many things when we go out into the country.

Sir Henry GURNEY: This year we have had the worst drought for many years and I think in the Negeb there are only some thirty per cent of the normal Bedouin population, because they had no crops at all this year. The rains failed completely and I therefore think in visiting that area it would be wise to bear that in mind.

The CHAIRMAN: Have you supplied them with foodstuff on Government expenditure?

Sir Henry GURNEY: We are importing now fodder for the animals and food for the population and providing relief work. The total cost of these special relief measures is 600,000 pounds in this area.

The CHAIRMAN: Are these 600,000 pounds included in the war expenditure?

Sir Henry GURNEY: No. It is supplementary.

The CHAIRMAN: Shall we leave the question of standards of living? We shall get the answer to many of the questions while we make the inspection tour—There have been considerable questions about the expenditures. I think we will find the answer to these questions in the *Survey*.

Sir Henry GURNEY: Yes, in Volume 2 and on Pages 72 to 79 of the Supplement.

The CHAIRMAN: I should like now to go on to the foreign trade figures.

Sir Henry GURNEY: The total import figure for Palestine for 1946 is 70 million pounds value, and exports 24.5 million pounds value. You will find that information on Pages 41 to 46 of the Supplement. The first table on Page 41 gives you the trade figures.

The CHAIRMAN: And there we have also tables showing imports and exports. In countries of origin and destination?

Sir Henry GURNEY: Yes, in the following page.

The CHAIRMAN: Is there anyone who wishes to put some questions concerning this matter?

(No response)

The CHAIRMAN: What are the main industries of Palestine?

Sir Henry GURNEY: The main export industry in value is the citrus industry; we hope to export this year some twelve million cases. When I say this year, the season doesn't open until November, but November to April is the export season, and we estimate to export some twelve million cases. Next comes potash, which is produced by the potash concessions to which we referred. Third there is the diamond cutting industry.

The CHAIRMAN: Is that a new industry?

Sir Henry GURNEY: Fairly new. It really started

in 1939. This industry has grown up partly as a result of the invasion of the Netherlands in 1940. 1946 production value is 5.5 million pounds.

The CHAIRMAN: Where have you got any figures about the potash industry?

Sir Henry GURNEY: There is a chapter on industry at the end of Volume 1 of the *Survey*, page 497. If we looked at page 526, the potash industry is not just potash; it is a chemical industry operating in two parts of the Dead Sea—one in the north and the other in the south. The main products are potash, bromine, chlorine, chlorate of potash, caustic soda and caustic potash. There is a very considerable chemical industry. The value of gross output is about 1.5 million pounds a year.

The CHAIRMAN: That was in 1942?

Sir Henry GURNEY: 1942. It is about the same now.

The CHAIRMAN: Are all the industries which are in this table on page 526 export industries, or are they import industries?

Sir Henry GURNEY: The others are for local consumption. They are not export industries.

Sir Abdur RAHMAN (India): Is potash an important industry?

Sir Henry GURNEY: It is.

The CHAIRMAN: Now I must confess ignorance. To what purpose is potash used? I don't know. Is it a fertilizer?

Sir Henry GURNEY: Yes, a phosphate fertilizer.

Sir Abdur RAHMAN (India): How much of it is being used by Palestine itself, and how much is going out?

Sir Henry GURNEY: As much as Palestine wants to get.

Mr. MACGILLIVRAY: There is one figure that is of interest in regard to the principal industry; it is given on page 37 of the Supplement. There are two tables there showing the citrus groves under Arab and Jewish ownership. The total shows that the area in Arab and Jewish ownership is almost the same. The Arab ownership is slightly more than the Jewish, 127,377 *dunums* Arab ownership, as against 120,897 *dunums* Jewish ownership.

Mr. LISICKY (Czechoslovakia): Do they have both the same production?

Mr. MACGILLIVRAY: It does not give production. It gives the quality of the groves in classes; Class 1, 2 and 3 quality groves.

The CHAIRMAN: What are the main imports?

Sir Henry GURNEY: The main imports—the largest in value is oil. Palestine having no wood or coal uses oil for everything, heating, cooking, power.

The CHAIRMAN: Have you got a table showing these imports?

Sir Henry GURNEY: They are all on page 44 and 45 of the Supplement.

Mr. ENTEZAM (Iran): On page 47 it shows that imports as between 1945 and 1946 have almost doubled. I wonder what the reason is?

Sir Henry GURNEY: It is the taking up of the

slack towards the end of the war, taken together with a large influx of capital.

The CHAIRMAN: Have the exports increased at the same rate?

Sir Henry GURNEY: Not at the same rate, no. The exports were 24 million in 1946 and 20 million in 1945, a very small increase, comparatively, leaving an adverse trade balance of 46 million in 1946.

The CHAIRMAN: Does somebody want to ask some more questions on these economic matters?

Mr. LISICKY (Czechoslovakia): I would like to ask a question about the ports and the possibilities of development?

Sir Henry GURNEY: The main port is Haifa, which is government controlled. It is run by the Railways. The Ports authority is the General Manager, Railways. The second port is Jaffa, which is the ancient Arab port of Palestine. Tel-Aviv, next door, has developed its own port under a Marine Trust. Tel-Aviv and Jaffa are operating, as far as Government machinery is concerned, as just one port. There is no other port in Palestine, and the possibilities are not very good.

The CHAIRMAN: Have you got the figure of the tonnages handled in the different ports?

Mr. MACGILLIVRAY: Page 857 of the Second Volume gives them up to 1944. The latest figures are given on Page 113 of the Supplement.

The Chairman: Is there a tendency for some of the ports to go ahead leaving the others behind? Would you say that the shipping would tend to go to a certain port?

Sir Henry GURNEY: The shipping tends to go to Haifa where the facilities are much better. Haifa is a deep water harbour. Jaffa and Tel-Aviv are both lighterage ports.

The CHAIRMAN: You have, as I understand, in Volume 3, Page 1272 a chapter regarding the economic separation of the groups of population. What does this chapter show?

Sir Henry GURNEY: Volume 3 was originally written in response to requests by the Anglo-American Committee for chapters on particular subjects. This would never have been written had it not been asked for.

The CHAIRMAN: Yes, but if we are going to read that chapter, what will it show us? I only want to know if the separateness of the different groups of population in economic matters means that they have each their own enterprises and that they are not connected economically.

Sir Henry GURNEY: It tends to show that Jews tend to employ Jews, and Arabs employ Arabs. There is at the moment a movement in Palestine: an Arab boycott of Jewish goods.

The CHAIRMAN: Is that an effective boycott?

Sir Henry GURNEY: Well, whether it is fully effective is another matter, but it certainly has effects.

Sir Abdur RAHMAN (India): When did it start?

Sir Henry GURNEY: In 1945.

The CHAIRMAN: Has this boycott had the

effect of lowering the output of the Jewish industry?

Sir Henry GURNEY: No, I don't think so.

The CHAIRMAN: Talking about the industry, I think we ought to have made clear the distribution of the industry on both sides. Isn't there a considerable Arab industry?

Sir Henry GURNEY: No, the main manufacturing industries are Jewish. There is a comparatively recent Arab textile industry, and there is an Arab cement industry which is about to open up. But, the vast majority of industries at the moment are Jewish.

The CHAIRMAN: Do the Jewish industries employ to a great extent Arab labour?

Sir Henry GURNEY: No, it does not.

The CHAIRMAN: It employs Jewish labour?

Sir Henry GURNEY: Yes.

Mr. GARCÍA GRANADOS (Guatemala): Does Jewish agriculture employ Arab labour?

Sir Henry GURNEY: In agriculture, yes, but we are talking about industry now.

Mr. BLOM (Netherlands): I would like to ask a few questions. First, is oil part of the Palestine economic system? Has the oil that is imported and refined here and then exported anything to do with the Palestine economic system? Is it mentioned in the statistics of exports or not?

Mr. MACGILLIVRAY: I cannot give particulars. I will make a note to provide a written reply.

Mr. BLOM (Netherlands): One other point, Mr. Chairman. I am not an expert and it is not clear to me how there can be foreign trade balance with an import figure of 70 million pounds and an export figure of 20 million. How is that financed?

Sir Henry GURNEY: Well, very largely by imported capital—Jewish capital.

Mr. LISICKY (Czechoslovakia): Imported by the immigrants?

Sir Henry GURNEY: Not by the immigrants.

The CHAIRMAN: By the Jewish organisations?

Sir Henry GURNEY: Yes. In fact, money which has no corresponding export at all. It is simply money coming into the country for capital goods.

Mr. MACGILLIVRAY: There is an interesting table on Page 65 of the Supplement.

Mr. BLOM (Netherlands): Are there any reliable figures of the amount of Jewish capital coming into this country?

Sir Henry GURNEY: Page 65. Transfers to Jewish National Institutions and religious and charitable (Jewish and non-Jewish) institutions, 9.5 million pounds.

Mr. ENTEZAM (Iran): This difference is also quite evident in other countries between imports and exports and it is compensated in many cases by such items as expenses of tourists, for example. I am wondering whether such elements do not exist in Palestine, also. I mean tourists, for example and also the export of refined petroleum products since there are refineries in the country. Such elements might balance the scale—otherwise the difference seems to be very large—

so large that one wonders how it can be compensated for.

Sir Henry GURNEY: Well, so far as the tourist element goes it showed a debit in 1946 of 1.5 million pounds. The answer is, of course, the import of capital goods which are not paid for. There is no money going out. There is no trade on the other side to balance it. Military expenditure accounts for 23.5 million. That is money paid by the British Government.

The CHAIRMAN: 23.5 million in 1946—that is about half the difference.

Mr. BLOM (Netherlands): I do not know whether my question is within the scope of this item or not. Who is the owner of publicly owned property and buildings? Is that the property of Palestine, or are there any public properties here owned by the United Kingdom?

Sir Henry GURNEY: There are no properties owned by the United Kingdom apart from one or two military camp sites, but they are negligible here. The Government of Palestine took over from the Turkish Administration what was state domain—it belonged to the sovereignty of Turkey. I think the present area of state domain is just over a million *dunums*. There are four *dunums* to an acre, approximately. There are about a quarter of a million acres of Palestine of what you might call Government land. There are very few government buildings. In fact almost the only Government buildings in Jerusalem are Government House and the General Post Office. The Government has never built offices for itself here because it always felt that possibly before the buildings were built it might not be here.

The CHAIRMAN: Have you got this recorded in the Survey?

Sir Henry GURNEY: Yes.

The CHAIRMAN: Can we get the pages, perhaps?

Sir Henry GURNEY: Not in regard to the buildings.

The CHAIRMAN: For the land?

Sir Henry GURNEY: Yes.

Mr. MACGILLIVRAY: The latest land figures are in the Supplement on Page 31.

Mr. BLOM (Netherlands): Are the harbour installations owned by Palestine?

Sir Henry GURNEY: They are owned by the Government of Palestine at Haifa and Jaffa. The Tel-Aviv port belongs to the Marine Trust. It is a private company.

Mr. RAND (Canada): Was the railway built before or after the Mandate?

Sir Henry GURNEY: Before. It was taken over.

Mr. MACGILLIVRAY: Part of the railway was built by the British Army, when it advanced into Palestine in 1917-18. The part that existed before was Turkish property.

The CHAIRMAN: Can we leave these economic matters, now? There are two questions which I think we can deal with in a very summarised way. I had thought to ask some questions about trade unions and co-operatives, but it seems this is very fully set out in the Survey.

Sir Henry GURNEY: Yes, regarding trade unions the Jewish position is on page 757.

The CHAIRMAN: Are the figures of membership up to date?

Mr. MACGILLIVRAY: Not quite up to date.

Sir Henry GURNEY: You will find the figures for Arabs on page 142 in the Supplement.

Mr. MACGILLIVRAY: Also on page 763 of the Second Volume.

The CHAIRMAN: As for the co-operatives, is that in the same volume?

Mr. MACGILLIVRAY: Vol. I, Chapter 9, Section 5(b), page 357.

The CHAIRMAN: Is that also approximately up-to-date? Has nothing essentially changed?

Sir Henry GURNEY: Not at all.

The CHAIRMAN: As I understand we will find religious and political organisations in Volume 2, Chap. 22 and 23.

Sir Henry GURNEY: Yes. The religious position is set out shortly and concisely in the Supplement. We have rewritten the religious affairs on page 120 of the Supplement, which is a concise account of the holy places and the religious history of Palestine and its religious bodies.

Mr. MACGILLIVRAY: The Arab Higher Committee and the Jewish Political Parties are brought up-to-date in the last section of the Supplement on page 137.

The CHAIRMAN: It has become so late that we have to end the meeting. I want to thank you Sir Henry and Mr. MacGillivray for the very valuable information and assistance you have given us in the study of the volumes we have received.

*The meeting adjourned at 7 p.m.*

## VERBATIM RECORD OF THE THIRTY-FIRST MEETING (PRIVATE)

*Held at the Y.M.C.A. Building,  
Jerusalem, Palestine,  
Tuesday, 15 July 1947, at 9 a.m.*

### *Present:*

Mr. SANDSTROM, Sweden, *Chairman*  
Mr. HOOD, Australia  
Mr. RAND, Canada  
Mr. LISICKY, Czechoslovakia  
Mr. GARCÍA GRANADOS, Guatemala  
Sir Abdur RAHMAN, India  
Mr. ENTEZAM, Iran  
Mr. BLOM, Netherlands  
Mr. GARCÍA SALAZAR, Peru  
Mr. FABREGAT, Uruguay  
Mr. SIMIC, Yugoslavia

### *Secretariat:*

Mr. HOO, *Assistant Secretary-General*  
Mr. GARCÍA ROBLES, *Secretary*

The CHAIRMAN: I call the thirty-first meeting to order.

The agenda for this private meeting contains two items—the hearing of the Right Reverend

Father Custos of the Holy Land and the hearing of representatives of the Sepharadi Community Shall we adopt this agenda?

*No objection raised.*

Adopted.

Sir Abdur RAHMAN (India): May I know whether anything has been decided about going to Beirut or anywhere else? We see all kinds of things in the papers but we know nothing officially.

The CHAIRMAN: I can tell you just as much as you have seen in the papers. Answers have been received from three of the States—Egypt, the Lebanon and Iraq.

I shall now ask His Paternity, Father Custos, to come to the table.

*Reverend Brother Simon Bonaventure, representing Father Custos, took a seat at the table.*

Brother BONAVENTURE: I have a letter from His Paternity addressed to the Committee. With your permission I will read it:

"15 July 1947

"Mr. Justice Sandstrom,  
Chairman, United Nations Special Committee  
on Palestine,  
Jerusalem,  
Palestine

"Mr. Chairman,

"We take this opportunity to thank you and all the associated delegates of the United Nations Special Committee on Palestine in favouring us with this present occasion to present to the Committee our memorandum bearing on the Christian Holy Places in Palestine. For the presentation of our memorandum we have delegated as our representative the Reverend Simon Bonaventure, our confrere, whom, we trust, will be acceptable to your honourable Committee.

"With due thanks for your kind consideration, I have the honour to be, sir,

"Your obedient servant,

"Fr. Alberto Gori,  
"Custos of the Holy Land"

The CHAIRMAN: Are you prepared to expose to us what His Paternity has to say?

Brother BONAVENTURE: Yes.

The CHAIRMAN: Will you please begin?

Brother BONAVENTURE: Mr. Chairman, Members of the Special Committee:

Mindful of the terms of reference conveyed by the General Assembly of the United Nations authorising its Special Committee on Palestine to ascertain, if possible, additional information of facts for the peaceful solution of turbulent Palestine, and instructing this same Special Committee to give "most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity", we feel not only privileged but more so conscience-bound to aid your Special Committee to give that careful consideration of the religious interest of Christianity here in this sacred land of Palestine. Our position as Custos of the Holy Land, emanating directly by appointment from the Holy See, confers a heavy responsibility, a duty that obliges us to safe-

guard rights and practices held throughout the course of centuries, as well as the decorous maintenance of the Christian Holy Places entrusted to our care on behalf of the Roman Catholic Church. The Custody of the Holy Land—an international body of religious men forming part of the world-wide Franciscan Order—is composed of twenty-five different nationalities with a local membership of over four hundred priests and brothers. Excluding a few sanctuaries held in joint proprietorship with other religious communities, we hold immediate and exclusive jurisdiction over more than forty-five Holy Places scattered throughout Palestine—protecting and preserving these monuments of Christian heritage in full accordance with their religious dignity. We therefore appear on behalf of more than 300,000,000 of our Catholic brethren throughout the world who have deep religious regard and keen sensibilities for these Holy Places.

Rightly so is Palestine called the Holy Land, made holy by the physical presence of the Divine Master, and entrusted with the memorable and sanctified sites of His birth, life and death. And because this land of Palestine is holy to almost 600,000,000 Christians throughout the length and breadth of all continents, watchful eyes and throbbing hearts follow with greatest concern the impending destiny of their sacrosanct shrines. The question of the Christian Holy Places cannot and must not be fogged by the rivalry of clashing political ambitions. The question is neither one of power, aggrandisement nor material gain; these Holy Places cast their lustre from the presence and divine power of the Omnipotent. The question of the Holy Places is not a national problem as to whether political expediency counsels partition, sovereign independence or a bi-national State. The question is independent of whatever political decision may be deemed conducive to the peace of Palestine. And yet it is bound up most intimately with whatever solution may be imposed. The shrines of Christian heritage dot the land from north to south, be it on the shores of the Lake of Tiberias or in the hamlet of Cana, be it at Nazareth made memorable by the Annunciation and boyhood days of Jesus Christ or on the secluded summit of Mount Tabor in testimony of the Transfiguration; likewise Jerusalem, Bethlehem, the Jordan River with its traditional site of the Baptism of the Saviour . . . these and many more of varied importance garland Palestine as the Holy Land of universal recognition, reverence and respect.

We are indifferent to the political tug-of-war that is now raging in Palestine and which has riveted world-wide attention. However, in view of the insistent demand for political autonomy—be it partition or independent sovereignty, should such an eventuality ever be realised—it is of paramount importance that solid international guarantees embodying effective protective measures for the safeguarding and preservation of these Christian shrines be assumed. It would be somewhat far-fetched to expect a non-Christian Government to exercise an active and sympathetic regard for Christian Shrines of which they

would have little or no understanding or evaluation. Should history repeat itself with regard to Christian shrines within the domain of a non-Christian Government, unfettered in moments of decision regarding the possible difficulties that might ensue, there is a very probable likelihood that universal Christian reaction might result in serious consequences. Free access to all sanctuaries at all times and the unhampered conducting of religious services must necessarily constitute prerequisites in whatever *modus vivendi* established. The oft-repeated "enclave" for the Holy Places in Jerusalem and Bethlehem may well ensure these shrines, but what about the isolated ones as mentioned above? For all practical purposes a Commission specially deputed, and to whom juridical recourse could be had in case of need might serve the required purpose of avoiding any friction, danger or, if we may say so, even desecration.

We express our firm hope that as this Special Committee on Palestine is instructed to give its careful consideration to the religious interests of Christianity in Palestine, this very definite and all-important problem of safeguarding and preserving these Holy Places, so dearly venerated by Christendom, be given weighty consideration in its recommendations to the General Assembly, irrespective of whatever new political solution—provisional or permanent—may be established.

The CHAIRMAN: I thank you, Brother Bonaventure. Will you answer the questions that we will put to you?

Brother BONAVENTURE: To the best of my ability.

The CHAIRMAN: The memorandum speaks about certain guarantees which would embody effective protective measures for the safeguarding and preservation of the Christian shrines, and in perhaps guarded terms, you have suggested first of all, free access to all Sanctuaries at all times and the unhampered conducting of religious services; further, an "enclave" for the Holy Places in Jerusalem and Bethlehem; and thirdly, the constitution of a commission specially deputed, to whom juridical recourse could be had in case of need. Do you recommend these measures?

Brother BONAVENTURE: Should there be a non-Christian State, certainly we recommend that measures—international guarantees—be embodied in any arrangement with the new State that may possibly be set up.

The CHAIRMAN: Do you consider these measures which are suggested in this memorandum as sufficient, or do you suggest any other measures?

Brother BONAVENTURE: Of course we suggest effective protective measures. The *minutiae* of working out these details would go to a working committee in conjunction with the religious heads of the Christian communities in Palestine, and, I would also add, in conjunction with the individuals who would compose that commission. It might be suggested that this commission would be composed of Western countries, and there would have to be a consensus of opinion between

the member States, you might say, on the commission and the Government here in Palestine. I dare say it would be workable, but coming down to the *minutiae* that would be up to the commission to work out.

The CHAIRMAN: When you speak of an "enclave" for Jerusalem, do you refer to any special plan, or what do you mean by this "enclave"?

Brother BONAVENTURE: This "enclave" has been mentioned frequently in the press as serving the purpose of the shrines in Bethlehem and Jerusalem—either a part of the country having extra-territorial rights, or you might also have it as being embodied in this commission. When we come to the final analysis of these arrangements, it would have to depend on what State is constituted and what best arrangements could be effective. But this oft-repeated, much publicised "enclave" of Jerusalem and Bethlehem is not in accordance with the Holy Places as such. The Holy Places are not merely in Jerusalem and Bethlehem; they are scattered throughout Palestine, and even though at the present time Jerusalem and Bethlehem are considered the all-important sanctuaries, that does not mean that we are to permit these other sanctuaries of Christianity to be rubbed out in the course of time by not attending to their safeguarding and protection.

The CHAIRMAN: But because of the special importance of the Shrines in Jerusalem and Bethlehem, you propose this special measure of an "enclave"?

Brother BONAVENTURE: I would not necessarily say they are of special importance, because while we have the Nativity at Bethlehem and the Death of our Divine Master here in Jerusalem, we also have the Annunciation, which is a very important shrine. So these are not the only important shrines; there are others outside of this section of the country—that is, Jerusalem and Bethlehem.

The CHAIRMAN: I mention the special importance of these shrines and perhaps also that there are so many shrines concentrated in this area; do you therefore propose a special measure of an "enclave"?

Brother BONAVENTURE: That would be helpful, since there are a large number of shrines in Bethlehem and Jerusalem. And that would be helpful as regards the shrines. As regards the political element I do not wish to enter into that part.

The CHAIRMAN: You mean that "enclave" to be placed under special administration?

Brother BONAVENTURE: Yes.

The CHAIRMAN: Would in your opinion a restricted area—let us say to the Old City—be sufficient?

Brother BONAVENTURE: By no means, because right outside the Old City we have shrines. There is the Garden of Gethsemane and there is the Tomb of the Blessed Virgin. There is the Mount of Olives, the site of the Ascension, outside of the Old City; we have the site of the Cenacle. The wall would not be a means of circumscribing all the shrines of Jerusalem.

**Sir Abdur RAHMAN (India):** Might we have a list of the important shrines and sanctuaries which, according to the Brother, are important and should be safeguarded. If we get a list it will be helpful to us.

**The CHAIRMAN:** Have you got a list of all these shrines?

**Brother BONAVENTURE:** Is that only for Jerusalem, or for all Palestine?

**Sir Abdur RAHMAN (India):** For all of Palestine, and for Jerusalem particularly. I am asking you to give it later, not now.

**Brother BONAVENTURE:** You can have it tomorrow. In fact I have it here, but it is in a different language, and I would much prefer not to present that.

**Sir Abdur RAHMAN (India):** If you would kindly let us have a list of the important shrines and sanctuaries scattered throughout Palestine, and in Jerusalem, both inside and outside the city.

**Brother BONAVENTURE:** I would like to draw a distinction there. We do not wish to suggest only the important places. There are places of varied importance. There are some shrines you might call first-class, and others of lesser importance. We consider these shrines of lesser importance, not of equal value, but of equal esteem. Therefore I would prefer the list to contain all the shrines.

**Sir Abdur RAMAN (India):** You might give a list of all the shrines and point out which, according to you, are very important and which are important.

**Brother BONAVENTURE:** That we cannot do because we consider them all important.

**The CHAIRMAN:** May I consider that it is against your feelings to classify them?

**Brother BONAVENTURE:** No, it is not against my feelings—by no means. But once it is declared that this is important and that is not important, should it ever come to pass that a new State be born in Palestine there might perhaps be a distinction made as to those which would be entitled to protection, and the others not considered very important.

**The CHAIRMAN:** My conclusion is that we would be content with a list of the shrines without any classification.

**Sir Abdur RAHMAN (India):** That is quite enough.

**Mr. RAND (Canada):** I should to know something of the nature of the proprietorship and the legal position of your administration. For instance, prior to 1917, what sort of title—I am using terms in law with which I am familiar—what was the nature of the title in any of these important shrines in this city? The Chairman spoke of a deed. Do you have actual title in any body of men, or in a man, to that particular site?

**Brother BONAVENTURE:** May I ask you a question first to correct any misunderstanding that I may have? Does the gentleman wish to question me as to whether we have a right to these shrines?

**Mr. RAND (Canada):** I am just trying to find out the nature of the ownership.

**Brother BONAVENTURE:** First of all, I might say this. The ownership of these shrines is recognised by the Government of Palestine as belonging to the Community. Thus exclusive jurisdictions in any shrines are not in question.

**Mr. RAND (Canada):** I am not questioning anything of that sort of all. Could you give me the nature of the title which is conceived to reside in such a place? For instance, in the country where I come from if you build a church the land of that church has to be owned by some individual or some corporation—some recognised body. Now, is that the nature of your ownership here?

**Brother BONAVENTURE:** Well, the ownership of our shrines is centered in the custody of the Holy Land.

**Mr. RAND (Canada):** Is it vested in the trustees?

**Brother BONAVENTURE:** In the person of the Custos of the Holy Land who is the official representative of the Holy See here in Palestine for the Holy Places.

**Mr. RAND (Canada):** Now where does the Holy See get its legal basis for jurisdiction here, both as to ownership of the shrine and as to administrative powers? Under the Turkish rule who was the custodian?

**Brother BONAVENTURE:** The Custos of the Holy Land, for the past six hundred years.

**Mr. RAND (Canada):** And then it was given by the sovereign power having jurisdiction over Palestine at that time?

**Brother BONAVENTURE:** Yes.

**Mr. RAND (Canada):** Well, then, that is really the basis of your legal jurisdiction.

**Brother BONAVENTURE:** The basis of our legal jurisdiction goes back farther than that, I dare say. If we are going to find the basis for any legality as to these places, we cannot begin only six hundred years ago; we must begin at the very beginning of these Christian places. At that time there must have been a legal basis.

**Mr. RAND (Canada):** I do not care how far back you go if you tell me exactly the legal sources.

**Brother BONAVENTURE:** We have permanence of jurisdiction from the time of the Turkish regime.

**Mr. RAND (Canada):** And that has been recognized throughout the intervening time?

**Brother BONAVENTURE:** Yes.

**Mr. RAND (Canada):** And what is the scope and extent of the jurisdiction which you actually exercise? What does it consist of?

**Brother BONAVENTURE:** That jurisdiction extends to the right of proprietorship at the shrine, the conducting of religious services, the arrangement of the personnel stationed there, and whatever repairs are necessary.

**Mr. RAND (Canada):** I suppose there is a division of interest among the various denominational groups?

**Brother BONAVENTURE:** Well, each denomination takes care of its own shrines.

**Mr. RAND (Canada):** How does it get its own shrines?

Brother BONAVENTURE: As I said—by the Turkish regime.

Mr. RAND (Canada): The division was made by the Turks?

Brother BONAVENTURE: Yes.

Mr. RAND (Canada): And the same division has continued ever since?

Brother BONAVENTURE: More or less.

Mr. RAND (Canada): How was it changed? You said "more or less"; if it is not exactly the same has the governing power changed it, or has the Custodian changed it?

Brother BONAVENTURE: No, the Custodian does not change it, by no means. Whatever is within his jurisdiction he is free to change. But where there is a question of proprietorship of other shrines with other communities, there, of course, we have the Government as more or less of a supervisor.

Mr. RAND (Canada): That is the civil Government?

Brother BONAVENTURE: Yes, naturally.

Mr. RAND (Canada): And have changes been made, modifications made by the civil Government?

Brother BONAVENTURE: Well, that Mr. Delegate, is on the question of the *status quo*, and that really does not come within—

Mr. RAND (Canada): Pardon me for interrupting, but I am just trying to find out the jurisdiction. I would like to know the legal setting of this thing. If you do not care to give it, it is all right; I can get it somewhere else.

Brother BONAVENTURE: No, it is all right. I will give it to the best of my ability. Throughout six hundreds years it has been legally recognised, since we are here.

Mr. RAND (Canada): I have no doubt about that, but I want to know the nature of the underlying legal claim.

Brother BONAVENTURE: Well, during the Turkish regime the Government stated that this community should have this shrine and that community should have that shrine. That was the basis for the present *status quo*.

Mr. RAND (Canada): And any modification of that would come from the existing Government?

Brother BONAVENTURE: Certainly.

Sir Abdur RAHMAN (India): Mr. Chairman, just one more question. Why has not the Holy Sepulchre been properly repaired? It is in a bad state. Why can it not be repaired by all the Christian communities?

The CHAIRMAN: Are we concerned with that?

Sir Abdur RAHMAN (India): When I saw it I was struck by it, and did not like the Holy Sepulchre being in that state. Therefore I wanted to know the reason why it was not properly repaired. Is there any dissension among the various communities, or are there other reasons? I just want to know that.

Brother BONAVENTURE: I feel in perfect accord with the delegate's question. Why can it not be rebuilt, I should say, not repaired—rebuilt to give

honour and glory to the sanctity of the shrine? I agree with you, sir, to the fullest extent.

The CHAIRMAN: Sir Abdur Rahman, we have a report on the repair. We will hand it over to you.

Sir Abdur RAHMAN (India): That is all right. I did not know it.

Mr. RAND (Canada): May I ask you one more question? Does what you said about proprietorship and legal administrative power apply to all of the shrines which you will enumerate?

Brother BONAVENTURE: Yes, yes.

The CHAIRMAN: I suppose that in all cases the rights conceded by the Turkish Government are not uncontested, that there are disputes in certain cases? Among other things, I should like to ask you if the French Government does not claim, what shall I call it, trusteeship for certain holy places?

Brother BONAVENTURE: Well, there are several questions here, Mr. Chairman.

The CHAIRMAN: And all come back to this question of *status quo*?

Brother BONAVENTURE: Yes, *status quo*.

The CHAIRMAN: I don't think we have to go into that question.

Brother BONAVENTURE: No, that is not within the scope of the Investigating Committee.

The CHAIRMAN: It is enough here to state that there are certain disputes going on.

Brother BONAVENTURE: For that you might have to stay four or five years in Palestine.

The CHAIRMAN: Fortunately, we do not have to solve all the contested questions in this country.

Brother BONAVENTURE: Yes.

Mr. ENTEZAM (Iran) (Interpretation from French): Mr. Chairman, I just want to know if, in the opinion of the Brother, Nazareth also should be considered as a special Holy Place in the same way as the Holy Places of Jerusalem or Bethlehem, or whether Nazareth could be counted as a Holy Place respected, of course, with a little less *status quo* than Jerusalem and Bethlehem.

Brother BONAVENTURE: In other words, a second "enclave"?

Mr. ENTEZAM (Iran): Yes.

Brother BONAVENTURE: When we begin to increase "enclaves" we are getting into more difficulty, I should imagine.

Mr. HOOD (Australia): Would the Brother explain why, if there is clear recognition of the existing titles by any new administration here of a future government, there should at the same time be any necessity for a special commission of the nature which you proposed in the paper here?

Brother BONAVENTURE: Oh, this Commission proposed here would not go into the actual legality of the places. This Commission would in a sense, ensure free access and unhampered conducting of religious services after the State is established because, if, as it says here, a non-Christian Government would be established, it

is rather far-fetched to expect a non-Christian Government to give sympathetic aid, consideration, or evaluation of these Holy Places. Therefore, to ensure the free access, and that unhampered religious services may be conducted, this commission should be established. It is not intended that this commission should go into the past history or legality of these places, but to see that the religious conducting of the services is continued smoothly and to avoid any friction that might possibly result.

Mr. HOOD (Australia): Is there any special significance in the use of the word "juridical"?

Brother BONAVENTURE: Well, juridical is understood in this sense—that we can have recourse to this commission, and that the commission can do something about it. Otherwise, the body would not be effective.

The CHAIRMAN: Would it have the character of an arbitration court?

Brother BONAVENTURE: I should imagine that in drawing up this commission there should be some arrangement made between the commission and the existing government that in the eventuality of any serious difficulty some court be established. There are many shrines involved, and that would be most helpful.

Sir Abdur RAHMAN (India): I might inform you, Mr. Chairman that in India, in Madras and in the Punjab there are tribunals to protect the rights of the Sikhs in the Punjab and of the Temple of Madras. I am listing them for you, and that legislation, if it is known, may be of some use to you when we are deliberating on that question.

The CHAIRMAN: Yes, if need be we shall address ourselves to you then.

Mr. FABREGAT (Uruguay) (Interpretation from Spanish): Do you consider it to be in the interest of Christianity that all the Holy Places and Sanctuaries should be maintained under a special jurisdiction?

Brother BONAVENTURE: In a non-Christian government I would say offhand, yes.

Mr. FABREGAT (Uruguay): Would this special jurisdiction also enter the civil jurisdiction or would it be only religious?

Brother BONAVENTURE: Well, that is beyond the competence of my authority to speak on that because we are entering into the rights of the Christian minorities, and I am not qualified to give any answer to that.

The CHAIRMAN: Another question. Would this commission have jurisdiction in the *status quo* question?

Brother BONAVENTURE: I should imagine so, yes.

The CHAIRMAN: To maintain the *status quo*?

Brother BONAVENTURE: Not to make changes, but possibly to look into the original claims. That could be done in due time, considerably, and it might be most helpful.

Mr. GARCÍA SALAZAR (Peru): I understand that the Holy Places were in former times under the protection of some Christian country, France or

Spain. Is it your idea to replace that protection by a commission.

Brother BONAVENTURE: That is practically the idea.

Mr. GARCÍA SALAZAR (Peru): Where those Western countries would be represented?

Brother BONAVENTURE: Except that in the case of the Catholic country—which was the protecting power you referred to—the argument was solely in the Catholic interests. Whereas, this Commission would be for all the shrines, whether held by Catholics or non-Catholics.

Mr. GARCÍA SALAZAR (Peru): And that commission would not, of course, be entitled to any civil jurisdiction, as those powers were not entitled to it?

Brother BONAVENTURE: No.

Mr. GARCÍA SALAZAR (Peru): But it is only to replace one authority with another, is that true?

Brother BONAVENTURE: To a certain extent, yes.

Mr. BLOM (Netherlands): Is this memorandum we read that the Roman Catholic Church has exclusive jurisdiction over more than forty-five Holy Places, joint proprietorship with other religious communities, and some other cases. Are there many more Christian Holy Places entirely outside your jurisdiction?

Brother BONAVENTURE: Yes, yes, there are places that do not come within our jurisdiction. First I speak of the exclusive jurisdiction which we have, and then of the partial jurisdiction. Where we have no jurisdiction, we cannot talk about that.

Mr. BLOM (Netherlands): Are there many Christian Holy Places where you have no jurisdiction?

Brother BONAVENTURE: Yes, yes, but they are very few.

Mr. BLOM (Netherlands): Could we in one way or another obtain a list of those Holy Places from you, also?

Brother BONAVENTURE: Certainly. I have already promised the Committee to send in a copy of the Holy Places that we have under our exclusive jurisdiction and of those under partial jurisdiction.

Mr. BLOM (Netherlands): But I am just now referring to the Holy Places where you have no jurisdiction.

Mr. FABREGAT (Uruguay): All the Holy Places.

Brother BONAVENTURE: Yes, that list can easily be drawn up. Drawing up the list is not difficult, but the question is whether it would be feasible to include those shrines because then we get once again into the question of the *status quo*.

The CHAIRMAN: Do you mean that we ought to address ourselves to the other Christian communities to get the list of places under their jurisdiction?

Brother BONAVENTURE: Well, that is not up to me to decide. If you wish to get it from the other communities—from the Catholic standpoint we will present the Catholic shrines. My point is, what would be the point in enumerating shrines which we *de facto* do not have under our juris-



diction because we would really come then into the question of the *status quo*.

Mr. BLOM (Netherlands): I am not asking why there is no jurisdiction in the Roman Catholic Church over such shrines but just a list of which Holy Places are under the jurisdiction of the Roman Catholic Church, partly or entirely, and which are not. Of course it is possible to get a list from other sources, but I am just drawing the attention to the fact that we should try to get a complete list.

The CHAIRMAN: Would you draw up as complete a list as you can?

Brother BONAVENTURE: Yes, certainly.

Mr. BLOM (Netherlands): In this memorandum it is recommended that there should be some guarantees in some way or another, especially where there may be a future non-Christian Government. Could the Reverend Father tell us whether, under Turkish rule when there was a non-Christian Government, there were any practical difficulties in this connexion which are not existing now?

Brother BONAVENTURE: For that reason we had the protection of the Western Powers. Under the Turkish regime, it was France who acted as the protecting power of the Catholic rights. If there is a protecting power, that means there are difficulties that arise. Otherwise, you do not need protection. And difficulties did arise.

Mr. LISICKY (Czechoslovakia): I was interested in this list of Holy Places which are considered as such by the Roman Catholics and are not under the jurisdiction of Roman Catholics. I think there is no difficulty in getting such a list.

The CHAIRMAN: The Reverend Father seems to think that it would be possible to draw up such a list.

Brother BONAVENTURE: Certainly it is possible to draw it up, but not in contentious matters, though we are including this in the presentation of our memorandum. We are not claiming them. That is the reason why, at first, I did not wish to include them. I did not wish to bring a contentious question into the memorandum by including shrines we do not have. It may be thought that we were trying to obtain these shrines by virtue of this memorandum. That is what I was trying to avoid.

The CHAIRMAN: Then the list will be drawn up so that you will indicate the shrines under your entire jurisdiction, further, the shrines partially under your jurisdiction, and finally, the shrines outside of your jurisdiction, over which you have no jurisdiction.

Brother BONAVENTURE: If you desire, Mr. Chairman.

Sir Abdur RAHMAN (India): If a note is made against the shrines about which there is any contention, it will be better.

The CHAIRMAN: Can you also indicate the shrines in regard to which there is a contention or a dispute?

Brother BONAVENTURE: Yes, certainly.

The CHAIRMAN: Then we shall expect this list. Are there any other questions?

Then it remains for me to thank you, Reverend Father.

Brother BONAVENTURE: Thank you, Mr. Chairman and Members of the Committee for your kind attention.

## VERBATIM RECORD OF THE THIRTY-SIXTH MEETING (PRIVATE)

*Held at the Y.M.C.A. Building,  
Jerusalem, Palestine,  
Saturday, 19 July 1947 at 9 a.m.*

### *Present:*

Mr. SANDSTROM, Sweden, *Chairman*  
Mr. HOOD, Australia  
Mr. RAND, Canada  
Mr. LISICKY, Czechoslovakia  
Mr. GARCÍA GRANADOS, Guatemala  
Sir Abdur RAHMAN, India  
Mr. ENTEZAM, Iran  
Mr. BLOM, Netherlands  
Mr. GARCÍA SALAZAR, Peru  
Mr. FABREGAT, Uruguay  
Mr. SIMIC, Yugoslavia

### *Secretariat:*

Mr. HOO, *Assistant Secretary-General*  
Mr. GARCÍA ROBLES, *Secretary*

The CHAIRMAN: I call the meeting to order.

This private meeting has been called for hearing representatives of the Government of Palestine. That is the only item on the agenda. Can we adopt the agenda?

It is adopted.

We have now adopted the agenda which contains the item of hearing the representatives of the Government of Palestine. It was meant that in this meeting the Members of the Committee should be able to put questions to representatives of the Government. I, myself, have a couple of questions, and I think one has really been answered by the memorandum I have received from the Government. The question which is answered concerns the policy of the Government in relation to the Arab boycott. Now, I will put the questions and you, Sir Henry, will be kind enough to answer or to appoint a representative who can give the answer.

Sir Henry GURNEY: Mr. Chairman, gentlemen, before I begin to answer questions, I would, with your leave, like to add to the information which we have already provided for the Committee. If it is acceptable to you, I should like to take the opportunity to draw your attention to some of the points contained in the Supplementary Memorandum which we presented to you yesterday, and to run quite shortly through it and to add some comments orally to what appears in the text. There will be opportunity, if you agree, for heads of departments concerned to answer any questions that arise as we go through the chapters.

The CHAIRMAN: We shall appreciate it very much if you will do that.

Sir Henry GURNEY: If that is agreeable to you, Sir.

The CHAIRMAN: Certainly.

Sir Henry GURNEY: Then at the end, we can come to the specific questions, if they have not been answered in the meantime.

Now, I would like to take the opportunity of introducing the Director of Medical Services, Dr. Lester; Mr. de Bunsen, Director of Education; Mr. Couzens, Director of the Department of Labour; Mr. Stubbs, Director of the Department of Land Registration; Mr. Loftus, Government Statistician, and Mr. Hogan, Acting Attorney-General.

I will just introduce them to you so that you should know who they are, if you don't know them already.

Now I would like to refer to this so-called green paper. We can pass entirely over Chapter I which merely brings up to date—and we were asked to do this—the historical summary of events which appears in Chapter II of the Survey. That is simply a diary.

In Chapter II, we offer some comments upon the Jewish evidence which has been given to you. Coming first to Mr. Ben Gurion, I would like to repeat what we say at the bottom of this page, Page 22:

“The general theme of Mr. Ben Gurion's statements is an attack on Britain and a charge of failing to fulfil international pledges. He says (on page 61 of his evidence) that the Administration in Palestine and London were biased against the Mandate from the beginning and did everything they could do to obstruct it. The fact that the National Home could never have been established without the direct assistance and support that Britain has given to it, with the expenditure of British resources and British lives, apparently requires to be restated, in these simple terms. The denial of this fact, the concealment of the truth and the failure to recognise that there was ever any reason for granting the most extreme Jewish demands in the face of bitter opposition from the inhabitants of the country must appear to all impartial observers as at least a gross self-deception.

In fact, the part played by the Administration in establishing the National Home was essential and considerable. Had it not been for the defence of Palestine undertaken by the Mandatory during the 1939-45 war, the National Home would have disappeared. That defence, with the responsibilities of feeding and supplying the people of Palestine, was for a long period undertaken by the British Commonwealth alone.

To read some of this evidence, one might suppose that the responsibility for the persecution of Jews in Europe rested approximately equally upon the British Government and Adolf Hitler. What are the facts? Why was the 75,000 quota of immigrants, allowed under the White Paper, not in fact exhausted until eighteen months after the expiry of the five-year period? On the day war broke out, there were in Germany many thousands of holders of legal certificates for Palestine. We sent special officers to Germany

to get those people out, and we got them out. Now, surely, it was not the British Government which then prevented immigration but simply the war which closed international frontiers. It should be remembered also that since the end of 1945, when the 75,000 quota was reached, nearly 30,000 Jews had entered Palestine. We might perhaps remember also that the entry of 100,000 people into this small country is, in relation to the total population, equivalent to the entry of 6,500,000 people into the United States.

Now, on page 33, we have put in a paragraph to explain our view of the status of the Mandate. I need not, I think, bother you by reading this, but on the last occasion I was reported as saying that the Mandate was not a law but a document, and clearly, that requires some elaboration, some explanation. Mr. Ben Gurion said: “Great Britain is here as a mandatory to give effect to the internationally guaranteed pledges given to the Jewish people in the Balfour Declaration.”

Now it is a common feature of presentations of the Jewish case to overlook the elementary fact that the Mandate also imposed specific obligations towards the Arabs, and with regard to the Holy Places, and the general obligations to give effect to Article 22 of the Covenant of the League of Nations. Both Jewish claims and Arab claims were subject to the rights of others. In the view of the Royal Commission, the forcible conversion of Palestine into a Jewish State against the will of the Arabs would clearly have violated the spirit and intention of the Mandates system.

Mr. Ben Gurion also said: “Palestine is now the only place in the civilised world where racial discrimination still exists in law”. In the British Commonwealth, there are many countries where, in the interests of the native inhabitants and present owners of the land, the sale of land to immigrant races, including the British people themselves, is prohibited. The control of immigration by laws imposing quotas is also a recognised practice.

Then we come to Mr. Ben Gurion's statements about illegal immigration. We say: “In organising illegal immigration into Palestine, the Jews have defied the law of Palestine and of other countries from which this traffic has been carried on. It is no answer to this to say that the law is unacceptable or that it is illegal, when it is not. In maintaining the law against these attempts to break it, the Administration has been compelled to commit itself to further expenditure of its resources on deportations and the maintenance of camps in Cyprus, costing in 1946 and 1947 a sum that may amount to £3,000,000”.

The evidence then contains the allegation: “The Government embarked on a system of oppression which turned Palestine into a police state.” I should like to make it quite clear as we say in our Memorandum: “The introduction of the Emergency Regulations in 1937 was, in fact, welcomed by the Jews, since their immediate purpose was to provide powers for dealing with the Arab disturbances. The Administration was frequently pressed by the Jews to enforce them against Arab law-breakers, to impose collective fines and generally exercise the drastic powers

which the Regulations provide. The case for the Regulations was never questioned by the Jews until, as a result of Jewish lawlessness, the powers conferred by them had to be used against Jews. The reference on page 51 to 'the spirit of the regime and the virtual lawlessness which it has established in this country' overlooks this fact. The Administration has never admitted that there should be one law for the Arabs and another for the Jews. Crime and lawlessness in both communities have been dealt with by application of the same laws.

"The Power of Press Censorship"—which we all dislike—"is not used to prevent publication of criticism of the Administration. This will be clear to any reader of the Palestine Press. It is, however, used to prevent the publication of news calculated to inflame racial passions, and its necessity has been recently demonstrated"—during your visit—"by the amount of such material which, during the Committee's visit to Palestine, has been kept out of the Arab press". Especially during the past three or four weeks.

On the last occasion, Sir Abdur Rahman asked me for the strength of the military forces in Palestine. I am in a position to give you this information. The military force stationed in Palestine is the equivalent of two and a half divisions, of whom more than half, numerically, are administrative personnel. In addition, there are a number of air force units and also certain naval forces engaged in coastal patrol and other duties. I feel that I should have no difficulty in justifying the maintenance of this garrison. That outrages and illegal immigration continue to occur is proof that the garrison is barely adequate to ensure the internal security of the country. No military buildings or installations of a permanent nature have been erected since the end of the war. The forces live here almost entirely in tents. The semi-permanent buildings are almost entirely such things as messes and canteens.

It is a feature of this evidence and of public opinion, as commonly expressed in Palestine, to concentrate upon politics and security and to ignore the day-to-day work of the Government.

As a small example of what the actual administration of Palestine means, I have brought a copy of the Gazette for this week, which contains eight bills dealing with medical practitioners, pharmacists, Boy Scouts, municipal corporations, municipal courts, and criminal procedure, and a large amount of other subsidiary legislation dealing with town planning, forests, water supplies and other matters of interest to the people. I have never known a country, sir, in which the people apparently take so little interest in the legislative acts of their administration so long as their own interests do not suffer. It is, of course, the absence of a legislature which is largely responsible for this. I should like to deal shortly with suggestions I have heard that the Administration has really done very little to bring together Arabs and Jews, not only in connexion with a legislative council, but in other public institutions and public life.

The efforts to establish a legislative council, including both Arabs and Jews, have been re-

capitulated many times and need no further elaboration. But in addition, other bodies, such as the General Agricultural Council, the Citrus Control Board and the 53 committees and boards which are listed in Volume II of the Survey dealing with agricultural, commercial and industrial activities and the whole range of public business have been sponsored by the Government. In these bodies, members of both communities have for periods worked well together, though under frequent threats of resignation from one side or the other.

In the courts, Jewish and Arab judges and magistrates enjoy equal status. Judges frequently sit together to constitute one court. At the Bar, they also enjoy equal status. But here one sees clearly that the efforts to bring the people together have, in the main, emanated from the Government and have tended to break down once the orbit of official activities is passed. The Bar in this country is controlled by the Law Council, consisting of fourteen members, (eight official, six non-official) and the Attorney-General. The officials are distributed between British, Arabs and Jews. Non-officials comprise three Jews and three Arabs. On the whole, this Council has worked well. It has established various subcommittees which have worked together and discharged functions in regard to the training and qualifications of students and candidates for the Bar. But once this statutory body is left behind and the advocates are in the sphere where they can freely exercise their own wishes, the two communities have insisted on establishing their own separate Bar Associations. So, we have an Arab Bar Association and a Jewish Bar Association. These were established despite representations of succeeding law officers that it would be desirable to have a common Bar Association. The members would not agree to that and would only agree to come together on the official bodies of the Law Council.

The same separatist tendency has shown itself in the local press associations. Moreover, from time to time, Government bodies such as the Public Works Department, when letting out contracts, have required contractors to employ both Jewish and Arab labour. While I should not wish you to think that the efforts of the Government have been limited to the instances mentioned, the response to almost all of them has been disappointing and it has appeared sometimes that these efforts tend to emphasise and heighten feelings which might better have been left quiescent.

At the bottom of page 35, we deal with Mr. Ben Gurion's statement that the Jews pay 70 per cent of the taxes, while the Arabs get approximately 70 per cent of the revenue. The High Commissioner there was misquoted and on page 36 we set out the facts. We say that a general analysis of the public expenditure as provided for in the 1947-48 estimates shows that the Jewish community benefits from approximately three-quarters of a million pounds less than the Arabs out of a total expenditure of twenty-four and a half million pounds. The general analysis referred to takes into account that benefits to

the Arabs preponderate in the case of some social and development services, and the benefits to the Jews preponderate in the others. In the calculations—and this is an important point, of course—account has been taken of the fact that Jewish terrorism is at present responsible for all expenditure on security, i.e. police and prisons, in excess of what may be regarded as normal.

We then deal with import policy, high cost of living, gift dollars, fuel prices and the Arab boycott. If it should be convenient perhaps I could answer the question on the Arab boycott.

The CHAIRMAN: Yes. The question which I intended to ask was what was the reason for the buying of agricultural products from the countries executing the boycott.

Sir Henry GURNEY: We purchase certain of our foodstuffs under allocation from the International Emergency Food Council in Washington. The foodstuffs allocated to us by that Council are rice from Egypt and barley from Iraq. In 1946, we imported 260,000 pounds worth of rice from Egypt and 918,000 pounds worth of barley from Iraq. Those are material constituents in our import programme, and we are not at liberty to choose the loading country because those supplies are allocated to us from the International Emergency Food Council. There are, of course, a number of other products—wheat, eggs; for example, we imported from Syria and the Lebanon nearly half a million pounds worth of wheat. If we take a retaliatory attitude and decline to import these products from Syria and the Lebanon, we shall have to go without them. There is nowhere else we can get them from, except on allocation from the International Emergency Food Council, and if we go to them and say there are supplies next door but we are not prepared to buy them for political reasons, I think it is fairly clear what the answer would be. The trade agreements between Palestine on the one hand and Syria and the Lebanon on the other are agreements dealing with rates of customs duty. They are not trade agreements providing for the import and export of certain commodities or exchange of goods. They are purely agreements as regards the rates of customs duty. Similarly the trade agreement with Egypt is one dealing with rates of duty. The agreement with Transjordan is one that says there shall be no customs barrier. But none of these agreements provides for free exchange or trade in certain commodities.

While, therefore, the boycott may be regarded as violating the spirit of the agreements, it does not violate the letter. We have represented to His Majesty's Government the importance of this question to Palestine, and His Majesty's Government have made representations themselves, particularly to Egypt, and at the International Conference now sitting in Geneva to consider the draft charter of the International Trade Organisation, because that draft contains provisions which are quite inconsistent with any boycott. That is as far as we feel that we can go without depriving our people of foodstuffs which they really require.

The CHAIRMAN: These representations to the neighbouring Arab States, have they had no effect?

Sir Henry GURNEY: I think I can say they have no effect.

The CHAIRMAN: Does it enter into your consideration that a change in market for the stuffs you want to buy would have very little, if any, effect on the situation? It is a period of shortage of foodstuffs, for instance, so that what it would amount to, if you did not buy from these boycotting States, is that they could sell it to other customers.

Sir Henry GURNEY: Exactly, and then it might be sold back to us.

The CHAIRMAN: Yes. You say in this paragraph on page 42, where it deals with the Arab boycott "for these reasons, and having regard to the political causes which gave rise to the boycott, it has not been considered appropriate to institute any retaliatory measures." Will you develop a little what you mean when you say "and having regard to the political causes which gave rise to the boycott"?

Sir Henry GURNEY: This is all a part of the Palestine problem. To institute retaliation against Syria and the Lebanon would precipitate conditions which would make a peaceful solution of this problem more difficult. We are all the time trying to maintain conditions in which a solution can be worked out peacefully. We have deliberately avoided taking direct action of this kind which would be regarded by the Arab States as not only an unfriendly but possibly a hostile act. We do not wish to prejudice the conditions for the settlement of the problem of Palestine. It is just one of the factors in the problem.

The CHAIRMAN: I thank you, Sir Henry, for the answers you have given.

We shall try, I think, to concentrate the questions as much as possible, and therefore, I ask my colleagues if they have any questions to be put on this matter.

Mr. Blom, have you a question on this point we are now discussing, the question of the boycott?

Mr. BLOM (Netherlands): I had a few questions on this subject, but I think I got the answers from what Sir Henry has just told us.

The CHAIRMAN: So you have no more questions to put? Has anybody else any questions on this point?

Mr. GARCÍA GRANADOS (Guatemala): What is the numerical amount of the divisions?

Sir Henry GURNEY: I have not the figures here.

Sir Abdur RAHMAN (India): You do not know how many there are?

Sir Henry GURNEY: I have not the figures here, I am afraid.

The CHAIRMAN: I thought we would now deal primarily with this question of the boycott. We can come back to these other matters afterwards. Has anybody any questions to put regarding the boycott or the State policy?

*No response.*

The CHAIRMAN: There do not seem to be any, so will you please go on.

Sir Henry GURNEY: On page 42, Mr. Kaplan gives his evidence and we offer comments upon the water problem with which he deals.

If I may, I might perhaps refer here to the Huleh concession which has been mentioned to you elsewhere in evidence. Reference to this can be found on page 257 of the Royal Commission's Report and page 400 of the Survey. The position, shortly, is that the Palestine Land Development Company, which paid 200,000 pounds for a concession for drainage of the Huleh Marsh area, has found that it cannot drain the marsh area without draining the Lake itself. This has involved a conflict with the rights of the Palestine Electric Corporation, under their concession of 1926, under which the Corporation has the exclusive right to utilise the waters of the Jordan and its basin for the purpose of generating electric power. Differences of opinion arose between the concessionaire and the Electric Corporation some years ago, and it was not until last March that the two parties submitted to the Government the draft of an agreed arrangement.

In the meantime, the Government had considered the possibility of participating in a larger reclamation scheme which would include the marshes to the north of the concession area, with a view to eliminating malaria in that northern zone. In the light of the progress made since that time in anti-malarial methods and the rising cost of the reclamation works, the Government no longer desires to participate in the larger scheme. The original concession remains, however, as feasible as ever it was, and the Government is placing no obstacle in the way of its being carried out. Whether it is, in fact, wholly practicable as it stands is not for me to say, but it may be supposed that the Company went into this before paying 200,000 pounds for the concession.

If there are any questions on irrigation plans or the Hays-Savage scheme, perhaps I could answer them at this stage.

The CHAIRMAN: One question which occurs to me is this: the interests that you want to safeguard by the proposed water legislation, do they refer to the neighbouring countries or to different interests in Palestine?

Sir Henry GURNEY: The Underground Water Control Bill, is that the Bill you are referring to?

The CHAIRMAN: Yes.

Sir Henry GURNEY: It is purely underground water resources here in Palestine and nothing of an international question. It is purely a measure to take public control of our underground water resources so that we can control their proper exploitation and development. Naturally we have been criticised for introducing something which is said to be purely restrictive. It is in no way purely restrictive. It is designed to safeguard underground water supplies and their use, and to get them used, but not rashly or without proper regard for their conservation.

The CHAIRMAN: Is this draft an attempt to give due weight to each interest involved? In water schemes there are always opposite interests

—one who wants to use the water for power, one who wants to use it for irrigation purposes, or maybe two different persons who have different irrigation schemes. You have to give to each of those what is due to him.

Sir Henry GURNEY: Yes, there is full provision for that in the Bill and that would be our full intention.

The CHAIRMAN: It is your intention with this Water Bill?

Sir Henry GURNEY: Certainly.

The CHAIRMAN: Does anybody else wish to put any questions on this matter?

Mr. BLOM (Netherlands): Originally I intended to ask the Chief Secretary to give some information on the views of the Palestine Government on the large-scale irrigation schemes which have been proposed by the Jewish Agency, but now I see in the letter from the Government dated 18 July that we are shortly to receive a memorandum on that subject, so I think we will find the answer there.

Sir Henry GURNEY: All that I perhaps might say at this stage is that the Government has never seen this scheme—it is understood that it has been revised recently—but we have seen neither the original scheme nor the revised scheme, and it is not really possible to offer any useful comment on a scheme that you have never seen. When I say seen, I mean formally submitted to the Government.

The CHAIRMAN: I might, perhaps, extend my questions beyond the limits I had thought at the beginning. I remember there was some contention about the Huleh scheme having been postponed for reasons of the expenditure involved. Was it understood from the beginning that the costs of carrying out that scheme would be made by the Company which got the concession?

Sir Henry GURNEY: Certainly. The question of Government expenditure arose for the first time when the additional area, what I call the northern zone, was added to the scheme. The Government contribution in respect of that arrangement was provided for, but the Government never was under any obligation to include that area, and now it is not proposed to do so, so the obligation to incur expenditure on development of the concession belongs now where it originally belonged, that is, with the concessionaires.

The CHAIRMAN: Are there any more questions?

Mr. BLOM (Netherlands): Mr. Shertock told us that when the possibilities of draining the Huleh concession became known it appeared that that could not be done in the right way without enlarging the scheme to part of the district which was not included in the concession, and for that purpose the Government was prepared, I think it was before the war, to spend approximately 220,000 pounds.

Sir Henry GURNEY: Well, let me explain. There is a lake. Just to the north of the lake there is a concession area—that is upstream—up the Jordan from the lake. Further upstream there is what I call "The Northern Zone" which is outside the concession area. The Concession-

naires and the Government reached an understanding, it was never an agreement, that they would examine the possibility of draining the whole area including the Government's Northern Zone, to which the Government would contribute 235,000 pounds. Now the scheme without the Northern Zone is, we are advised, a perfectly sound technical scheme, but the intake works have to be situated outside the concession area. Well, there should be no difficulty about that, but it is unnecessary to drain the Northern Zone in order to drain the concession area. But it does seem necessary to drain the lake in order to drain the concession area because the water level of the two is the same. It is a very complicated question, but the short position really is that the concessionaires have the original concession in its original form and the Government no longer wishes to participate in a larger scheme, so that the concessionaires are quite free to go ahead with the smaller scheme, which we are advised is quite practicable, without including the Northern Zone.

Mr. BLOM (Netherlands): I think Mr. Shertok added that one of the purposes of the draining scheme was the malaria prevailing in that area. He said then that the Government now gave as one of the reasons which made it unnecessary to drain the area that there was now D.D.T. available, and so the draining was not necessary anymore. Further, he quoted some malaria experts in saying that D.D.T. was just a palliative but did not actually combat the existence of malaria mosquitoes which caused the disease.

Sir Henry GURNEY: Well, first of all the estimate of 235,000 pounds was made in 1936 or 1937 and now would be at least double that amount. We are not going to spend over half a million pounds on draining that small area when there are anti-malarial methods equally efficacious. I do not want to argue, and in fact, I am not qualified to do so, on the merits of D.D.T., but I am sure the Director of Medical Services would expand on that if you would like.

The CHAIRMAN: Does anyone else wish to ask any questions on this point?

*(No response)*

The CHAIRMAN: There being no questions, will you, Sir Henry, please continue?

Sir Henry GURNEY: Now we deal with the evidence on health services given to you by Dr. Katznelson, and we have tried to limit our comments to pointing out the inaccuracies in that evidence. The Director of Medical Services is here to answer any questions.

The CHAIRMAN: Does someone wish to put any questions on the matter of health?

*(No response)*

The CHAIRMAN: It does not seem to be so. Will you please continue?

Sir Henry GURNEY: Sir, may I, with your permission, supplement what I said about D.D.T.? I am informed that the D.D.T. methods being used in this area now cost only 1,000 pounds a year. These are giving excellent results and would seem to be a more reasonable means of control

than the expenditure of half a million pounds on drainage.

Chapter 3 is a note on education, and I should be very grateful, sir, if you would permit the Director of Education, himself, to make a very short supplementary oral statement.

The CHAIRMAN: Surely.

Mr. DE BUNSEN: Thank you very much, sir, for this opportunity. I would like to make a very short statement on the place of education in whatever political settlement may be decided about Palestine. Needless to say, I have no intention at all of discussing what that settlement should be, but I merely wish to stress the urgency of the educational question in that political settlement. There are and will continue to be, I imagine, separate systems of education, Arab and Hebrew, according to the main language of instruction, whatever the settlement is. These systems will inevitably be national in extent—that is to say they will embrace the whole of the Arab or Jewish community in Palestine irrespective of any geographical or administrative divisions which may be decided on political grounds. They will probably also be national in spirit, both these educational systems, and whatever the administrative control may be, the content of education will probably be determined by the traditions and aspirations of each community, and this is where a serious danger lies to the future of any political settlement. In any case, Arabs and Jews will have to live together as neighbours, often in the same town, and for the economic development of the country, if for no other reason, they must learn to co-operate. But if they are going to be brought up on an exclusively national education based only on their own traditions and aspirations and ignoring or even hostile to the traditions and aspirations of the other community, there can be no co-operation. So that it is suggested that any political settlement which is not accompanied by a solution of this educational problem is likely to be unstable and liable to be undermined. Consequently, while each community may be granted a larger measure of autonomy in education, that autonomy cannot be complete. No doubt certain safeguards will have to be considered in respect of such services as railroads, customs, and so forth. Safeguards in the field of education are also equally necessary; for instance, some control over syllabuses and textbooks to prevent definitely harmful indoctrination. But something more positive should also be attempted which might include a study of the language, culture, and history of the other people. A certain minimum knowledge of those subjects should at any rate be demanded of the teachers. Also there are whole spheres in which eventual co-operation should be possible, such, for example, as in the field of professional and technical education which is still rudimentary in Palestine. Retention of educational safeguards will necessitate the retention of some central organ of education to supervise their implementation. Such an organ, of course, can be quite small; it need not in any sense correspond to the present Department of Education because its functions will be more

supervisory than administrative, but it should be sufficiently well-staffed to exert a strong influence on the two national educational systems. Then, sir, an important adjunct to this central organ might, I suggest, be a Joint Advisory Council of Arabs and Jews, educationalists, appointed to study matters of common interest and to make recommendations to the national and local authorities concerned. It is clear, of course, that the rapprochement of the two national systems of education must really be developed from within rather than be something imposed from without. An authoritative council of this kind might be powerful influence for co-operation. It could make specific recommendations for ensuring that each system of education should include an adequate study of the language, history, culture, and so forth of the other communities. It might be suggested that in the present temper of things both communities might refuse to co-operate together in such a way. I think the only reply one can give to this is that one must assume that in the long run there will be a political settlement which will be acceptable, and that this settlement will include a large measure of autonomy in education which is strongly urged and desired by both communities, and for the sake of it they would probably be willing to accept and implement any reasonable safeguards. I just wanted to make a statement of this nature, without in any sense suggesting the political framework. It seems that it would fit into almost any possible political solution.

The CHAIRMAN: Does anyone wish to ask a question on this point?

Mr. BLOM (Netherlands): I have just one question. Does any government supervision exist as to the textbooks used in the Jewish and Arab schools?

Mr. DE BUNSEN: Yes, through our Inspectorate, Hebrew and Arab, belonging to the Department of Education, there is certainly some supervision. On the other hand, so far as the Arab schools are concerned, which come directly under the department, there is rather more supervision—there is control. In the case of the Hebrew public system, administered by the Vaad Leumi, there is not the same measure of control and quite naturally, as they have been granted autonomy in education. We are anxious to interfere as little as practicable, but we may have occasion to interfere in the matter of textbooks.

The CHAIRMAN: That was just the question I wanted to ask, but I have already received the answer. May I ask whether you can exercise an efficient control over what a teacher will say in the classroom when he is teaching?

Mr. DE BUNSEN: No, sir. I think the answer to that is that it is really impossible to control effectively what goes on from moment to moment in a classroom in Palestine without turning our Inspectorate into a Gestapo.

The CHAIRMAN: Have you the impression that the teaching given is too nationalistic or that it is going to excess in that respect?

Mr. DE BUNSEN: Yes, I think there is no doubt, sir, of that. In the curriculum of the Arab schools,

the Government schools, the temper of the curriculum is certainly a safeguard. Though there again I think one cannot ignore the fact that teachers, like others, are interested in politics. On the Jewish side, since one of the functions of Jewish education is to produce unity and to build up a Hebrew self-conscious community, I think there is no doubt that the political element is considerable.

The CHAIRMAN: Have you any more questions, Mr. Blom?

Mr. BLOM (Netherlands): No, sir.

Sir Abdur RAHMAN (India): May I ask if there are any private institutions which are now being started by the Arabs and how you control them?

Mr. DE BUNSEN: Well, the answer to the first part of the question is that there are private Arab educational institutions, and a good many projects for starting new ones, which, of course, we welcome, not only on the grounds that there are so many gaps to fill but on the grounds of having a reasonable variety of philosophy and practice in the schools. The control over them in the Educational Ordinance is simply this—that they must register their existence when they are started, with the Government, and after due notice has been given the Government has the right of entry to them. It is not a right of entry we would wish to claim in a normal way, though in fact there is a good deal of co-operation between Arab private schools and the Department, sometimes by the loan or exchange of staff.

Sir Abdur RAHMAN (India): Do you exercise similar control over the Jewish institutions to which you are making a grant, because after all I understand they are being run by the Jews, themselves?

Mr. DE BUNSEN: Yes, in the case of all schools, Arab and Jewish, to which we make a direct grant, we may exercise the right of regular inspection. There are several Jewish schools which receive a direct grant from us instead of an indirect grant through the Vaad Leumi.

Mr. FABREGAT (Uruguay): In paragraph 6 on page 53 the first sentence reads: "Technical education for Arabs is still in its infancy." Is there any plan, actually, to correct that situation in order to develop the technical education of the Arab population?

Mr. DE BUNSEN: Well, sir, I have tried to sketch out what the Department, itself, is proposing to do further down in the same paragraph. It is to develop and extend our senior institutions, the existing Haifa Trade School which is at present a rather small affair, and the Kadoorie Agricultural School, and then to have local junior farm institutes, and trade schools in all the principal towns. I might add that there are again on the Arab side in that field one or two very useful private attempts at vocational instruction, such as the Dier Amr Orphanage, which is mainly an agricultural school, just outside Jerusalem. It is a private institution.

The CHAIRMAN: Well, then, I thank you.

Have you something to add, Sir Henry Gurney?

Sir Henry GURNEY: No, sir. With your permission we pass to Chapter 4. Here we point out that of the past eleven years, nearly one-half of the period for which the Mandatory Administration has been in existence, six have been years of local disturbances and five have been years of war. During 1936-1939 the Arabs expressed in terms of rebellion and violence their objections to the policy of the Mandatory Power. When the war against Germany and Japan was seen to be approaching a successful conclusion the Jews brought into action their weapons of lawlessness and terrorism in support of their own political aims and ambitions. The short facts are that the Arab disturbances of 1936-1939 cost four thousand lives and caused material damage valued at not less than one million pounds. The Jewish reactions of 1945-1947 have cost 270 lives and caused material damage estimated at about 1,500,000 pounds. The right of any community to use force as a means of gaining its political ends is not admitted in the British Commonwealth. Since the beginning of 1945 the Jews have implicitly claimed this right. It is true that large numbers of Jews do not today attempt to defend the crimes that have been committed in the name of these political aspirations. They recognise the damage caused to their good name by these methods in the court of world opinion. Nevertheless, the Jewish community of Palestine still publicly refuses its help to the Administration in suppressing terrorism, on the ground that the Administration's policy is opposed to Jewish interests. The converse of this attitude is clear, and its result, however much the Jewish leaders themselves may not wish it, has been to give active encouragement to the dissidents and freer scope to their activities. It is this situation that continues to necessitate the diversion of revenue from those essential services of which the majority of the people of Palestine stand so badly in need. I refer, again, to the fact that some three million pounds will be required to meet the cost of dealing with illegal immigration, including the maintenance of the Cyprus camps, during 1946-1947. Among the social services which have been retarded in this way we have looked at health and education.

I would, with your permission, now like to look at the labour position. It was stated by a Vaad Leumi witness according to the Press Report that there is no labour legislation except a rather inadequate Workmen's Compensation Bill. Now if the witness had spoken of conditions as they were ten years ago he would have been correct, or almost correct. But the position today is as follows: we have in force first the Department of Labour Ordinance which sets up the Department of Labour and proposes extensive duties and confers wide powers of inspection and inquiry, providing for all the functions usually held by a Department of Labour. Then there is the Workmen's Compensation Ordinance, 1927, and Workmen's Compensation (Temporary Increases) Ordinance 1945. These two measures, taken together, afford rates of compensation in line with most modern countries. A new Consolidated Ordinance to which the witness in

question was referring has just been published as a Bill. It does not change these rates, but brings almost all employed persons within its scope. It makes occupational diseases compensatable and provides considerable improvements in procedure in the interests of the workman. Then, sir, there is the Defense (Trade Disputes) Order, 1942, and a further Defense (Trade Disputes) Order, 1946; the Accidents and Occupational Diseases Notification Ordinance, 1945; the Employment of Children and Young Persons Ordinance; the Employment of Women Ordinance, 1945. These are designed to meet, as far as practicable, the requirements of the relevant International Labour Conventions. Then, there is the Trade Boards Ordinance, 1945, which is based on the British Trade Boards legislation for the determination of minimum wages in insufficiently organised industries. The Factories Ordinance 1946, which is a very comprehensive and complete Ordinance providing for the health, safety, and welfare of workers in industry is based on the British Factories Act of 1937. The Industrial Courts Ordinance 1947 establishes an Industrial Court to which trade disputes may be voluntarily referred by the parties. The Director of the Department may refer any matters relating to a dispute to the Court. The following legislation is in draft at the moment: The new Workmen's Compensation Bill, which is a consolidating measure; the Trade Unions Bill; Apprenticeship Bill; Explosives Bill, and further legislation to provide for the settlement of Trade disputes and the regularisation of labour relations, generally, and to control the safe use of petroleum and petroleum products, and provide for the regularisation of the conditions of maritime employment.

I do not know, sir, whether that list is any effective comment on the statement that there is no labour legislation except a rather inadequate Workmen's Compensation Bill. Now, sir, a witness from the General Federation of Jewish Labour said: "In labour legislation the Government had followed a backward colonial policy making no efforts to promote co-operation between Jews and Arabs." Now, none of the above-named measures has any trace of colonial policy. Most of the ordinances follow British or other modern State models very closely. The Department of Labour by means of conferences, committees and regular meetings of Regional Safety Councils, makes continuous and special efforts to bring Arabs and Jews together. The Trade Boards Ordinance provides for the representatives of all interests in the Boards, and so far it has not been possible to take advantage of it for that very reason. The Arabs will not consent to serve unless they are represented by twice the number of the Jews, and the Jews will not serve at all because of the policy of non-co-operation adopted by their institutions. Another witness of the General Federation of Jewish Labour said that in Palestine labour legislation there were only a few slight traces of these numerous and very important International Labour Conventions. Britain has ratified twenty-seven International Labour Conventions and eight of these



are fully covered by legislation already enforced, two more will be satisfied by the new Workmen's Compensation Ordinance, and five of them relate to maritime employment, which hitherto has not been significant in Palestine. The Maritime Employment Ordinance now in preparation is intended to give effect to them. The Convention relating to employment requires the Government to establish a system of public employment exchanges. Action on this has been contemplated and prepared for by Government for some years past, but strenuously resisted by the Jewish Agency and other Jewish institutions.

Of the remaining eleven Conventions, four relate to conditions which do not obtain in Palestine, such as forced labour, and the balance of seven is made up of those dealing with sickness and old age, invalidity insurance and unemployment provisions.

The same witness said that in the Arab economy, labour laws were practically a dead letter; that in Jerusalem, Haifa and Jaffa, thousands of Arab children were working twelve hours a day for appalling wages. It is true that the standard of observance of the Laws administered by this Department is lower in the Arab than in the Jewish section. A substantial and increasing measure of compliance has, however, been secured and regular inspection is having a salutary effect. The legislation recently enacted is advanced and complex and the Arab community generally has more leeway to make up than the Jewish community. In this it receives every possible assistance from the Department and its inspection force.

It is also true to say that many, but not thousands, of Arab children are found to be employed contrary to the provisions of the law particularly in the old sections of the large towns. This is being corrected, although slowly. The great problem is what to do with the child when there is no provision for his schooling.

Mr. Shertok said that Government had consistently, obstinately refused to insert a fair wage clause into public works contracts in the face of Jewish insistence throughout the years. This Jewish insistence must have been represented to Government through some other channel than the Department of Labour because the Department is quite unaware of it. Government did set up a Committee about sixteen months ago to consider this matter and make recommendations, and the Director has recently made his proposals to Government. But there is a great practical difficulty, and that lies in the peculiar labour conditions in Palestine in determining what is a fair wage. The Wages Committee set up by Government in 1942 specifically to settle this question had to admit failure. Mr. Shertok also said that wages of Government workers are appallingly low; that in 1946-1947 large strikes by Government and Army employees have taken place. Wages paid by Government to non-regularly employed workers are the market rates prevailing for the district. The rates paid to regularly paid manual workers fall behind those prevailing in private industry, particularly as the

latter increased considerably during the war years. The grievances concerning this and the cost of living allowance caused much discontent in 1946 and again, in certain sections, in 1947. There is an inevitable time lag, and not only in Palestine, in changing conditions of public employment; and in the new system of departmental consultative committees, which include representatives of the direction and of the staff, the Government has endeavoured to reduce this lag. If there are any questions to be put to the Director of the Department of Labour he will be pleased to answer them.

The CHAIRMAN: I had intended to put certain questions, but they have been answered by your statement. Does anyone in the Committee wish to put some questions?

Mr. BLOM (Netherlands): I have no question, but as I put the original question I would like to thank the Chief Secretary for the information he has given me. It is only fair for me to add that one of the representatives of the Vaad Leumi, Dr. Eliash, corrected his original statement the following day. He said he was taken more or less by surprise by my question, and he gave some more information. Nevertheless, this, of course, is more comprehensive than we had before.

Mr. SIMIC (Yugoslavia): In the reports of various Commissions, and according to certain information, Palestine is quickly turning into two armed camps. On the one hand there is the Haganah, the Irgun, and the Sternists; and on the other hand we hear that more and more Arabs are being brought into the Arab sections of Palestine. In the opinion of the Palestine Government what is the actual strength and the potential strength of these armed groups and of their preparations? What measures has the Palestine Government undertaken against these preparations?

Mr. COUZENS: I am afraid that is a question which is outside my province.

Sir Henry GURNEY: That is not addressed to the Director of the Department of Labour?

The CHAIRMAN: No, that is not a labour question.

Mr. SIMIC (Yugoslavia): It is mentioned in Chapter 4.

Sir Henry GURNEY: All the information we have to give you on the strength of these bodies known as the armed forces on either side is contained in the supplementary volume of the Survey at pages 84, 85 to 87. Those deal with the Jewish Organisations. There is, as you know, no armed Arab organisation. The Government is fully alive to the importance of preventing the smuggling of arms into Palestine from neighbouring countries for the purpose of creating such a force and is doing all it can to stop it.

Mr. SIMIC (Yugoslavia): I have heard that armed traffic exists and goes on, and I can say that H.E. the High Commissioner has done nothing to prevent it.

Sir Henry GURNEY: If you ask me as a fact whether it does or does not, I can only say

that it does. But the extent to which camels are carrying arms across the border in very outlying districts is very hard to judge, and very difficult to prevent.

Sir Abdur RAHMAN (India): Is there an Arms Act actually enforced here?

Sir Henry GURNEY: You mean by which an owner has to license his arms? Certainly.

Sir Abdur RAHMAN (India): Why is it not being rigidly enforced?

Sir Henry GURNEY: Who said it was not?

Sir Abdur RAHMAN (India): I am only asking, is it being rigidly enforced?

Sir Henry GURNEY: The answer is yes, to the best of our ability. In fact, you see some evidence of enforcement in the results of some of the searches.

Sir Abdur RAHMAN (India): In spite of all these troops, and in spite of all the police force at your command, you cannot rigidly enforce the Arms Act in this Province. It would be a very sad commentary on the Administration itself because I think the control of arms is a very serious matter.

Sir Henry GURNEY: With your permission, I should like the Acting Attorney-General to answer that.

Mr. HOGAN: With regard to the law in force, we have had a Fire Arms Ordinance in force in this country from the outset. In 1936, the penalties imposed by that Ordinance were not found adequate to control the traffic in arms. We then introduced emergency regulations which imposed very heavy penalties for carrying fire arms, and imposed the penalty of death for discharging fire arms. Offences against those regulations are tried by Military Courts which were set up in 1937 and are operating today. In regard to the traffic in arms among Arabs, the majority of the cases coming before the Military Courts every day—this morning and every other morning—are against Arabs for being in possession of fire arms. Searches are constantly being carried out, and frequently arms are discovered. The penalty for possession of fire arms is very heavy and the Government is doing all it can to enforce the legislation.

The CHAIRMAN: So far, you tried to impose this legislation?

Mr. HOGAN: To the utmost of our ability.

The CHAIRMAN: But you are aware that it is not effective 100 per cent?

Mr. HOGAN: No, it is not effective 100 per cent.

Mr. GARCÍA GRANADOS (Guatemala): You have recognised that the emergency regulations have had no great effect. Do you not think, on the contrary, they have a bad effect because they curtail the natural rights of the individual, and they are rather strong? That is the first question.

Mr. HOGAN: I do not quite understand your question.

Mr. GARCÍA GRANADOS (Guatemala): You recognise that the emergency regulations do not have a great effect on the question of disarming the population and putting an end to terrorism.

Do you not think, on the contrary, those emergency regulations have a different effect—I mean that by curtailing the natural rights of the individual they provoke those acts?

Mr. HOGAN: As regards the first part I think they have had, during the ten years of their existence, a very considerable effect in controlling the illegal traffic in arms. If you regard illegal traffic in arms, or the right to discharge fire-arms, as a natural right, I am afraid that they do curtail it.

Mr. GARCÍA GRANADOS (Guatemala): I mean I see every day here acts of violence committed by individuals, so they are armed. Does the emergency regulation have no great effect on them and, on the contrary, the rest of the population resents those regulations?

Mr. HOGAN: My answer is that if you did not have the emergency regulations you would have more cases of the discharging of fire arms.

Mr. GARCÍA GRANADOS (Guatemala): What do you mean?

The CHAIRMAN: That if the emergency regulations did not exist, there would be far more acts of violence.

Mr. GARCÍA GRANADOS (Guatemala): That is a matter of opinion. Nevertheless, there is something else I would like to ask Sir Henry Gurney. Do those emergency regulations adjust themselves to the Mandate?

Mr. HOGAN: The emergency regulations are made under the provisions of the Orders-in-Council which set up the Government and the Constitution of this country. How far they are compatible with the terms of the Mandate is perhaps a matter of argument of opinion. We do not consider that they infringe any of the terms of the Mandate.

Mr. GARCÍA GRANADOS (Guatemala): That is a matter of opinion.

The CHAIRMAN: Are there any more questions? (No questions) Then I thank you. Is there anything left in the memorandum?

Mr. BLOM (Netherlands): One point is not quite clear to me. There is an Ordinance which says that you need a license to be allowed to have a weapon.

Sir Henry GURNEY: "To possess a firearm."

Mr. BLOM (Netherlands): In quiet times is it usual to give such a license in many cases?

Sir Henry GURNEY: Yes.

Mr. BLOM (Netherlands): Or only by exception?

Sir Henry GURNEY: For shotguns to use for game etc.; the Ordinance is not harshly enforced. It is applied in much the same way as it would be in any other country.

Mr. BLOM (Netherlands): I mean, say, for a Bedouin, is it usual for him to have a shotgun?

Sir Henry GURNEY: Yes, in fact, the possession of a shotgun is, of course, a matter of self-respect for the Bedouin.

The CHAIRMAN: Does that apply also to town dwellers?

Sir Henry GURNEY: I am not quite certain of my answer to that; I think so.

There is one further point which follows the questions put to Mr. Hogan, and that is on the last page. Of course these emergency regulations are necessary in conditions in which we are endeavouring to maintain the rule of law, but there are many cases in which we cannot get a witness to come forward and give evidence in Court. He is under coercion and that is the reason why many people detained have not been brought to trial; that the evidence against them is not producible in Court. Witnesses will not come forward and risk their lives.

The CHAIRMAN: I should like to put one more question, and that is about the application of the land regulations. It has been contended before us that these regulations get a very formalistic and narrow application. I have not been able to prepare what I was intending to ask in this respect because my time yesterday was occupied by other matters, but I remember one thing that has been said: that license was not given to exchange a piece of land to round off a possession—a farm, let us say, or a settlement. Can we hear a little about the application—whether it is so narrow?

Sir Henry GURNEY: With your permission, the Director of Land the Department of Land Registration will answer that.

Mr. STUBBS: You are referring, I assume, to a piece of land which the Jews desire to exchange with the Arabs; the Arabs were given two dunums for one. Is that the case?

The CHAIRMAN: Yes.

Mr. STUBBS: The regulations as enacted do not permit the High Commissioner to transfer land in Zone A except for one general purpose; that is the consolidation of existing holdings. There are other exceptions, such as gifts to religious or charitable institutions, and mortgages to recognised reputable companies, but this is exchange of ownership. It was represented to you, I judge from the Press, that this was a small piece of land wedged into a Jewish settlement at Gezer. The fact is that it was not wedged into any of the Gezer land; it was contiguous in one boundary only to the Gezer land, the other three being contiguous to Arab land, and permission to acquire that land would not have been a consolidation but an aggregation of an existing holding. Under the regulations, His Excellency has no power to add external land so as to enlarge existing holdings, but only to permit of the exchange or sale of internal land so as to consolidate an existing holding.

Sir Henry GURNEY: Perhaps it would be clearer if I were to add that the land regulations provide that the High Commissioner may permit the transfer of land within Zone A 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 parcellation of village *masha'a* within the meaning of the Land Settlement of Title Ordinance. There is specific provision for that in the regulations on page 262 of the Survey. This point is referred to where we set out the conditions which were announced when the regulations

were issued governing transfers in Zone B. These were transfers by Palestine Arabs to persons other than Palestine Arabs in Zone B and would not ordinarily be granted unless the transfer could be shown to be either one "for the purpose of consolidating, extending or facilitating the irrigation of holdings already in possession of the transferee or of his community, etc."

The CHAIRMAN: I thank you for the answer. I think I have got what I wanted. Does anyone else wish to put a question?

Mr. SIMIC (Yugoslavia): In the memorandum of the Palestine Government, as well as in the memorandum of the British Government, both of which have been submitted to our Committee, certain details are presented with regard to an attempt made in 1922 and 1923 to create a legislative body in Palestine, which would be done in accordance with stipulations.

The CHAIRMAN: This is a general question. We should perhaps first exhaust this question of the land regulations.

Mr. BLOM (Netherlands): I remember Mr. Shertok told us that in the land regulations, the State Domain was exempt from the strict prohibition, even in the prohibited area, against transfers to Jews. I see in the green paper on page 32 a reference to an earlier statement of Mr. Shertok. It is in the middle of the page in regard to a statement that no State Domain land is allocated to Jews: it should be mentioned that 190 square kilometres of State Domain lands are leased to Jews. Are they also within the prohibited Zone—these 190 square kilometres?

Mr. MACGILLIVRAY: Some State Domains in areas now included in the prohibited zones were leased to the Jews before the date of the Land Transfers Regulations.

Mr. BLOM (Netherlands): Mr. Shertok's statement that no transfer of State Domain was allocated was correct?

Mr. MACGILLIVRAY: No long leases have been granted since the date of the Land Transfers Regulations to Jews of State Domain within the restricted zones.

Sir Henry GURNEY: On page 265 of the Survey we really find the answer to Mr. Blom's question. It says there:

"The Jewish Agency has always considered that State Domain was specifically, and presumably with intent, excluded by regulation 8 (b) from the operation of the Land Transfers Regulations and that, therefore, State Domain in zones A and B should be made available for the 'close settlement by Jews on the land'. This contention rests, however, upon a misinterpretation of the reasons underlying regulation 8 (b). That regulation was inserted as an afterthought, because it was felt that, in its absence, Government's hands might be unduly tied when dealing with special cases where no conflict of principle was involved. The particular case which gave rise to its insertion was that of Palestine Potash Limited: it was considered that in the absence of some such provision Government would be stat-

utorily prevented from assigning State Domain in the Jordan Valley for an extension of the potash works which was considered as likely to be necessary in the near future. But it was never intended that the general principles to be observed in the disposal of State Domain should be different from those governing the alienation of the Arab land. As pointed out in paragraph 16 of the White Paper, quoted in paragraph 87 above, the reasons for the promulgation of the Regulations was the fact that there was already serious congestion in the Arab areas and that the Arab population was increasing at such a rate that it became double in the course of twenty-seven years. It was with a view to preventing, so far as possible, the further deterioration of Arab standards of living and the creation of a large landless Arab population that the alienation of further land to Jews in certain parts of Palestine was restricted."

The CHAIRMAN: May I ask, would it be contrary to the policy pursued by the Land Regulations if State Domain was sold to Jews in the restricted areas?

Sir Henry GURNEY: Yes.

The CHAIRMAN: If there are no more questions on the Land Regulations, will you put your question, Mr. Simic?

Mr. SIMIC (Yugoslavia): I shall repeat my question.

Sir Henry GURNEY: May I keep you a moment longer on this question in reference to a statement that was made to you that these Regulations were suddenly introduced with no previous warning given. The warning was given when the Order-in-Council of May 1939 was issued. That Order-in-Council empowered the High Commissioner to make these Regulations. So that in May 1939 it was presumably known that these Regulations were to be made, and the Order-in-Council provided that Regulations under this Article—that is the relevant Article—may provide that they shall take effect as from any date not being earlier than the 18th day of May 1939. The question of the suddenness of their introduction in 1940 was dealt with by Mr. Malcolm MacDonald, then Secretary of State, in the House of Commons in March 1940, when he explained that if the draft of the Regulations had been published everyone would have known where the boundaries were going to be and there would have been forced sales of land and there might well have been such resentment of these forced sales of land on the part of Arabs that they might try to stop them. "A single incident in Palestine"—I am quoting from his speech—"might have occurred which would have set the whole country ablaze. If we had any right to take a risk like that in peace time, I do not think we should ever be justified in taking the risk in war time. If there had been a recrudescence of the trouble in Palestine I think members of the Council of the League of Nations would have come to the conclusion that we had made an error in judgment and neglected our duty to do what was necessary."

I would invite attention to that debate of 6 March 1940 in the British House of Commons

by any member who wishes to study the history of these Regulations.

The CHAIRMAN: Can we leave the question of the Land Regulations now?

Mr. SIMIC (Yugoslavia): In the memorandum of the Palestinian Government, as well as in the memorandum of the British Government, both of which were submitted to the United Nations Special Committee on Palestine, certain details are presented regarding attempts made in 1922—23 to create a legislative body in Palestine, which would be done in accordance with the stipulation in the Mandate that the Mandatory Power should promote self-governing institutions in Palestine. The question then arises: if these attempts did not succeed because the Arabs were afraid that they would not be able to prevent further immigration, were there no other possibilities for a solution? Could not the Mandatory Power have reserved for itself the regulation of the immigration quota, as well as control over security measures, while delegating other competences such as education, economic life, transportation and so on, to this legislative body?

The question of local self-governing bodies belongs with the question of self-government, in general. What is the situation in regard to elections in local, county, provincial and other administrative units? And is the election law uniform and in force in all parts of Palestine?

Sir Henry GURNEY: I will do my best to answer. First of all, on this suggestion that perhaps we have not done all we might to develop self-governing institutions, I have already told you about the Legislative Council, and the history of that is fully set out in several documents. I have referred also to this long list of Advisory Boards and Committees, according to this Survey, which we have found worked successfully. But we admit that Government's efforts have not been generally successful, even in the field of local authorities, and at present, of the four mixed Municipal Commissions, only those at Haifa and Tiberias have Arab and Jewish members who are not Government officers. But in implementing the Mandate to encourage local autonomy, Government has met with some greater success, and there has been considerable development and expansion over the past twenty-five years.

All except four of the 102 local authorities now established are either all Arab or all Jewish. Now, the system of local administration is set out in Chapter V of the Survey. If you look at the tables of revenue and expenditure given in the Survey, they give you some idea of the growth of local authorities.

In 1939, the revenue and expenditure of municipalities and local authorities totalled £338,000 and £326,000 respectively. In the year 1945—46, these figures had risen to £4,270,000 for municipalities and £290,000 for the local councils. Those do not include the village council figures. The Peel Commission criticised the absence of village administration. A committee was appointed in 1940 to study this problem, and the Village Administration Ordinance was passed in 1944. There are now forty village councils established under

the Ordinance, all Arab. They are still young but they give encouraging signs. So much for the local government side of the development of local governing institutions.

I was not clear whether Mr. Simic was suggesting that when the efforts to establish a legislative council were shown to be unsuccessful the Government should have done something else.

The CHAIRMAN: Do you have any more questions to put in this respect?

Mr. SIMIC (Yugoslavia): No.

The CHAIRMAN: Does anybody else wish to ask any questions?

Sir Abdur RAHMAN (India): The Picketting Ordinance was passed in 1942 or thereabouts?

Sir Henry GURNEY: Yes.

Sir Abdur RAHMAN (India): I should like to ask you for a copy of that Ordinance.

Sir Henry GURNEY: Yes, certainly.

Sir Abdur RAHMAN (India): I should like to know the background which led to the passing of that Ordinance.

Sir Henry GURNEY: I had prepared certain information for Sir Abdur Rahman, and I will furnish it to him, with your leave. But I am afraid I do not have it here.

Sir Abdur RAHMAN (India): Will you send it to the Chairman?

Sir Henry GURNEY: Yes.

Sir Abdur RAHMAN (India): Is it true that Arab labour was being molested and that the Committee recommended that the Government pass an ordinance legalising picketing, to some extent, under certain conditions? I am just asking for an explanation of the background of ordinance.

Sir Henry GURNEY: Perhaps the Director of the Department of Labour could answer that question.

Mr. COUZENS: Actually, sir, this is not a labour question, but I happen to know what happened. Picketting is legal, and always has been. Certain types of picketing, violence and besetting houses and so on have been illegal under the Criminal Code Ordinance and have never been changed, but the measure to which reference is now made is, I think, a defence regulation passed in order to protect people who picketed not as a result of labour disputes but as a result of a campaign upon which the Jewish Agency and other bodies embarked in order to persuade, forcibly, many Jews to join the army. It was that sort of picketing which was permitted by defense regulation. The same regulation made it specifically clear that it did not apply to picketing in relation to trade disputes.

Sir Abdur RAHMAN (India): Were exports in connexion with the Ottoman Agricultural Bank stopped in 1922, or thereabouts?

Sir Henry GURNEY: I have a full answer for you here, but the short answer is no.

Sir Abdur RAHMAN (India): Were commodities owned by debtors to that credit institution prevented from being exported?

Sir Henry GURNEY: No.

Sir Abdur RAHMAN (India): Was the Ottoman Agricultural Bank wound up or stopped somewhere about that time?

Sir Henry GURNEY: In 1921. It was liquidated in accordance with Article 60 of the Treaty of Lausanne.

Sir Abdur RAHMAN (India): Was that bank lending money to agriculturists?

Sir Henry GURNEY: I presume that it was. It was founded in 1889 to help agriculturists by the issue of loans. It was liquidated at a time when the Government said: "Whereas it is desirable to wind up the operation of the Imperial Ottoman Agricultural Bank in Palestine, with a view to the institution of a new agricultural bank . . ."

Sir Abdur RAHMAN (India): When was the new agricultural bank brought into existence?

Sir Henry GURNEY: It has not yet been instituted. There have been other credit systems instituted in its place.

Sir Abdur RAHMAN (India): Did not the wiping out of that bank compel the agriculturists to sell their lands to pay off their debts?

Sir Henry GURNEY: Compel them to sell their lands?

Sir Abdur RAHMAN (India): Yes.

Sir Henry GURNEY: Not so far as I am aware. Have you any information to suggest that?

Sir Abdur RAHMAN (India): No. I want that information from you.

Sir Henry GURNEY: Not so far as I am aware. Nor was there prohibition of export of commodities from Palestine either then or at any time.

The CHAIRMAN: Does anybody else wish to ask any questions?

Mr. GARCÍA GRANADOS (Guatemala): Do you have an approximate figure of the number of detainees who are held under the Emergency Regulations in Palestine?

Sir Henry GURNEY: Yes. The number of Jewish detainees at present is 291 in Kenya and 515 in Palestine.

Mr. GARCÍA GRANADOS (Guatemala): Is it very difficult to bring those people to trial? I mean, to investigate their cases and to liberate them. We have had a number of letters from all kinds of people, fathers, mothers, brothers, sisters and children.

Sir Henry GURNEY: Their cases are all investigated, sir, by an Advisory Committee, of which the Chairman is a retired judge. The Chairman told me himself last week that he had just finished interviewing 75 of the detainees at Latrun, personally.

Mr. GARCÍA GRANADOS (Guatemala): Those letters are from people who say that their relatives have been detained three, four, five, seven years without trial.

Sir Henry GURNEY: That is unfortunately quite true, but I have tried to explain why it is not possible to bring them to trial.

Mr. GARCÍA GRANADOS (Guatemala): But then, according to the general principles of law, would it not be better to release them?

Sir Henry GURNEY: I do not think that any British administration anywhere would require any advice on that point.

Mr. GARCÍA GRANADOS (Guatemala): I am not advising you, sir; I am only asking a question.

The CHAIRMAN: You have heard the answer.

Mr. BLOM (Netherlands): I would like to ask one question with regard to the concessions, the Potash Works and the oil concessions of Haifa. I think it is true that in the course of these concessions the companies are exempted from certain duties and taxes.

Sir Henry GURNEY: It is quite true that the oil concessions given to the three oil companies concerned at Haifa provide for the exemption from customs duty of all their materials and imports required for the operation of their business.

Mr. BLOM (Netherlands): What I am looking for is to get an answer to the question whether these concessions are unfavourable or favourable for this country. Could one say in a general way that the clauses of these concessions are not very favourable for the economic conditions of Palestine?

Sir Henry GURNEY: Against the exemption from customs duty there has to be set the employment.

Mr. BLOM (Netherlands): Of course, it gives a lot of employment.

Sir Henry GURNEY: And the exports those companies provide. Again, there is general exemption from customs duty for machinery. For example, the Palestine Potash, although not having the full concession of the oil companies, do get customs free importation of their plant and machinery. But your question as to whether more could have been obtained for Palestine when those concessions were granted—

Mr. BLOM (Netherlands): That is what I am asking.

Sir Henry GURNEY: That is a matter of opinion.

Mr. BLOM (Netherlands): Yes, of course.

Sir Henry GURNEY: The concessions were negotiated many years ago, and I do not think I can really add usefully to what I have said.

Mr. BLOM (Netherlands): For myself, I am uncertain whether these conditions could have been more favourable or not. I believe it is a very difficult question to answer. We could perhaps ask the Chief Secretary whether, if he had to negotiate with these companies now, he would try to get something more out of it for Palestine.

The CHAIRMAN: Anyhow, it would have been easier to do if one had known the result of the work which has been done for developing the company.

I want to make it clear that the answers given to questions about detainees do not dispense with the request we made for statistics on that point.

Sir Henry GURNEY: I have them here, sir.

The CHAIRMAN: Will you hand them over to us?

Sir Henry GURNEY: Yes.

The CHAIRMAN: As there do not seem to be any more questions, I want to thank you, Sir Henry, and the other gentlemen for the information you have given us here today.

I should also like to take this opportunity to thank you on behalf of the Committee for the willingness you have shown in giving us the information we have asked for and for all you have done to facilitate our task. Thank you.

Sir Henry GURNEY: Thank you very much. And may I, on behalf of the Government, express to you our appreciation of the unfailing patience with which you have received the evidence. I hope that some way may be found to discover, through your efforts, a true and just solution of this difficult problem. You take with you, sir, all our very best wishes for success.

*The meeting adjourned at 12.15 p.m.*

## VERBATIM RECORD OF THE THIRTY-NINTH MEETING (PRIVATE)

*Held at the Grand Hotel, Sofar, Lebanon  
Wednesday, 23 July 1947, at 10 a.m.*

### *Present:*

Mr. SANDSTROM, Sweden, *Chairman*  
Mr. HOOD, Australia  
Mr. RAND, Canada  
Mr. LISICKY, Czechoslovakia  
Mr. GARCÍA GRANADOS, Guatemala  
Sir Abdur RAHMAN, India  
Mr. ENTEZAM, Iran  
Mr. BLOM, Netherlands  
Mr. GARCÍA SALAZAR, Peru  
Mr. FABREGAT, Uruguay  
Mr. SIMIC, Yugoslavia

### *Secretariat:*

Mr. HOO, *Assistant Secretary-General*  
Mr. GARCÍA ROBLES, *Secretary*

The CHAIRMAN (*interpretation from French*): I call this private meeting to order.

The agenda has one point only, that is to hear representatives of the Arab States. Can we adopt this agenda?

*No objection.*

The CHAIRMAN (*interpretation from French*): Adopted.

Yesterday we gave to the representatives of the Arab States a list of questions to which we wanted to have answers. I understand that written answers have been prepared and that His Excellency the Minister for Foreign Affairs of the Lebanese Republic will be the spokesman for the Arab States.

Sir Abdur RAHMAN (India): Before the questioning begins, I would like to ask for an interpretation of the answers so that I may understand them.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I will read the written replies, and my colleagues may answer any oral questions.

**The CHAIRMAN** (*interpretation from French*): The first series of questions has been asked on the assumption that an Arab State would be established in Palestine, as suggested by the other Arab States.

The first question is the following: what would be the fate of illegal Jewish immigrants and such immigrants as have not acquired Palestinian nationality? This question is asked in relation to page 16 of the memorandum<sup>1</sup> which said that this Palestinian State would grant to all Jews who had acquired Palestinian nationality through legal means the same rights, and so on.

**Mr. Hamid FRANGIE** (Lebanon) (*interpretation from French*): The first way to answer this question would be to define exactly the term "illegal immigrants". The Arabs consider that all Jews who entered Palestine since the Balfour Declaration are illegal immigrants. However, the Mandatory Power gave Palestinian nationality to a number of those immigrants. They are citizens *de facto*. The term "illegal", as it is put in the question, seems to designate Jews who entered Palestine without the permission of the Mandatory Power. Those Jews should be submitted to the rules which are presently applied to Arab illegal immigrants and envisaging particularly, their expulsion from the country. There is no reason to establish discrimination in their favour. As regards those who entered Palestine according to rules presently in force on immigration, but who have not acquired Palestinian nationality, their condition will be determined by the future independent government of Palestine. Those who fulfilled the required conditions for acquisition of nationality should be considered as citizens. The others will be considered as foreigners without any discrimination.

**The CHAIRMAN** (*interpretation from French*): Does some other representative of the Arab States wish to give a special answer to that question?

**Mr. Hamid FRANGIE** (Lebanon) (*interpretation from French*): What I am reading now has been decided on amongst the various States. There should be no individual replies to the questions.

**Sir Abdur RAHMAN** (India): Are they all agreed on this answer?

**Mr. Hamid FRANGIE** (Lebanon) (*interpretation from French*): Yes.

**Mr. LISICKY** (Czechoslovakia) (*interpretation from French*): Considering the definition we have been given of an "illegal immigrant", I would like to ask who, according to the views of the Arab representatives, is a legal immigrant in Palestine since the Balfour Declaration.

**Emir Adel ARSLAN** (Syria) (*interpretation from French*): This would be the case: Legal immigrants would be foreigners who entered with the permission of the Mandatory Power which established from the very first a certain yearly proportion of immigrants. These we con-

sider to be legal immigrants, since they fulfilled all the required conditions.

**Mr. LISICKY** (Czechoslovakia): I think there is a certain contradiction between what has just been said to us and the declaration which has been read by the Minister for Foreign Affairs, who said that in the mind of the Arab States any Jew who entered Palestine after the Balfour Declaration was an illegal immigrant, even those who have entered under the quota.

**Emir Adel ARSLAN** (Syria): The answer is that they were considered as citizens *de facto*.

**The CHAIRMAN** (*interpretation from French*): Who wishes to answer this question?

**Emir Adel ARSLAN** (Syria): I think there is no difficulty, Mr. Chairman. We consider those immigrants as citizens *de facto*, but we consider them as illegal because they entered Palestine after the Balfour Declaration, which we consider to be illegal.

**Mr. LISICKY** (Czechoslovakia) (*interpretation from French*): Does this mean that if there had been no Balfour Declaration then all Jews could have entered Palestine legally? Is it only the fact that there exists this Balfour Declaration which makes any Jewish immigrant to Palestine an illegal immigrant?

**Mr. Fadel JAMALI** (Iraq): If there had been no Balfour Declaration there might have been one of two conditions. Either there would still have been an Ottoman Empire, whereby immigrants into the Ottoman Empire, of which Palestine was a part, would have had to submit to the laws of the Ottoman Empire; or, if there were no Ottoman Empire, there would have been an Arab State. Then the Arab State would have had its laws, and those who entered according to these laws would be legal immigrants, Jews or non-Jews.

**The CHAIRMAN**: Do all the representatives of the Arab States understand English so that we need not translate from English into French?

**Mr. Fouad HAMZA** (Saudi-Arabia): I think there are some of us who do not understand English.

**The CHAIRMAN**: Then we will interpret all English into French.

**Mr. LISICKY** (Czechoslovakia) (*interpretation from French*): I really think that there exists a third solution, but I am not going into it any deeper because my only interest is that we should try to understand one another. I am afraid we may use the same words but mean different things by those words, and therefore I think it is very important that although we use the same language we should give the same meaning to the words.

**The CHAIRMAN** (*interpretation from French*): The second question is the following: On page 14 of the memorandum<sup>2</sup> it is stated: "This proposal consists of the necessity of stopping immediately all Jewish immigration into Palestine, of maintaining the rules now in force on the transfer of the land." The question is: how does this

<sup>1</sup> I.e. The French text circulated at the Thirty-Eighth meeting. For reference cited see document A/AC.13/PV.38 p. 14.

<sup>2</sup> See document A/AC.13/P.V. 38 p. 13.

harmonise with the principle of equal right proclaimed on page 16? Another question on the same point is: Is the proposal on page 14 to be considered only as a temporary arrangement?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The Government of the Arab States wants the immediate stopping of immigration into Palestine and the prohibition of the transfer of land to Jews until a democratic independent State has been established in Palestine. When such a State has been established, then it will be able to make its own laws on the question.

The CHAIRMAN (*interpretation from French*): Are there any questions on this point?

*No response.*

The CHAIRMAN (*interpretation from French*): In your opinion, would the Jews have possibilities of developing freely in a Palestinian Arab State? Developing the question further: would they have the right of an educational system of their own; and further, what would happen to Jewish industry?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): Our answer to the first part of this question is in the affirmative. In answer to the second part, the constitution of the independent State of Palestine will provide for the right of religious bodies and other societies and individuals to maintain, in addition to educational establishments administered by public authority, private schools and universities, subject to the compulsory teaching of Arabic in the schools and to Government control for the purpose of maintaining educational standards and preventing subversive teaching, with the object of creating common allegiance without discrimination among the citizens of the States.

In answer to the third part of the question, Palestinian-Jewish industry will be treated as any other Palestinian industry and will be subject to the same laws.

The CHAIRMAN (*interpretation from French*): Are there any questions from the Members of the Committee on this point?

*No response.*

The CHAIRMAN (*interpretation from French*): Question number four on our list really comes under section III. Therefore, I shall deal with it later.

Question number five relates to the statement on page 16<sup>3</sup> of the memorandum, which says that the Jews in Arab States have never been badly treated, whereas the Jews contend that bad treatment had been inflicted on the Jews in one or two Arab States. What about this contradiction?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The Jews have always lived in peace in the Arab world and in perfect harmony with the other inhabitants of those countries. History shows many examples of the liberalism and tolerance of the Arab toward all religions. It is to be attributed to Zionism that the

relationship between Jews and non-Jews has been poisoned. The only incident which we can remember is the Nazi *coup d'état* in Baghdad in 1941, which was exploitation of the hostility of Arabs towards Zionism to incite violence by Arabs against Jews. But the legal Government of Iraq quickly put an end to this movement and punished those who were responsible for it very severely.

Sir Abdur RAHMAN (India): Shall I understand that it is the political aspirations which led to that trouble, and but for those political aspirations there would have been no trouble?

Mr. Fadel JAMALI (Iraq): The answer is in the affirmative, Sir. Were it not for Zionism, the atmosphere in the Arab world between the members of the various sects and religions would be very harmonious and peaceful. We, in Iraq, before that Nazi *coup d'état*, never had any conflict between Jews and non-Jews. We consider Moslems, Christians and Jews as Arabs. We consider them all Arabs, all Iraqis. To us, Jews are only people who have a different faith, but they are part of us. We have nothing against them. They have lived, and they live today more prosperously than other sects and religions in Baghdad. There are great men in economics, finance and commerce in Iraq. So, the atmosphere is most cordial, were it not for Zionism.

May I add one more word in this connexion. We have Jews in Parliament, in the Senate, and in the highest posts in the Government. We even had a Cabinet member in Iraq who was a Jew.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I wish to answer in an even more general manner than the representative of Iraq. I would like to say that in the whole Middle East whatever religious misunderstanding exists can always be attributed to political causes, because we live in perfect tolerance and perfect understanding. The only thing that can separate us is politics.

I would like to give my own country as an example. Since the war of 1914-18 we have received over one hundred thousand refugees, none of whom was an Arab. We have received Armenians, Turks, Syrians, Circassians. We have also accepted Polish refugees. I think this proves that we make no distinction between races. We receive those who come to us as refugees; those who come to us as conquerors, we resist to the utmost of our ability.

Emir Abdel Rahman HAKKI (Egypt): May I add that in Egypt where we have about 100,000 Jews, they are a very prosperous part of the Egyptian population, and there is no distinction in the way they are treated — no discrimination between Jews, Moslems or Christians. As a matter of fact, Jews in Egypt occupy many high official posts in the Government. Some of them are senators, some are deputies, some are even high officials in the Palace itself. In industry, commerce and finance, as some honourable members of the Committee with legal experience in Egypt can testify, they are very prosperous, and

<sup>3</sup> See document A/AG.15/P.V. 38 p. 14.



even more prosperous than in any other country in Egypt.

So, I would like to testify that there is no discrimination at all in Egypt. Neither is there any in the other parts of the Middle East with regard to the treatment of Jews as Jews. If there have been outbursts in the Arab world, they were, as His Excellency the Indian delegate indicated, consequences of political agitation rather than for confessional reasons, and for which Zionism is responsible.

Mr. GARCÍA GRANADOS (Guatemala): (*interpretation from French*): I think that the question which has been raised by the representative of India has introduced a certain amount of confusion into the question we are now discussing. First of all, the representative of the Lebanon said that the cause was the Nazi *coup d'état* in Iraq. Then the representative of India asked if there were any political causes for those upheavals. The answer was yes, and Zionism is responsible. However, we have been told that Jews in Iraq and in Egypt also are extremely prosperous, that they occupy important positions in the countries there. Therefore, I hardly think it likely that they would like to practice Zionism; that is to say, to return to Palestine and to leave a country where they live in such good conditions.

I would like, therefore, to come back to the explanation which has been given to us by the Minister of Foreign Affairs of the Lebanon, who said that for reasons which could not have been stopped by any of the Arab Governments there have been troubles which were caused by the Nazis. But I think there is a contradiction between those two explanations. Therefore, I think I would prefer to accept the first explanation which has been given to us by the representative of the Lebanon, in agreement with all his colleagues from the other countries.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I must say that I do not see the confusion which has been mentioned by the representative of Guatemala. The only incident which occurred in Baghdad in 1941 happened when Baghdad was the scene of a Nazi *coup d'état*. The Nazis raised a revolt, a military revolution, and they took power. Under this regime Jews were persecuted by the application of one of the principles of the Nazi machine, which is anti-semitism. Further, I must say that those persecutions were not only directed against Jews, but members of the Government had to flee, and even Moslem high personalities were maltreated. It was against those actions that the legal Government, when it returned to power, took very severe steps. It condemned not only those who had committed acts of violence against the members of the legal Government, but even executed certain Ministers of that time — and one of the reasons that we are given for that is that they had persecuted Jews. I therefore maintain what I said. In the Middle East today, whatever religious persecutions may occur, they are always due to political causes. If the Committee would

like to have examples, we could give them several.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I think that the representative of Guatemala considers Palestine as the country of origin of the Jews. The representative of Guatemala said "Those Jews who wish to return to Palestine."

Dr. Fadel JAMALI (Iraq): I wish to answer the honourable representative of Guatemala as to the contradiction which he assumed. I wish to tell him there is no contradiction at all. Political trouble may be from within or from without. From within we had Zionism, and its promulgation poisoned the atmosphere between the Jews and non-Jews. That is why our Jews have become conscious and they feel they should be anti-Zionists in Iraq. But, there was the external force of Nazism — that was another political influence. The Nazis did provoke a *coup d'état* in Iraq; it did not last more than one month. It was squashed and the number of Jews who were killed in that incident did not exceed eighty. But I wish to say that the non-Jews who died in that *coup d'état* were more than 1,000. In other words, while the Nazis did provoke the anti-Zionist sentiment, they also caused much damage to the country, to Jew and non-Jew alike, similar to any other European country which was overrun by Nazis. In other words, today we have nothing to poison the atmosphere which has for long been peaceful between Jews and non-Jews, except for Zionism.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): I still maintain that a contradiction exists. The representative of Iraq said the Jews in Iraq are not Zionists and therefore they have no political aspirations. Therefore the evil influence must come from the exterior to cause trouble, since the Jews in Iraq are not Zionists.

Mr. Fadel JAMALI (Iraq): It is very difficult, Mr. Chairman, to convince the world that not every Jew is a Zionist. Sometimes it is taken that every Jew is a Zionist. In Iraq we may have rare cases of Zionists, but we try to see to it that those cases are not being generalised, and our Jews should not be accused of being Zionists when they are not actually so. Therefore, any political agitator might, during time of trouble, generalise and claim that all these Jews are Zionists. That is how Zionism comes to be a weapon for irritation.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I think I said that Nazism in Baghdad did the same as it did in other countries, namely it created anti-Semitism. The troubles were the result of anti-Semitism. Such was the case in Baghdad, as it was in any other capital where the Nazis arrived.

Mr. HOOD (Australia): May I ask what the position of the Yemen is in this respect? What is the reason, for example, for the presence at Aden now of a considerable number of Jews from the Yemen?

Mr. Ali Al MOUAYED (Yemen) (*interpretation*): The Jews who are in the Yemen enjoy the same rights as all other inhabitants of the country. Further, they are not even taxed as much as the Moslems. They are prosperous and very happy there, and there is no reason to blame the authorities in Yemen for their being maltreated or molested.

The CHAIRMAN (*interpretation from French*): The question asked by Mr. Hood included one more point. He wanted to know what the reason was for the presence in Aden of many Jews.

Mr. Ali Al MOUAYED (Yemen) (*interpretation*): Some of the Jews left the Yemen to go to Aden because they wanted to go to Palestine. But once they arrived in Aden they changed their minds and stayed where they were.

Emil Adel ARSLAN (Syria) (*interpretation from French*): The number of Jews who left the Yemen could not be very much higher than five or six thousand. But, on the other hand, there are many Arabs who leave the Yemen and try to immigrate somewhere else. I must say that I have found there are about 12,000 of those Arabs in Cardiff, in the north of England. Therefore, I do not think it should be considered extraordinary that they should leave their own country to find work somewhere else.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): I would like to return to the point of clarifying the causes of the troubles in Iraq. I think we came to an agreement that they were caused by the Nazi ideas which were at that time poisoning the minds of certain parts of the population there. Now, let us suppose that an Arab State is created in Palestine. Unfortunately, according to certain documents, and according to what was said by the Allies during the war, there are many members of the Arab Higher Committee who during the war had Nazi tendencies. Further, I think, from what I have seen in Palestine, that the members of the Arab Higher Committee are members of the most influential political party in Palestine, and therefore it is most likely that they would come into power. Do you not think that the same troubles might occur since we know that they had Nazi ideas during the war?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I think that to say the members of the Arab Higher Committee have Nazi ideas is an entirely unfounded accusation. First of all, the men who judged war criminals have not conceded that the members of the Arab Higher Committee are war criminals. The United Kingdom did not ask that the Mufti be extradited from Palestine as a war criminal. Secondly, if certain members of the Arab Higher Committee took refuge in Germany during the war it was not because they sympathised with the Nazi movement, but because they were fighting against the Jews and therefore they came to fight against Great Britain, and could not find refuge anywhere but in Germany. After they left Palestine, the members of the Arab Higher Committee went, first of all, to friendly countries, such

as Iraq, then to neutral countries, such as Iran, and finally when Iraq and Iran were occupied by the Allies, and particularly by the United Kingdom, they had to flee, and the only countries where they could take refuge were Italy and Germany. Further, I can state here very firmly that the Arab Higher Committee of Palestine was never at the service of any foreign power. Their only aim was to save Palestine from Zionism. We can also declare that the Arab Higher Committee, if it should take up the Government of Palestine, would certainly commit no acts of violence against the Jews. If we examine the present situation, we can see very clearly that the ideas of violence did not come from the Arab side, but that terrorism has been introduced and is being practised systematically by the Jews.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I would like to add that when all the representatives of the Arab countries attended the London Conference on Palestine, in their plan they gave guarantees for the protection of Jews in an Arab State.

Mr. FABREGAT (Uruguay): In connexion with this question is it possible to establish in numbers the Jewish population in the Arab States in the last twenty years, including Palestine?

Mr. Riad SOLH (Lebanon) (*interpretation from French*): I shall give an answer to it at the next meeting.

Mr. Fadel JAMALI (Iraq): I think every one of us could give a statement of the number of Jews they have in their country. I can say that in Iraq we have approximately 150,000.

Mr. FABREGAT (Uruguay): I would like the comparative numbers of the last twenty years.

Sir Abdur RAHMAN (India): Mr. Chairman, Mr. Arslan has referred to statements in the London Conference in his reply. Could we have copies of those statements, made by the representatives in London, in which such guarantees were given?

The CHAIRMAN (*interpretation from French*): You heard Sir Abdur Rahman's question; what is the reply?

Emir Adel ARSLAN (Syria) (*interpretation from French*): The answer is in the affirmative. We can obtain copies of this declaration.

The CHAIRMAN (*interpretation from French*): We now leave question number five. For question number six we have in view the fact that the Mandatory Power found it necessary to have considerable armed forces to maintain order and peace in Palestine. Therefore, in the case of Palestine becoming an independent Arab State, how will law and order be maintained having in view the fact that the Mandatory Power needs considerable armed forces for that purpose under present circumstances?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The representatives of the Arab Governments consider that there should be created in Palestine an independent State with police forces sufficient to prevent any attempt at

disorder from whatever side it would arise. The Governments are further convinced that if sufficient firmness is used it would not be necessary to have a very considerable number of police forces.

The CHAIRMAN (*interpretation from French*): You know as well as we do that certain disorders in Palestine now are caused by Jews and that the Jews have considerable underground forces, such as Haganah, and so on. Do you not think it would be necessary to have a rather strong police force to maintain order in that case?

Emir Adel ARSLAN (Syria) (*interpretation from French*): We are convinced that the United Kingdom is maintaining large armed forces in Palestine but is not using those forces.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I said that we foresaw the necessity for such police forces, and if you wish to ask for details we could give you a study, as I think we could establish exactly what forces would be required. Up to now the United Kingdom has not taken very severe steps against the Underground. If I am correctly informed, there are official reports from the Government of Palestine saying that it would be possible to end those acts of terrorism within a comparatively short time; but up to now — probably in order not to shock public opinion in the world — they have not wanted to use reprisals against the Jews. I think the present troubles in Palestine have one aim; that is to excite the world in favour of the Jews. I think when the United Nations has said there should be an Arab State, and when that Arab State has been established in Palestine, the Jews will understand that they are doing their own cause more harm than good and they will try to come to an understanding in order to co-operate in that State.

The CHAIRMAN (*interpretation from French*): Who, according to you, would establish those police forces which you mention?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The Palestine State, under the auspices of the United Nations.

The CHAIRMAN (*interpretation from French*): Are there any questions from the Members of the Committee?

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): Could we receive this study of the numbers of the police force which, according to you, would be required to maintain order in the Palestine State?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I said we were not ready to give those details just now, but I think if we could be given some time, basing our studies on the Arab States which became independent, we could give the approximate number.

Mr. GARCÍA GRANADOS (Guatemala): Would it not be the same problem if an Arab State were established in Palestine? They also would like to move public opinion in the same way.

Mr. Hamid FRANGIE (Lebanon) (*interpreta-*

*tion from French*): I think this Government would act with justice and firmness and therefore would not have to take any measures which would be likely to move world public opinion.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): I must say I do not see the difference between an Arab Government and a United Kingdom Government. Why should an Arab Government not move public opinion by taking such steps as the United Kingdom Government are taking?

Emir Adel ARSLAN (Syria) (*interpretation from French*): The Government of the United Kingdom may have political reasons foreign to Palestine, which a Palestinian Government would not have.

The CHAIRMAN (*interpretation from French*): I think we already have an answer to question number 7.

I think we discussed rather fully the security of Jewish communities in Arab States. Therefore, we can go to the third part, which is in relation to reactions regarding certain solutions of the problem. In order not to forget it, I shall start with question number four, under "I"; that is, why should a Jewish State not be viable — which was a statement given in the memorandum yesterday.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): This Jewish State would not be viable because it would be surrounded by hostile countries. The surrounding Arab countries would never accept surrendering part of their territory for the creation of a Jewish State.

The CHAIRMAN (*interpretation from French*): These are political reasons. Would there be any economic reasons?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The economic reasons are the following. Zionist Palestine is not playing a fair game in world economy. Their economy aims entirely at settling immigrants, whatever the cost of the settlement. Their interest is not in the creation of a prosperous economy and in becoming rich; they want to acquire territories. In Lebanon, Syria, and in the south there have been attempts at veritable invasions. Therefore, we had to take severe legislative measures regulating the transfer of land. In order to avoid a possible fissure, we even had to establish rules regarding the transfer of land between Lebanese and Syrian citizens; Lebanese within Lebanon, and Syrians within Syria. The Zionists claimed that they created a very powerful industry, but it has been proved that this industry could survive only through foreign help, even during the war, and it is now steadily moving towards ruin. Already there have been many bankruptcies. The Arab States took the only possible measure in that situation; that is to say, they decided to boycott Zionist goods. This measure was decided upon a year and a half ago and has been in practice for fourteen months. You know that Palestine industry, if it is to fight against a boycott, cannot find its balance again because it has

no longer any markets in its neighbouring countries. The Arab countries are really the only likely market for Palestinian goods. Even Zionists, I think, would not try to find an outlet for their products anywhere but in Arab countries. Can one imagine Palestinian goods in the United States or Europe? Once our own markets are closed against Palestinian goods they will go steadily towards ruin, and this is one reason why a Jewish State would not be practicable.

I should like to say that I base my remark that Zionist economy aims only at settling people in Palestine on the report which has been presented by the Government of Palestine to your Committee. It is said on page 43 that the capital invested in one acre of the land in the Negeb — and you know what importance they attach to that part of the country — varies between 300 and 500 guineas, and that the cost of irrigating one acre of country in that area varies between 50 and 80 guineas. You have seen what has been produced in the Negeb and you know that all that has been done there is only in order to help the Jews to settle in that region. If those same sums had been spent anywhere else, I think one could have irrigated ten times more land for the same eighty guineas and bought ten times more for the same five hundred guineas. Therefore, this economy is not an economy in the usual sense of the word, but it is really practised in order to occupy the land, in order to settle Jews in the country. Therefore, it is only a political aim.

I should like to state here that we can say, after twenty-five years' experience with Zionism, that Zionism has been able to survive only through foreign support, and I should like, very respectfully, to ask a question of the Committee. What would happen to Zionism and Zionist economy if this financial support should fail?

The CHAIRMAN (*interpretation from French*): I suppose this is a purely rhetorical question and you are not expecting an answer.

I should like to ask a question of detail. You know that in Palestine the Jews have established a rather prosperous diamond industry and the export of diamonds — the half of it — goes to the United States.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): You know that half of the diamond factories are closed now and many of them are already bankrupt.

The CHAIRMAN (*interpretation from French*): May this be attributed to the boycott or to the situation in the United States?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): It can be attributed partly to the boycott.

A further example; you know that eighty-three per cent of the Jewish population in Palestine lives upon other resources than agriculture. That is to say, only seventeen per cent can live on the soil. I wonder how the other eighty-three per cent could survive in the present situation — that is to say, while we are boycotting their goods.

The CHAIRMAN (*interpretation from French*): Do the Arab States not suffer also from boycotting Jewish industry? That is to say, is it not a fact that they cannot obtain certain goods from Palestine and therefore have to buy them at greater expense somewhere else?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): You know that industry in Palestine was created particularly during the war when it was easy to obtain the necessary machinery. Secondly, since we started the boycott we have been developing our own industry very carefully and very strongly. Thirdly, even if we could have the goods from Palestine at lower prices, we could not buy them because they are of inferior quality.

The CHAIRMAN (*interpretation from French*): I should like to know whether you would not sell less to Palestine on account of the boycott.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): We do not sell less because we are now creating a system of exchange between Arab States, and very soon, following the pact concluded at Cairo, we shall have trade agreements between Arab States.

The CHAIRMAN (*interpretation from French*): Are there any other questions on this point? I have one further question. If, under the auspices of the United Nations, a Jewish State were to be created, would it not be contrary to the principles of the Charter of the United Nations to maintain this boycott?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I should like to say that we do not intend to go back on our decision to boycott Zionist goods. The question was put at Geneva, where the problem is being dealt with now, and we were asked to sign Article 23 of the Charter, which forbids boycott between signatory States. We asked for one condition; that is that we be assured of the following interpretation — that Zionists are not a State and are not members. Further, we are determined not to accept this Article.

Emir Adel ARSLAN (Syria) (*interpretation from French*): The idea of the boycott came from the Zionist members who started boycotting Arab workers and Arab goods. For example, in order to boycott the fishermen from Jaffa, they went to get fish from the Tigris in trucks belonging to Jewish companies.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): In the constitution — that is to say the organisation of the Jewish Trade Unions — there is one provision saying that any Arab worker in a Jewish enterprise can be replaced by any Jewish worker who asks for the same job.

Secondly, I should like to say that in the whole of Tel-Aviv there is neither a single Arab worker nor a single Arab employee.

Mr. Fadel JAMALI (Iraq): I want to add one word. They also have in the constitution of the Jewish Land Regulations that Arab labour shall not be employed on Jewish National land. That is another act of discrimination which they have

practised long before the Arabs thought of a boycott.

The CHAIRMAN (*interpretation from French*): I would like to underline that in Palestine we have been told that there are an important number of Arab workers in the orange groves.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I would like to say first of all, that those workers are not paid the same wages as Jewish workers. This is a first discriminatory measure. Secondly, those Jews came to Palestine, and contrary to what they say, they learned this industry, this work, from the Arabs.

Mr. Fouad HAMZA (Saudi Arabia): May we ask if the other Members of the Committee have found many Arab labourers in the Jewish colonies in Palestine?

The CHAIRMAN (*interpretation from French*): I should like to answer that in the potash factory at the Dead Sea there are quite a number of Arab workers. I think it is even half of the total number.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): This potash industry at the Dead Sea is a mixed enterprise. They are shareholders, and some are British shareholders. It may be that the British find it convenient to have Arab labour, but apart from that, in purely Jewish enterprises, there are no Arab workers.

Mr. Fadel JAMALI (Iraq): The following passage from the report of Sir John Hope Simpson merits attention:

"Ever since the Keren Hayesod<sup>4</sup> came into existence, there has been no difference in the policy of colonisation between the P.I.C.A.<sup>5</sup> and other Zionist agencies. The effect of this policy has been to exclude the Arabs in every way possible from any benefit from the land."

Since that date (1930) the class of landless Arabs has grown at an alarming rate.

Paragraph C of Article 3 of the constitution of the Jewish Agency runs as follows:

"The Agency shall promote agricultural colonisation based on Jewish labour and in all works and undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed."

Article 23 of the lease agreements of the Keren Hayesod goes even further.

"Article 23. The lessee undertakes to execute all works connected with the cultivation of holding only with Jewish labour. Further to comply with this duty, the employment of non-Jewish labour shall under the lease be liable to the payment of a compensation of ten Palestinian pounds for each default. The fact of the employment of non-Jewish labour shall constitute adequate proof as to the damages and the amount thereof and the right of the Fund to be paid the compensation referred to . . . and it shall not be necessary to serve on the lessee any notarial or other notice. When the lessee has contravened

the provision of the article three times the Fund may apply the right of restitution of the holding without paying any compensation whatever."

We might also mention the conclusions of Sir John Hope Simpson, which are to be found on page 54 of his report:

"Attempts are constantly being made to establish the advantage which Jewish settlement has brought to the Arabs. The most lofty sentiments are ventilated at public meetings and in Zionist propaganda."

The CHAIRMAN (*interpretation from French*): It is perhaps not necessary to translate this passage. Do you ask for an interpretation?

Mr. Hamid FRANGIE (Lebanon): No.

The CHAIRMAN (*interpretation from French*): I should like to say you are right, that is to say, that generally in Jewish industry there are no Arab workers. Does this also apply in the opposite sense?

Emir Adel ARSLAN (Syria) (*interpretation from French*): Some Arab merchants used to employ Jews but they have ceased to do so since the boycott.

The CHAIRMAN (*interpretation from French*): It was stated yesterday in the memorandum that the security of the Arab States would be jeopardized by the establishment of a Jewish State in Palestine. Do you consider that even if this State consisted of a small part of Palestine it would still constitute a danger? And how would security be threatened?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): A Jewish State, however small, would constitute a danger for the Arab world both from the interior and the exterior. From the interior it would create friction, exert a certain economic pressure and would gradually infiltrate in order to create disorder. From the exterior, a Jewish State would constitute a bridgehead against the Arab world. Such is the collective answer of the delegations of the Arab States. I would like to add some words myself.

I think that the question of creation of a Jewish State cannot be taken without two other connected problems; that is, the question of immigration and that of foreign subsidies. A Jewish State would, of course, be master of the immigration into Palestine. It might decide that immigration would be without limits and the economic argument, which would be that it is impossible for a very large number of people to live in a very small territory, would become void if the Jewish State can still reckon with foreign financial support. Therefore, with the doors of the country wide open to immigration, and financial support from outside, the Jewish State would become extremely populated. Therefore, it might not be one million, but two, three, four million, since it would not depend on its own economy or its own production. As soon as it goes beyond a certain limit in numbers, it is no longer a State where Jews can come and be safe but it becomes a bridgehead against the Arab world. This is what we absolutely want to avoid. A Jewish

<sup>4</sup> Palestine Jewish Colonization Association.

<sup>5</sup> Palestine Foundation Fund.

State would not be accepted by the Jews if they had to put an end to immigration. Further if they go on obtaining subsidies, this very highly populated country, enjoying foreign financial support, would certainly constitute a military danger for the Arab world.

Mr. Fouad HAMZA (Saudi Arabia) : If you will permit me, I will simply add a few words. You may have the impression that the Arab States may be afraid of the establishment of a Jewish State in Palestine. This is not the case. The Arabs have never been afraid of the Jews and will never be afraid of them. What we are afraid of in the establishment of a Jewish State in Palestine is that it will create friction which will endanger the security of the whole of the Middle East. That is the most important problem. Taking into consideration the fact that Zionism is based on aggressive action, you know exactly what we may fear. In fact, we may also be afraid that any Jewish State, however small it may be, will be led by the terrorist elements whose acts you have seen.

Emir Adel ARSLAN (Syria) (*interpretation from French*) : We must not forget that the question of establishing a Jewish State in Palestine is for the Arabs a question of national dignity. We shall never permit the creation of a Jewish State in Palestine. Otherwise, if any country would admit that a State may be created within its own national boundaries, it would not be necessary to send a committee, for instance, to the Balkans. There the dispute between Greece and Bulgaria is only a question of boundaries, of frontiers. But here in Palestine, it is not a problem simply of frontiers. Zionism wants to create a Jewish State within an Arab State. I do not think that any other country would admit such a thing.

Mr. ENTEZAM (Iran) (*interpretation from French*) : I would like to raise a question in connexion with the explanation which has been given by the representative of Lebanon; that is to say, if I understand correctly, the danger which would be constituted by the creation of a Jewish State, however small, is that this Jewish State would be able to permit unlimited immigration, and reckoning with the financial support abroad, it would become exceedingly populated. Therefore, the problem of vital space would arise; that is to say, that this country might want to go beyond its own limits.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*) : According to us, this is absolutely certain. It is only necessary to watch the requests of the Jews to see how they are growing. I recalled yesterday that the Jewish delegation to the Peace Conference did not dream of asking for the creation of a Jewish State. Every time the Jews obtain something, they establish themselves firmly upon what they obtain, and then want to ask for more. If I remember correctly, the Jewish National Home had been defined in 1919 by such responsible persons as M. Pichon from France, at the Peace Conference he said that it was to be a cultural national home.

Lord Balfour also, the author of the famous Declaration, said something similar in 1922. At present it is no longer a question of a cultural home but a real national home, and the Jews demand the creation of a Jewish State in the whole of Palestine. Some go even further and say in the whole of historical Palestine; that is to say, from Sinai to the Euphrates.

If, on the other hand, the idea is to have that Jewish State created on a smaller territory, then it is inevitable that it will become overpopulated and it will be impossible for that population to live on such a small territory. This would be certainly a reason for friction which the United Nations are trying to avoid. The United Nations are trying to avoid causes for new wars, but this might be a cause for a new war.

Mr. Fadel JAMALI (Iraq) : I want to say what His Excellency the Lebanese Foreign Minister said. I will simply elaborate on the matter. To appreciate the danger to peace if a Jewish State in the Middle East, one has only to study the nature and history of Zionism, their method. They start with a small, very modest demand and then that grows bigger and bigger. They never first spoke of the Jewish State. I know very well that Dr. Weizmann acquiesced in the letter published in 1922 by the Colonial Office, saying their intention was not to have a Jewish State. I listened to Dr. Weizmann before the Anglo-American Committee last year when he stated that he always said "Don't mention a Jewish State, the Jewish State will come." Now Dr. Weizmann is satisfied with partition, a small State, but that small State, part of Palestine, will ask for all of Palestine. But that is not enough. Trans-Jordan would come. And that is not enough. Part of Southern Syria, Southern Lebanon, part of Egypt. And that is not enough. From the Nile to the Euphrates. That is what the terrorists say today. And even that is not enough. For the statements have appeared that they want actually the economic, if not political, penetration of the whole of the Middle East. We know these things. We are quite familiar with them. And history is proving and vindicating our views.

So, if that is not a cause of irritation and provocation, and if that is not a danger to peace, I do not know what could be a danger to peace and security in the Middle East. It is not that we are going to stand still or acquiesce or become passive. Not at all. But there is the danger. Struggle will be coming.

If you will permit me, I would like to give one very interesting example: A very modest and wise Jew who always preaches unity with the Arabs, Dr. Magnes. I have watched with great interest the gradual development of Dr. Magnes' views, I used to read his writings in 1929-1930. Then Dr. Magnes was against immigration, against any political intentions. He simply wanted a spiritual home in Palestine. That is all. The Jews did not want anything more than that. Later on, Dr. Magnes, in 1936, when the Arabs were revolting, said: "Why not let us come to a final understanding; let us agree that the Jews

will never exceed forty per cent and the Arabs sixty per cent." Later on, more recently, he has come to the idea of parity, numerical parity. "That will settle the question", he says. But that is not the end. He says later on, "The Arabs may acquiesce that that parity may also be exceeded." And there we are. This is the most modest and the most peaceful Jew whom we see. Watch his growth, the growth of his demands. I do not know after parity has succeeded what official program of the Zionists will follow.

Emir Adel ARSLAN (Syria) (*interpretation from French*): In 1922 I had the great advantage of travelling with Lord Milner, who drafted the Balfour Declaration. He declared there was only one member of the Cabinet of Great Britain at that time who refused to accept the Balfour Declaration, and that was Montague, a Jew. When he was asked for the reasons for his refusal, he said: "I think that this Declaration will be a great evil for the Jews because I know the Jews much better than you do and I know that if they were given this Declaration, they could bring about a great danger and a great evil."

Sir Abdur RAHMAN (India): May I have your views, gentlemen, as to whether the creation of a Jewish State, even in a part of the country, is in accordance with the framework of the Charter of the United Nations? Do you not have to take Palestine as an entity, as it exists now, and decide that question?

Mr. Fadel JAMALI (Iraq): Mr. Chairman, we are all unanimous, I think, that the creation of a Jewish State is contrary to the spirit and letter of the Charter, contrary to democratic principles, and contrary to human rights.

Sir Abdur RAHMAN (India): The second part of my question is: Must not Palestine be taken as an entity, in order to consider the question, and not as capable of being divided into two parts to be taken as two different entities?

Mr. Fadel JAMALI (Iraq): The destiny of Palestine cannot be decided by outsiders. It is against the Charter. The destiny of Palestine shall be decided by its own people. The people of Palestine shall decide the destiny of Palestine. Any effort to impose any solutions contrary to the wishes of the people, democratically expressed, the legal people, the rightful people, would be contrary to the letter and spirit of the Charter.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): In answer to the question put by Sir Abdur Rahman, I think it was never the intention of the Charter to agree to a partition of the country. I think this would be absolutely against all the principles of the Charter.

The CHAIRMAN (*interpretation from French*): We can proceed now to question 2. I think we had answers to that question in the discussion of question number 1.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): Any foreign element within the Arab world would constitute a threat to that

world, and this is all the more true in the case of Palestine. This is the general answer of the Arab delegations. I would like to add further, for the information of the Committee, that the Arab world has solved almost all its political problems and has concluded an agreement at Cairo. Now the only political problem which remains to be solved is that of the presence of Zionism in Palestine. And, of course, it would be all the more difficult to solve if Zionism in Palestine should be transformed into a Zionist Palestine.

The CHAIRMAN (*interpretation from French*): Question number 3 is as follows and refers to a statement in the memorandum on page 12. "For the security of our own country, it is our right, and even more our duty, to resist Zionism by all the means at our disposal." Further, on page 13, it is said that to a Jewish State established by violence the Arab States would answer by violence; this is the only possible answer. Now, the question is as follows: Would the Arab States have recourse to violent measures by all the means at their disposal?

Emir Adel ARSLAN (Syria) (*interpretation from French*): All the Arab States consider that the establishment of the Jewish State in Palestine would constitute a violation of their rights, their aspirations, and their interests. Therefore it would be difficult, first of all, for them not to defend themselves, and further, to prevent an even more violent movement being the reaction.

The CHAIRMAN (*interpretation from French*): Would you consider even the Jewish State constituted under the auspices of the United Nations as established by violence?

Mr. Fouad HAMZA (Saudi Arabia): We have confidence that the United Nations will not make such a decision. It will exceed the terms of the Charter of the United Nations to impose such a foreign State on Arab land. It will be against the will of the population.

Mr. Abdel Rahman HAKKI (Egypt): May I add that the creation of a Jewish State in Palestine will end in being a danger to the Arab States surrounding it. It will not only be as His Excellency the Iranian delegate said, an overpopulated country which will be in need of *lebensraum* in the Arab countries surrounding it; it will be a situation in which you have a concentration of forces. As a matter of fact, it would be a standing army which would be living on help from outside and it would be a danger to the surrounding countries. The Arab States, if they take measures, would take measures which any State would take if it finds a million armed persons at its frontiers. That is a situation which would be created, and the Arab States would have to react to a situation in the same way as any other country would do if it found a million armed persons at its frontiers.

The CHAIRMAN (*interpretation from French*): I would like to return to my question. The representative of Saudi Arabia said that he hoped the United Nations would not make such a decision. But if, against his hopes, it should be the

case, then would you still consider that this Jewish State had been established by violence?

Mr. Fouad HAMZA (Saudi Arabia): I still persist, Mr. Chairman, that the United Nations would not make such decision; firstly, because that would be contrary to the Charter itself; these are hypothetical questions and we prefer not to say anything until such a decision is made.

Mr. Fadel JAMALI (Iraq): I would like to state, Mr. Chairman, that the example of the League of Nations is before us. When the League of Nations supported a Mandate which was against its own Covenant, against the terms of its Covenant and against the principles of democracy and self-determination, the decision of the League of Nations did not preclude violation in Palestine. Since the Balfour Declaration was issued violation started, and that violation involved the Arab world. Ever since, one revolution followed another and the Arab States surrounding Palestine were involved, whether officially or semi-officially, and yet the League of Nations was in existence. This was one of the grave mistakes of the League of Nations, in having passed the terms of a Mandate which were against the very terms of the Covenant. So we do hope that the United Nations will not make the mistake of the League of Nations by going against the spirit of its own Charter because that will certainly lead to violence.

Mr. Fouad HAMZA (Saudi Arabia): I would like to explain my ideas a little further. We have committed ourselves to the Charter of the United Nations. We cannot go beyond that Charter. If the United Nations go beyond that, certainly the very existence of the Jewish State will make us free to make our own decisions there.

The CHAIRMAN (*interpretation from French*): We proceed now to question number 4. Several solutions have been mentioned: (a) A bi-national State with a limited immigration, (b) A federal State, comprising two or more part States, each having the power to determine whether or not immigration would take place, (c) Partition, involving establishment of two independent States which as a matter of course would be at liberty to decide on the immigration question. What are your reasons for disregarding these solutions?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The reasons we have for refusing certain solutions are as follows: We consider that the establishment of a new State, or the establishment of a bridgehead, would be incompatible with our own rights.

The CHAIRMAN (*interpretation from French*): Do you consider all those solutions as having the same number of disadvantages? I would like to know if you adopt a certain order in those solutions?

Mr. Hamid FRANGIE (Lebanon) (*interpretations from French*): No. We all refused them because they all have the same disadvantages.

Sir Abdur RAHMAN (India): Now, gentlemen, just look at the situation we are confronted with.

There are six hundred to seven hundred thousand Jews in Palestine, and there are twelve hundred thousand Arab Christians and Moslems. We have to find a solution. Would you, considering the Jews to be a nation and considering the Arabs to be another nation, discard the idea of a bi-national State? I am not talking of parity just now, because the words in the question do not refer to parity or non-parity. I am saying that given twelve hundred thousand Arabs and six hundred to seven hundred thousand Jews, would you really not consider the formation of a Government composed of these two peoples? I am leaving parity out of my question, for the time being. That is one part of the question. The other question that was involved is limited immigration. Now, immigration can be for two reasons: One, political, and the other, religious. I am a Moslem, and some of you are Moslems. Suppose I, in my religious zeal, wish to come and visit Haram esh Sharif and wish to settle down, would you stop immigration altogether? I am saying that there are two aspects of immigration—political and religious. Your answer was in such general terms that I wish to stop and discuss with you in a little more detail as to what you are really trying to convey. Would you stop immigration even for the purpose of religious zeal if people wish to come to Palestine and wish to settle down there for that reason, whether they be Christian, Moslem or Jew? I am asking you that question, now. My question consists of two parts. Take both of them separately, please. Take first of all the creation of a State composed of two peoples—Jews, six or seven hundred thousand, and twelve hundred thousand Arabs. Now, we have been called upon to find a solution. Would you, without the question of parity being taken into consideration, discard the question of the composition of the Government composed of these two peoples in Palestine? The second question refers to immigration. Deal with them separately. I should like to have a little more detailed information from you on that point.

Emir Adel ARSLAN (Syria) (*interpretation from French*): In the draft we presented in London to the British Government this question was studied very carefully; that is to say, the question of creating a State in Palestine where Jews would have a right to parliamentary representation and to positions in the Government. On the second part of the question there is a very important difference between immigration, immigrants, and visitors or pilgrims. It was stated yesterday, I think, and I repeat it, that access to Holy Places would be perfectly free. But on the other hand, if you suppose that a million Moslem individuals would like to come and settle in Palestine because they want to be near the Holy Places, then we would certainly refuse them. And since we would refuse that to Moslems who, after all, constitute the majority of the population, I see no reason why we should not deal with the Jews in the same way.

Mr. Camille CHAMOUN (Minister for the Interior, of the Lebanese Republic) (*interpretation*



from French) : As has been said before, this question was studied very carefully in London during the Conference that took place on Palestine. If I understand the representative of India correctly, his question has two objectives. First of all, is there any possibility of establishing a unitary state in Palestine where Arabs and Jews would take part in the Government? And secondly, there is the question of full limitation of immigration.

On the first point, which was dealt with in detail in London, we insisted upon the safeguarding of the Arab character of Palestine, and within the framework of the Arab character we proposed that Jews, proportionately to their number in the country and the number who acquired Palestinian nationality, should be asked to co-operate in the Government of the country. There should be called a constituent assembly composed, proportionately again, of Arabs and Jews who would define the constitution of Palestine. The result of this assembly would be the setting up of a Government composed of Arabs and Jews proportionately. Further, Jews and Arabs would also be represented proportionately in Parliament; all this in order to bring about the fullest possible co-operation between the two elements of the population. On this point I think we can give a satisfactory answer to the question put by the representative of India. We are not opposed to a reasonable solution through the creation of a State where Arabs and Jews would be proportionately represented, and further, we were the first to propose that Jews should be asked to co-operate in the Government of a new Palestinian State.

Beyond those proposals of a political character we proposed certain guarantees of a religious and cultural character, and further that certain special courts should be established for the Jews to solve certain questions of personal status. Our opinions given in London were perfectly constructive and certainly in accordance with the principles of the United Nations and in conformity with the Charter, which aims at the maintenance of unity in Palestine. This is my answer to the first question.

Now for the second question. We were of the opinion, during that Conference on Palestine, and also here, that it is the affair of the future Government of Palestine to take any decisions about immigration. Up to now immigration has been only one way; that is to say, it has been only Jews who have immigrated into Palestine, and no Arabs at all. There have been cases where Arabs who wanted to immigrate into Palestine have been refused permission. Zionist immigration, therefore, has been one way and with only one aim, and that is to dominate Palestine. Therefore it is quite understandable that we want to be extremely circumspect and careful with regard to immigration and to regard it as the affair of the future Government of Palestine to decide upon this moot point. We certainly do not think the doors of the country should be closed, but there should be a certain definite control. Other

countries control immigration. Why do such large countries as the United States, Brazil, Canada, and Australia impose certain limitations to immigration? It is to preserve their own national unity. Therefore it is all the more important in the case of a small country like Palestine. Immigration must be controlled and I think it is the duty and the full right of the future Government of Palestine to refuse entry into the country to certain subversive characters who would have a political opinion which might do harm to the country. I believe there will certainly be immigration in the new State, but it will be limited by the laws then existing in the country.

The CHAIRMAN (*interpretation from French*) : I should like to adjourn now and to ask if you would come back at 3.30 p.m.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*) : Before you adjourn I should like to make two statements. Yesterday it was mentioned in our memorandum that Canada accepted only five thousand Jews. I have been told by the representative of Canada on this Committee that this was only the first series—the first slice, if I may say so—and I must apologise for this mistake, which was due to misinformation from the press.

On the question of displaced persons I should like to say that we have decided to co-operate in the solution of that problem within the United Nations, as Members of the United Nations and in a spirit of co-operation.

The other statement I have to make is about Trans-Jordan. You may have wondered why Trans-Jordan is not present with the other Members of the Arab States. The President of the Council of Lebanon has just received a telegram from the King of Trans-Jordan saying that if he did not come here it was because he is expecting a visit from the Committee—or certain Members of the Committee—to Amman. This is the only reason why there was no representative of Trans-Jordan here. Further, it is stated in this telegram that as far as Trans-Jordan is concerned, it will adopt the same attitude, as always, in regard to the solution of the problem of Palestine as the other Arab States.

Mr. Fadel JAMALI (Iraq) : I wanted to ask whether it would be a special session or an open session, because I asked yesterday for the opportunity of making a statement in a public session of the Committee.

The CHAIRMAN (*interpretation from French*) : Would it not be sufficient if your declaration were given later to the press?

Mr. Fadel JAMALI (Iraq) : I should like to state it before the Committee.

Mr. Abdel Rahman HAKKI (Egypt) : (*interpretation from French*) : As regards the conditions among the Jews in the Arab countries I have been informed that the Secretary-General of the Rabbinate of Egypt has arrived in Beirut and would like to make a statement before the Committee. I should like to know if that is possible.

The CHAIRMAN (*interpretation from French*): I should like to have the opinion of the Committee on whether the Committee would like to hear him if he arrives here in time.

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): We have heard the declaration of the representative of Egypt on the situation of the Jews in this country, and I think we can accept that statement. In this case I must say, considering how little time we have, I do not see the urgency or the necessity of hearing this representative, and I do not think it will be very useful.

Mr. Abdel Rahman HAKKI (Egypt) (*interpretation from French*): If documents were available, we might forward them to the Secretariat of the Committee.

The CHAIRMAN (*interpretation from French*): There will be a private meeting at 3 o'clock, and at 3.30 p.m. the representatives of the Arab States will arrive.

The meeting is suspended.

*The meeting was suspended at 1:20 p.m. and was resumed at 3.30 p.m.*

The CHAIRMAN (*interpretation from French*): The meeting is called to order.

There are two questions left on the first list. The first of those is question five under the Roman numeral III. What would in your opinion be the chances of such solutions being accepted by the Palestinian population?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): We answered that question this morning, Mr. Chairman. The point of view of the Arabs of Palestine is well-known. They absolutely reject all those solutions.

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): Do I understand correctly that when you say that the Arabs of Palestine reject those solutions, you are referring to the Arab Higher Committee?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): Yes, but it also means all the Arabs, and they have already declared that they were of the same opinion as the Arabs of Palestine.

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): I ask these questions because while we were in Palestine we were approached by certain Arabs who were not of the Arab Higher Committee and whose opinions differed slightly from those of that Committee.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I think I can declare that the Arab Higher Committee represents the opinion of Arabs in Palestine, but there may be a few individuals who have different opinions.

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): Since you insist upon a democratic solution, I suppose that the Arab Higher Committee has been elected in a democratic manner?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The Arab Higher Committee

is elected regularly, not officially, but it is elected regularly and represents all the Arabs of Palestine. If the people who approach the Committee had any really relevant opinions to propose, then they would have set them forth openly and not privately, as seems to have been the case.

Mr. Fouad HAMZA (Saudi Arabia): Besides what my honourable colleague has stated, I may add one word. The Arab Higher Committee is, in fact, elected regularly, in a regular way, by the people of Palestine, and it is recognised as such not only by the British Government but by the United Nations.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): In a conversation we had with an official of the British Government of Palestine he textually said that the Arab Higher Committee was self-appointed. I can only repeat those words.

Emir Adel ARSLAN (Syria) (*interpretation from French*): Whether that point comes from persons, whether British or not, does not enter into the question.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): I did not say a person, I said a high official.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The proof of this is that the Arabs of Palestine have accepted the decision of the Arab Higher Committee not to appear before your Committee; furthermore, the British Government always approaches the Arab Higher Committee as representing the Arabs of Palestine. As I said, this Committee has not been elected officially, but the chiefs of the Arab world in Palestine have met and elected their representatives. Further, I remind you that the British Government invited the representatives of the Committee to the Conference in London last September.

Mr. Fadel JAMALI (Iraq): I just want to remind the representative of a little matter that he will remember occurred in the United Nations at the Political Committee when Sir Alexander Cadogan, the representative of the United Kingdom, was asked whether the Arab Higher Committee did represent the views of Palestine, and he answered in the affirmative. I just want to remind him of that.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I would like to add that the number of Jews who reject the Zionist plan is much higher than the number of Arabs whose views differ from those we have just set forth.

The CHAIRMAN (*interpretation from French*): The last question is whether it would be necessary to have some safeguards or guarantees for access to and worshipping at the Holy Places; if in the affirmative, what would those guarantees be?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): Mr. Chairman, we believe in the freedom of worship, and we even put it highly into practice in our own countries. This is also assured in Palestine. Therefore, I think

that the only thing to do would be to maintain the *status quo*. I do not think that any more guarantees would be required, and therefore the Arabs would be ready to guarantee this *status quo*.

Sir Abdur RAHMAN (India): Gentlemen, would you have any objection if a provision is made in the constitution safeguarding the Holy Places?

Mr. Fouad HAMZA (Saudi Arabia): We have no objection to giving any reasonable guarantees in the constitution.

Mr. Fadel JAMALI (Iraq): I was just going to answer that the Arab delegations to the London Conference did stipulate freedom of worship and the maintenance of the *status quo*; they guaranteed that, and they are ready to guarantee it in the constitution.

The CHAIRMAN (*interpretation from French*): Are there any questions from Members of the Committee?

*No response.*

The CHAIRMAN (*interpretation from French*): Then this first list is exhausted and we come to the questions which have been communicated by Sir Abdur Rahman. Will you, Sir Abdur Rahman, please put the questions yourself, dropping, I suppose the questions which have already been answered.

Sir Abdur RAHMAN (India): Now referring to the Feisal-Weizmann Agreement—I know the contention that King Feisal was not authorised by the Arabs. I also know the contention that the condition made by him had not been given effect to and that independence was not secured. I know all that. It is not necessary for me to ask you that. What I am asking you is, since most of the countries have obtained independence, would it be too much now to enforce that Agreement which was made by King Feisal and Dr. Weizmann?

Emir Adel ARSLAN (Syria) (*interpretation from French*): I wish to say that as I had been a counsellor to the late King Feisal I had the opportunity of speaking of this draft Agreement with him. It was presented to him by Lawrence himself. After this draft Agreement had been read to him and translated, he added with his own hand: "Under the condition that all the Arab nations be united under one same regime." Since this was the condition that could not be realised either by Weizmann or Lawrence, of course the Agreement fell by itself. Therefore, what is called an Agreement is not an Agreement at all.

Sir Abdur RAHMAN (India): I did not ask you that question at all. What I did ask you is what objection would there be in enforcing that Agreement now that most of the Arab countries have obtained their independence? That was the point I meant.

Mr. Riad SOLH (Lebanon) (*interpretation from French*): It would be necessary then that Palestine also should be independent. Therefore we come back to the same point.

Sir Abdur RAHMAN (India): That takes me

to the next question. Was Palestine also to be independent before the document was to take effect, or was Palestine not to be included as was stated by Dr. Weizmann in his statement?

Mr. Fouad HAMZA (Saudi Arabia): It is self-evident in the draft Agreement itself that all the Arab nations should be independent and unified.

Mr. Fadel JAMALI (Iraq): The fact that the Committee is meeting here to investigate the question of Palestine shows that Feisal's part of the agreement had not been fulfilled. And, moreover, His Majesty, the late King Feisal, in his lifetime on several occasions rejected Zionist claims on that Agreement. Moreover, that Agreement never took a final, official shape, and was never ratified by any State, any government, or any permanent body.

Mr. Chairman, what the Jews have already achieved in the numbers in which they have come, puts them certainly beyond the promise of King Feisal, and much beyond his expectation. I would like Sir Abdur Rahman to be very sure of that.

Sir Abdur RAHMAN (India): Now, do you know the terms of the London Peace Conference? Do you know the peace terms offered in the London Conference? They were subsequently withdrawn by the Arabs. Are you prepared to stick by them now?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): We are ready to communicate to the Committee the minutes of the London Conference, as well as the text of the Arab proposals.

The CHAIRMAN (*interpretation from French*): Will you give those texts to the Committee?

Emir Adel ARSLAN (Syria) (*interpretation from French*): Those texts will be handed to the Committee tomorrow.

Sir Abdur RAHMAN (India): What I want to know is whether they are prepared to accept those terms even now?

The CHAIRMAN (*interpretation from French*): You want to say, Sir Abdur Rahman, the terms offered by the British, or by whom?

Sir Abdur RAHMAN (India): The Arab offers. The terms were withdrawn by them later on. I am asking in regard to those terms whether they are prepared to accept them now.

Emir Adel ARSLAN (Syria): We kept the right to withdraw them.

Sir Abdur RAHMAN (India): You withdraw from them?

Mr. Fadel JAMALI (Iraq): No, we kept the right to withdraw them.

Sir Abdur RAHMAN (India): Now, do you view the bringing of Jewish colonies near the Egyptian or Syrian frontiers with any concern?

Mr. Abdel Rahman HAKKI (Egypt): Well, the Egyptian Government certainly views with grave concern the establishment of Jewish colonies near the Egyptian frontier. That is only an indication of the first step towards the execution of Jewish ambitions towards Sinai which is already men-

tioned in the different proclamations, and certainly the Egyptian Government has taken measures against this danger which is getting nearer and nearer to the Egyptian territories.

The CHAIRMAN (*interpretation from French*): Do you have any other questions? Sir Abdur Rahman?

Sir Abdur RAHMAN (India): No, not on that point. Is the Negeb a matter of importance to the adjoining Arab States?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I thought we had already answered this question, but if you want further developments, here they are. The Negeb, as you know, is rather arid country. It is very little inhabited except for Bedouin tribes and these Bedouin need this part of the country because they have no possibility of establishing themselves anywhere else. Further, the Arab population of Palestine increases every year by several thousands, and therefore they will need those areas all the more. In any case, this part of the south of Palestine is for us a strategic point and we shall never yield it. We need it for the Arabs.

Mr. Fouad HAMZA (Saudi Arabia): I am sorry to be a little open about this in answer to Sir Abdur Rahman. We were talking about Palestine—that the Arabs will never tolerate a Jewish State in Palestine nor in any portion of it. So when the question is put that way it may be considered as dragging us into the position of accepting a part of Palestine. Although Negeb itself is a part of Palestine, we were talking in general about Palestine itself.

Sir Abdur RAHMAN (India): Is it of any concern to the adjoining Arab States?

Mr. Fouad HAMZA (Saudi Arabia): Of course; it is very important strategically and for communication purposes.

Mr. Fadel JAMALI (Iraq): It is important strategically, and for future development with regard to the Arab population I am sure the Arabs will have to bring much of the Negeb, which is now desert, into cultivation when the population increases.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I think we showed this morning that the Jews have done some work in this region of Palestine, but this work was not economic in the usual sense of the term. If they insist upon having the Negeb it is because they want to place the new immigrants there. If you remember, I stated that an acre of land in this region costs some 300 to 500 pounds and that irrigation costs are 50 to 80 pounds per year.

I should like to add that the significance of the Negeb is that it is part of the Arab world as far as communications go. Travelling by land means one day's passage through the Negeb to Egypt. And after all, the Negeb is a part of our country. It may be a poor part, but it is like a weak child; if you have a weak child you do not want to give him away. We have that sort of affection for our desert as much as for our mountains and rivers.

Mr. GARCÍA GRANADOS (Guatemala) (*inter-*

*pretation from French*): The one thing I do not understand and that is what you mean by the strategic importance of the Negeb to the neighbouring Arab countries. I think the Arabs are in the same position as the Latin Americans. We can consider ourselves as brothers. But if we were asked whether a part of Colombia, for instance, had strategic importance for us, I should say no. Part of my country may have strategic importance for my country, but not for another country. I could understand if you said the Negeb had strategic importance for Palestine, or for Britain, but not for the neighbouring countries.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I think there was a war which is quite famous in modern times; that is, a war between two States of Latin America, which was brought about by a country which is certainly not less desert than the Negeb.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I think it is our fullest right to act in such a way that this land which is of great strategic importance should not be within enemy hands.

The CHAIRMAN: Are there any other questions?

Mr. Abdel Rahman HAKKI (Egypt) (*interpretation from French*): I think perhaps the reason for putting that question is the idea that if a Jewish State be created in the Negeb it would be no danger to the surrounding countries. We have shown that a Jewish State created within Palestine, whether in Haifa or Tel-Aviv or the Negeb, would be a menace to the surrounding countries on an equal footing. It is always a danger, whether it is created in Tel-Aviv or in the Negeb. So I do not see any reason for that question.

Sir Abdur RAHMAN (India): The meaning of the question was merely that it adjoins the Egyptian frontier. The meaning was obvious if you care to follow what was in my mind. I wanted to know whether the Negeb, from the point of view of strategy would be of any importance as a brother State to the Egyptian Government.

Mr. Abdel Rahman HAKKI (Egypt) (*interpretation from French*): It is always a danger to the surrounding countries, whether Egypt or any other place in Palestine, for the reasons already explained.

Sir Abdur RAHMAN (India): What do you think of the standard of living in Palestine as compared to that of the neighbouring States?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I do not think the standard of living in Palestine is better than in the neighbouring countries, such as Lebanon and Syria, for example. The standard of living in those countries is continually improving, thanks to progress and everything that is being done to that end: social reforms, etc.

Sir Abdur RAHMAN (India): Is it not improving in Palestine itself?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): Unfortunately, the standard

of living is improving more slowly in Palestine than in other countries because the Arabs there have to face such serious problems. They have to maintain their land by fighting against Zionism and they have to fight for their independence. Therefore they cannot give sufficient attention to the development of their material progress and the development of social and economic reforms. It has been proved that every time an Arab country in the Middle East becomes independent there quickly follows material progress and also progress in the field of educational and social reforms. Therefore we hope that if Palestine becomes independent the standard of living, of both the Arabs and the Jews—particularly the Arabs—will be improved.

I should like to add that the British Government in Palestine controls public education in the Arab part of Palestine and leaves public education to the Jews in their own land.

Sir Abdur RAHMAN (India): What do you think of the claims of the Jews that the Arabs' standard of living has improved in Palestine on account of what they have been doing in Palestine themselves?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): We consider that the improvement in the standard of living of the Arabs in Palestine, if any, is the result of the same movement—the general improvement in the standard of living in the Middle East since the First World War. I do not think the Arabs in Palestine have made any more progress than other Arabs.

I should like to give one example, and I should like to quote my own country—not that this is a habit, but it is the best example I can give. The standard of living is higher here than that of both Arabs and Jews in Palestine. What you have been able to see of our progress, our machinery, our productive capacity, and the standard of living of the citizens of this country, is not the result of any foreign help or foreign financial support. If you had had more time to visit our country we would have taken you to visit our factories and schools and anything else that might have been interesting to you. I do not think we are to be considered as backward people compared with Palestine, and I should like to insist once more that what we have achieved we have achieved without any help from foreign countries, and there is no reason why the Arabs of Palestine should not progress.

Sir Abdur RAHMAN (India): Do you think that the Mandatory Power has been doing its best to improve the conditions of the Arabs?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): The Mandatory Power has given so much time and so much energy to the establishment of a National Home for the Jews that it has done very little towards increasing or improving the standard of living of the Arabs in Palestine. And as regards the Jews, I can say they have no influence at all on the improvement in the standard of living of the Arabs in Palestine.

Emir Adel ARSLAN (Syria) (*interpretation from French*): Generally speaking, both Mandates—French and British—have given too little importance to social, economic and cultural questions. I should like to give one example. Until 1938—that is to say, until the time when a more or less authoritative government was established in Syria—we had in the secondary schools in Syria only 2,500 pounds in funds. Today we have 16,400 pounds. The French Mandate had at least accepted the creation of two local governments in Lebanon and Syria, but Palestine depended on the Colonial Office. Orders were taken only from the Colonial Office. Even under the French Mandate Lebanon and Syria were attached to the Ministry for Foreign Affairs, while Palestine was attached to the Colonial Office, and the Arabs of Palestine considered this as one of the reasons why the social and economic conditions have not been as fully developed as they could have been.

Sir Abdur RAHMAN (India): During the course of our investigation I happened to come across a letter written by Dr. Herzl to the Prime Minister of the Ottoman Government asking for colonisation of the Jews in Palestine and saying that if permission was not granted they would colonize elsewhere. Could you let me have a copy of that letter?

Emir Adel ARSLAN (Syria) (*interpretation from French*): We shall try to provide you with this letter. All I can say is that a few years before the end of the Imperial Regime, Dr. Herzl proposed to the Ottoman Government a loan of 3 million pounds without interest, for Jewish colonisation, limited to a certain number in the south of Palestine, and that was refused. Later Dr. Herzl's suggestion was accepted for the establishment of a National Home for Jews.

Sir Abdur RAHMAN (India): As a matter of fact the Jews did not accept the suggestion.

Emir Adel ARSLAN (Syria) (*interpretation from French*): Dr. Herzl convened the first Zionist Congress in Vienna, but the majority of the members of the Congress refused this proposal of Herzl's, which was therefore rejected by a majority. Herzl had to resign.

Sir Abdur RAHMAN (India): That is all. I am quite sure in my mind that there are no differences between the Arab States on the question of immigration, land laws, partition, and the form of government, but I wanted to be doubly sure that there were no differences on these points between any of the States who are appearing before us. The Yemenite representative, particularly, has not been able to follow the languages used here, and I wanted to be quite sure in my mind on this point.

Mr. Fadel JAMALI (Iraq): In London Mr. Bevin asked similar questions, and in order to assure him we had everyone of us to make a statement and repeat the same statement to this effect. Does Sir Abdur wish us to do so here?

Sir Abdur RAHMAN (India): No.

The CHAIRMAN: Are there any other questions?

Mr. HOOD (Australia): May I ask a supple-

mentary question to the last one? What is the form and method of consultation between the Arab League and the Arab Higher Committee?

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): At the time of the foundation of the League a special status was foreseen for Palestine because Palestine had been considered as an independent State, but it has been considered that its independence is not now manifest. Therefore the League is always in contact with Palestine, and it was under the aegis of the Arab League that the Arab Higher Committee was established. A representative of Palestine can always attend meetings of the League when there is a question concerning Palestine being discussed.

Mr. LISICKY (Czechoslovakia) (*interpretation from French*): On page 6 of the memorandum which was presented to us yesterday, there is a mention of contradictory promises made by the Allies to the Arabs and to the Jews. This means that we must not consider contradictory promises to two different parties and we must find a way out. Therefore, I think this is a typical position where a compromise must be sought.

I would like to know what, in the opinion of the Arab States, is the type of political compromise that could be achieved. I have heard your claims, and it seems to me that what you would be inclined to accept as a compromise would be about the following: We ask for one hundred per cent of our claims and the others can share the rest. I think this sounds more or less like the squaring of the circle.

Mr. Fadel JAMALI (Iraq): Mr. Chairman, the Arabs are not basing their rights on promises. We believe that Palestine is an Arab country not because Britain promised it to be so but because it is Arab country. Promises were given, yes, but what is the value of those promises? What is the moral or legal value of those promises? The promises were given to the Arabs first. They came to confirm a basic, existing right. The promise made later on to the Zionists was not based on right. We have not come to the United Nations in order to make a compromise of right and wrong. We want solutions that are just. And solutions that are just are not always based on compromise.

I would like to know if the honourable member would like any compromise of anyone assaulted his country and took part of it. Would he be prepared to compromise?

Emir Adel ARSLAN (Syria) (*interpretation from French*): First of all, as has been said by the representative of Iraq, the promise made to the Arabs was made between 1915 and 1916. At that time, the United Kingdom had given no promise at all to the Jews. The Balfour Declaration was proclaimed in 1917. If we come back now to the origin of the question, we ought to speak of the Sykes-Picot Treaty, which was negotiated in 1912 and signed at the beginning of 1914, without the knowledge of Russia. After the war, the Tsarist Government came to know of this treaty and protested against it, asking

that it be abolished. The French President of the Council, Mr. Ribot, at a meeting of Parliament, said more or less textually that after protests from our great Russian Ally the Sykes-Picot Treaty should be considered as null and void. This treaty had been concluded between the United Kingdom and France and it gave Palestine to the United Kingdom as a zone of influence. In 1916, at the beginning of Arab revolts, I think it was then, the Kerensky Government began to publish certain secret documents of the Tsarist Government, and the text of this treaty was communicated to King Hussein. He then wired to London to obtain confirmation of the existence of this treaty, and Lord Balfour himself replied denying the existence of such a Treaty. Therefore, it is plainly seen that both contracting parties, the United Kingdom and France, considered that this treaty had been abolished.

In 1917, to the surprise of everyone, there came the Balfour Declaration. Now, in its White Paper, the Government of the United Kingdom recognised that the situation in Palestine—that is to say, that several hundreds of thousands of Jews were now in Palestine—meant that the promise given to the Jews had been executed and therefore this is quite clearly stated in the White Paper.

Now, if the point is to find a solution, as has been said by the representative of Czechoslovakia, I think that it is not the Committee that should tire itself in trying to find such a solution. I think that the United Kingdom is the only one responsible for the contradictory promises it made, and if anyone must look for a solution, I think that it is the United Kingdom. And the opinion of the United Kingdom is that the promise has been executed, that a national home has been created.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I should like to add one word, Mr. Chairman. I would have understood that a compromise solution should be sought if neither of the two promises had been carried out, but now the Jewish National Home exists whereas the other promise has not been fulfilled. Therefore, I think this is no time to look for a compromise.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): I think that a very interesting point of international law has just been raised. Before putting any question to the representative of the Arab States, I would like to ascertain certain facts. Is it true that in 1918 Palestine and all Arab countries belonged to Turkey?

Mr. Riad SOHL (Lebanon) (*translation from French*): No, we did not belong to Turkey, we were part of the Ottoman Empire. There is a great difference between belonging to a State and being part of it.

Mr. GARCÍA GRANADOS (Guatemala) (*interpretation from French*): Legally, these territories belonged to the Ottoman Empire. We have seen in history that after wars the defeated countries

had to cede some parts of their territory to the victorious countries. I need not give you many examples but Europe has been formed to a great extent in this way. Russia obtained territories from Sweden, from Turkey, from Poland, from Austria; Germany from Austria and so on. In 1918, Turkey was beaten and had to sign the Treaties of Sèvres and of Lausanne. By these treaties, Turkey surrendered the territories, now known as Arab territories, to the Allies.

Mr. Fouad HAMZA (Saudi Arabia): They were ceded to the Allies by the Treaty of Sèvres but that clause was modified in the Treaty of Lausanne; the phrase "the Allies" was substituted by the phrase "the parties concerned", i.e. the inhabitants of the country.

Mr. GARCÍA GRANADOS (Guatemala) (*translation from French*): Yes, but the treaty of Sèvres ceded these territories to the Allies who were, during this time, settling the question of the Balfour Declaration and of the Jewish National Home in Palestine, in accordance with this Treaty of Sèvres, signed in 1918.

Mr. FRANGIE (Lebanon) (*translation from French*): The Balfour Declaration was issued in 1917 and the Treaty of Sèvres was signed in 1918.

Mr. GARCÍA GRANADOS (Guatemala) (*translation from French*): Yes, but the Allies began to put the Balfour Declaration into effect in accordance with the Treaty of Sèvres. They brought that question before the League of Nations and declared that Palestine would be the Jewish National Home, again in accordance with the Treaty of Sèvres. Later they signed the Treaty of Lausanne. But by that time the Jewish National Home had already been created.

This involves an important point of international law, which it would be interesting to discuss.

Mr. FRANGIE (Lebanon) (*translation from French*): There is one point which I should like to make clear.

The CHAIRMAN (*translation from French*): We are not going to discuss that legal question here. I recognise Mr. Frangie, who wishes to make an explanation.

Mr. Hamid FRANGIE (Lebanon) (*interpretation from French*): I should like to recall that the Sèvres Treaty was signed in 1920 and was never ratified. It therefore has no legal value. In 1920, the Balfour Declaration had already been in effect for three years. Therefore, one cannot say that it is supported in any way by the Sèvres Treaty. Further, I would like to say that we never belonged to Turkey but that we were a province of the Ottoman Empire, as were the other provinces. Finally the question had to be solved, and it was solved by the Lausanne Treaty; that is to say, that certain territories were yielded to the parties, concerned, to the inhabitants of the countries. This explains why the Mandate aimed at the final independence of those States concerned. Unfortunately, Palestine was a State which received a different type of Mandate.

Mr. GARCÍA GRANADOS (Guatemala): That is a question of interpretation.

Mr. Fouad HAMZA (Saudi Arabia): It seems to me that the honourable member from Guatemala implied disposition by right of conquest by Great Britain to this territory. I think this is irrelevant, because at the time when the country was occupied, the Arabs had already become associated with the Allies. In fact, they were called "the Allied and Associated Powers". The Arabs were considered an Associated Power of the Allies. Therefore, the disposition by right of conquest does not apply. This is a point of fact that I want to mention.

Emir Adel ARSLAN (Syria) (*interpretation from French*): I should like to add further proof that the Arabs signed the Armistice with the Allies. The representative of the Arab States signed on the same footing, as France and the United Kingdom signed the Treaty with the Turks. Therefore, we were really allies of the Allies. Therefore, it is impossible to say that Palestine had been conquered; there is no question of conquest there. Now as regards the Sèvres Treaty, the best proof that it was never put into force is that Turkey was not partitioned, was not divided, and the Treaty was signed at a time when Istanbul was occupied by the Allied troops. It also gave rise to the Kemalist movement, and it was also because of that Treaty that Turkey deposed its Sultan. The Allies further recognised the right of the Turks to decide their own fate, and that gave rise to the Lausanne Treaty. Therefore, on this occasion, there was no question of Palestine or of the Balfour Declaration. The Lausanne Treaty recognises the right of the Arabs to decide their own fate for themselves. Therefore, the right of the Arabs to decide their own fate has been recognised.

Mr. Farid ZEINEDINE (Syria): It is very difficult, it seems to me, to speak about the right of conquest. For, in regard to any justification of the situation by reference to such right, — it must be remembered, first, that there is a Charter of the United Nations, or even when there was no Charter of the United Nations, there was the Covenant of the League of Nations. These two Charters were based on something very different and quite contrary to the right of conquest. Even so, as has already been explained, that right of conquest cannot apply because it was the Arabs who were the allies of the Allies, and therefore, they have helped to effect this conquest, if it can be called that. It was a liberation, not a conquest.

Furthermore, the Treaty of Sèvres, as has already been explained, was the basis according to which the Mandates were distributed, because the Ottoman Empire, according to that Treaty, ceded its territories to the principal Allied and Associated Powers. But the Treaty of Sèvres was not ratified. The Treaty of Lausanne took its place. From Article 16 of the Treaty of Lausanne, it is clear that it is ceded them to the interested parties. It should be noted — and this is the main consideration I should like to bring forth — that in the Treaty of Lausanne there are no

principal Allied and Associated Powers. Therefore, the Mandate given under the Sèvres Treaty was never confirmed or accepted by the Treaty of Lausanne which never gave any right whatsoever to the principal Allied and Associated Powers to dispose of Palestine or any other Ottoman territory. Therefore, this is one of the reasons why the Mandate, juridically speaking is non-existent.

The CHAIRMAN: I think we can leave the discussion on this point here.

Mr. GARCÍA GRANADOS (Guatemala): I would like to make an observation on a matter of fact. I think the gentleman who spoke before is wrong in saying that the Arabs signed on an equal footing with the Allies. I think that is not the fact.

The CHAIRMAN: I think we can discuss that in Committee. I think we have heard enough about the different Treaties.

Emir Adel ARSLAN (Syria) (*translation from French*): It was General Hourri Pacha, who is now president of the Senate of Iraq and was at that time head of the military staff of the Arab army, who, on behalf of the Arabs, signed the Armistice with Turkey.

Mr. LISICKY (Czechoslovakia): On behalf of the Hedjaz?

The CHAIRMAN: Are there further questions to representatives of the Arab States?

Mr. LISICKY (Czechoslovakia): I would like to ask a practical question . . . We have heard very interesting points of view and very useful observations of the Arab States. Now, we are going to Geneva and there we shall certainly have to meet the situation where a consultation with the Arab States would be extremely useful. I am wondering whether it would be possible for the Arab States to consider sending someone to Geneva who would be on the spot to give us any explanation of their own point of view on any subject. I think that the French are right when they say that "Absentees are always wrong."

Mr. Riad SOHL (Lebanon) (*translation from French*): We thank the representative of Czechoslovakia for the advice he has just given us. We shall certainly send a representative.

The CHAIRMAN (*translation from French*): You would be prepared to send a liaison officer, if the Committee requested you to do so?

Mr. Riad SOHL (Lebanon): Yes.

The CHAIRMAN (*translation from French*): I thank you, Gentlemen, for giving us such enlightening answers to the questions we have put to you.

I believe Mr. Jamali wished to make a statement before the Committee. I recognise Mr. Jamali.

Mr. Fadel JAMALI (Iraq): I have the honour on behalf of the Iraqi Government to subscribe to all that has been included in the memorandum submitted by the Arab States and beg permission to emphasise and to elaborate some of its points in this additional statement. My statement consists of four headings:

1. Arabs' rights and aspirations and the Palestine Mandate
2. Zionist aims, claims, and methods
3. What is involved in the Palestine issue
4. Conclusions and proposals

1. *Arabs' rights and aspirations and the Palestine Mandate*

Palestine is an integral part of the Arab world, and it is a vital part thereof. Geographically it is in the heart of the Arab world. To travel on the normal routes from north to south or from east to west of the Arab world one has to cross Palestine. Thus a traveller to Egypt from Iraq, or Syria, or Lebanon, or a traveller from Lebanon or Syria into Saudi Arabia and Hedjaz for pilgrimage passes through Palestine. Palestine is only the southern part of the whole of natural and historical Syria. Nationally the indigenous people of Palestine are one and the same people as those of Syria, and culturally and nationally united with the rest of the Arab world.

The Arabs joined the Allies in World War I under the leadership of His late Majesty King Hussein and his sons (of whom King Feisal the First, the founder of the modern State of Iraq, was one) and fought for the liberation and unity of the Arabs, including the Arabs of Palestine. The Allies on their part made clear promises to the Arabs that they would support the Arabs in the attainment of their nationalistic aims, and they declared that their armies were coming to liberate and not to conquer the Arab lands, and it was taken for granted that the Wilsonian principle of self-determination would be applied to the liberated territories including Palestine. Palestine was no exception to the areas which were promised freedom and independence. But even without these promises are not the inhabitants of Palestine like the rest of the Arab world entitled to freedom and independence in their own home? The Arabs of Palestine, like the people of the rest of the Arab world, were hoping to attain their national aspirations. What was the result? The result was a great frustration and disappointment towards the end of World War I for in 1917 the Balfour Declaration was issued promising the Jews a Jewish national home in Palestine without the knowledge or consent of the indigenous inhabitants of Palestine, a great violation of all moral and human rights, and this is the root of all the trouble. When the Declaration was made, one of three assumptions must have been made: Either that Palestine was an empty country, a sort of no-man's land; or that the inhabitants of Palestine represented an enemy population whose territory could be dealt with at will; or that Palestine was inhabited by a people whose territory could be colonized and exploited without recognising their right to say anything. All and each of these assumptions are wrong for Palestine is not a land without a people to be given to a people without a land. It has its own indigenous population, the inhabitants of Palestine. Many of its men took part in the Arab revolt in World War I on the side of the Allies and therefore they



were entitled to their right to freedom and independence as friendly allies and not as enemies whose country could be disposed of without their knowledge or consent. Finally the people of Palestine, together with the people of the rest of the Arab World, are a people of great history and culture. They are not of the type to submit to foreign domination and colonisation. The fact that some alien dreamers formed designs to come and occupy Palestine cannot be regarded but as a move of aggression and a violation of the principles of peace, justice and democracy.

Unfortunately, the Balfour Declaration was included in a Mandate designed by the League of Nations giving it an apparent international character. But this was a glaring mistake of the League of Nations. It was a move by the League of Nations that led to the violation of world peace and stability in this part of the world for the last 30 years. The Mandate violated in general all the principles of democracy and self-determination which were contained in the Covenant of the League of Nations. In particular, it violated the very spirit and letter of Paragraph 4, Article 22 of the Covenant of the League of Nations which reads as follows:

“Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised, 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 was to be a principal consideration in the selection of a Mandatory.”

This paragraph of Article 22 of the Covenant clearly recognises the right of the Arabs of Palestine to independence and to the choice of the Mandatory power, by the inhabitants. These rights the Mandate for Palestine ignored, just as it ignored the real object of the Mandate, that of holding people as a trust with the object of helping them toward self-government and independence and not with the object of imposing an alien body whose object is to dominate the country and establish a State therein. Thus we find that the Mandate over Palestine has no moral or legal foundations for the League of Nations had no legal or moral authority to violate the letter and spirit of its own Covenant.

What was the result? As was to be expected the Arabs from the very beginning never recognised the legality or the validity of the Mandate over Palestine. The day of the Balfour Declaration is a day of strikes and demonstrations every year throughout the Arab world. The Arabs of Palestine never stopped to resist or to protest against the imposition of the terms of the Mandate. Palestine turned into a land of struggles, strife and bloodshed instead of being a land of peace and harmony, and very naturally so, for no self-respecting people in the world can permit in any circumstances aliens to be introduced into their country by force and with the intention of dominating it while they have no say in the destiny of their own country.

The Arabs of Palestine resisted and revolted on several occasions in self-defence and the situation today is no better than what it was 30 years ago. The Arabs today, not only in Palestine but throughout the Arab world, are in a state of tension over the issue of Palestine.

They are all convinced that it is not right or just that the Arabs of Palestine should have been deprived of their rights to self-government and self-determination. It is not right that the independence of the country should have been withheld while surrounding Arab States like Iraq, Syria, Lebanon, and Trans-Jordan, which were in the same category as Palestine and were all integral parts of the Ottoman Empire, have attained their independence. The Arabs of Palestine are as well developed as the Arabs of these States which have achieved independence. The wishes of the inhabitants of Palestine for independence and their rejection of Zionist penetration were formally expressed to the King-Crane Commission appointed by the late President Wilson as early as 1919.

We in Iraq are directly concerned with the problem of Palestine not only because we are bound with the Arabs of Palestine by all the bonds that go to make one nation, but also because Palestine is so situated geographically as to be of vital importance to Iraq economically and strategically. Besides we have about 150,000 Jews in Iraq whose interest and welfare is bound up with the interest and welfare of our country as a whole. In Iraq Moslems, Christians, and Jews have lived happily together for centuries. Zionism, however, may poison the atmosphere of harmony between Iraqi Jews and their non-Jewish brethren, and we have to see to it in Iraq that Zionism does not disturb the good relationship prevailing between all the citizens of Iraq. As evidence of the importance we attach to Palestine this is the platform of our present Cabinet. Paragraph 3 reads as follows: “Since Iraq considers the cause of Palestine to be its own cause the Government will endeavour by all means under its disposal to safeguard this part of the Arab World from the dangers besetting it.”

## 2. *Zionist Aims, Claims and Methods*

Right from the promulgation of the Balfour Declaration the Arabs expressed their apprehension and repugnance to Zionist demands. The Mandatory Power did its utmost to allay Arab fears of Zionist intentions, but time and experience justified Arab fears and apprehensions. The Zionists, coming first with modest demands, began to unfold their ambitions from year to year. Official Zionism today stands where the extremists stood 30 years ago — for a Jewish State in Palestine. The extremists today are not satisfied with Palestine alone. They want Trans-Jordan to be attached to Palestine to form one Jewish State immediately. This Jewish State might extend from the Nile to the Euphrates at a later stage and some pronouncements have appeared to the effect that Zionist ambitions do not fall short of the economic, if not political, penetration of the whole Middle East.

The Biltmore programme, which represents the official Zionist programme today, consists of turning Palestine into a Jewish Commonwealth, opening the gates of Palestine for unlimited Jewish immigration, vesting the Jewish Agency with the power of controlling immigration and upbuilding the country. Certainly this declaration shows that the Zionists have moved a long way beyond the Balfour Declaration and the terms of the Mandate. This is exactly what the Arabs had anticipated from the Mandate and the Balfour Declaration. The Mandatory Power insists that they never understood the Mandate to promise a Jewish State and had no such excessive Zionist demands and ambitions in mind. But there they are. I submit that there would be no problem in Palestine today were it not for Zionist ambition and Zionist aggression. These are the roots of all the trouble and unless the Zionists are definitely and finally told to abandon their political dream, there can be no peace in the Middle East. Palestine is being invaded today by armed illegal immigrants carried by ships. Terrorism is rampant. If this is not an act of aggression and an infringement of international peace we do not know what aggression is.

The Zionists have used many arguments to justify their intended domination of Palestine. The first is their historical connection with Palestine. This argument is not valid because historical connexions with lands today inhabited by other peoples cannot justify movements in the world's population. If this were to be permitted, most of the countries of the earth should exchange populations. South American citizens of Spanish descent cannot return to Spain today without the permission of the Spanish Government, nor are the citizens of United States of America, Canada and New Zealand of English descent entitled to go back to England without the consent of the Government of the United Kingdom. The historical connexions of these people are relatively modern and not two thousand years old. Even if this principle were accepted the Jews are not historically more entitled to Palestine than its present-day inhabitants. The Jews actually ruled part of Palestine not more than 240 years and they lived there not even eight hundred years, the length of time which the Arabs lived in Spain, without the Arabs claiming any right to it today. The Arabs of Palestine, on the other hand, are mainly descendants of people who lived in Palestine before the Jews went there and have actually been in Palestine for the last fourteen hundred years.

As for the continued spiritual connexion of the Jews with Palestine: This argument does not entitle them to return to Palestine either, for spiritually Palestine is holy to the Christians, Moslems and Jews alike. There are more than five hundred million Christians in the world and some three hundred million Moslems, all of whom are as much spiritually interested in Palestine as are the Jews. There is no reason why Palestine should be claimed as Jewish because the Jews have spiritual connexions with it. The

fact is that spiritual connexions with a place do not necessarily entail political connexions. All the Moslems in the world have spiritual connexions with Hedjaz, but politically Hedjaz belongs to its own inhabitants. Moreover, the Moslems, with their traditions of liberalism and religious toleration towards the people of the book, namely the Christians and the Jews, have demonstrated how harmoniously Christians and Moslems live together in Palestine with freedom of worship enjoyed by all. The Jews as such have enjoyed such freedom of worship and toleration under the Moslems and they shall continue to do so. But Zionism poisons the atmosphere. Zionism has turned Palestine from a place of peace and spiritual life for all mankind into a place of material strife, struggles and bloodshed.

Another claim of the Zionists is that the Arabs are backward, and that Zionists coming to Palestine help them materially and raise their standard of living. This is a very old imperialistic argument. It is the argument of the white man's burden, the fallacy of which is already exposed to the world. One aggression after another, one war after another, were waged on the strength of this argument and the world is sick of it! The truth is that this is an excuse for domination. The Arabs do not want that rise in their standard of living which leads to the loss of their own country and to the inflow of foreign elements who have come in to dominate it; the Arabs are not a backward race; they have a glorious historical record. They do not need the Zionists to bring them civilisation and culture. They certainly do not welcome many of the things brought by the Zionist into Palestine in the name of civilisation and culture. The Arabs want to develop in the modern world in their own way and from within for no real culture can be achieved by imposition or superficial imitation. The Arabs facing the modern world are hoping to achieve a new cultural synthesis which is completely consonant with their great philosophy and world mission, a culture based on human brotherhood with no racial or religious discrimination or superiorities. Zionism, very much like Nazism, is based on racial and religious discrimination and cannot provide the culture which the modern Arab wants. It has already discriminated against Arab employment on so-called Jewish national land where no Arab can be employed. As for material development, the Arabs can develop better without Zionist intervention. We in Iraq are finding our own way towards material and cultural progress. No Zionists were needed to open a thousand elementary schools, send hundreds of students to European and American institutions, establish hundreds of hospitals and health centres in Iraq, and introduce great irrigation projects. We still have a long way to go, but we need no Zionists. Thus the Zionist argument of carrying the white man's burden in Palestine is totally rejected.

Another argument used by the Zionists is that the Arabs have vast areas of land and that the Jews are homeless and they need land. The first

part of the argument can be easily dismissed, for no matter how vast a people's country might be, it is their own right to decide whether they will accept any newcomers or not, and whom to accept.

The Arabs are not the only people who have vast areas. The United States, Canada, Australia, the countries of South America, all possess vast areas of land that need development, but no one speaks of imposing any immigration on these countries without their consent, and especially an immigration which has an alien political domination as its aim.

But the most serious part of the argument is the question of homelessness. This is a very dangerous concept. Why should the Zionists assume that the Jews are homeless? I submit that the home of every Jew is the country in which he is a citizen. The home of the Iraq Jew is Iraq, and I should hate to think that he felt homeless in Iraq. The home of the English Jew is England, and the home of the French Jew is France, and of the Czechoslovak Jew, Czechoslovakia. There should be no Jewish homelessness and by spreading this concept Zionism is rendering a great disservice to Jews all over the world for it is trying to undermine their loyalty to the countries where they are and to make them feel they are not at home where they are. Once this principle is accepted, the Jews everywhere will be considered as strangers and hence anti-semitism will begin to operate. Assuming that the concept of Jewish homelessness is accepted as a universal principle and that the Jews need a home, they should look for a place other than Palestine and the Arab world. Palestine cannot meet the concept of homelessness, and the Arab world is no place for a Jewish political home. I do hope, however, that democracy shall prevail all over the world in such a way as to make every Jew feel at home wherever he is. By spreading the idea of homelessness amongst the Jews, Zionism is becoming a danger to the peace and harmony which are necessary within each country having Jews, hence contributing to anti-semitism and encouraging racial and religious distinctions and discriminations.

The Zionists claim that Palestine can admit millions of Jewish immigrants and they see no reason why the Arabs object. The answer to this is three-fold. In the first place, the Zionists' estimation of the absorptive capacity of Palestine is highly exaggerated and is based on wasteful economy. In the second place, they seem to disregard the natural growth of the Arab population, who are already crowded in a relatively barren country. In the third place, even if the absorptive capacity permitted—which it does not—the Arabs reject any immigration which has political domination as an object and they are entitled to do so. To achieve their ends, the Zionists have means which are not available to the Arabs, and hence Arab rights are not adequately known and the voice of the Arab world is not adequately heard in the Western world. Hence, the task before your Committee is highly

important and delicate if right is to overcome wrong.

Here are some of the powerful means used by the Zionists to make their ambitions and aggressive intentions appear to be right. First, economic pressure. Zionists use great economic pressure to make the Arab sell his land. They allure him and they weaken him by offering an exorbitant sum of money for his land. The weak Arab succumbs and soon finds himself a landless, homeless fellow. Economic pressure is used in gaining support and in averting attacks. We know of some well-known non-Jewish men who have been employed by Zionists and paid large sums of money to promote their cause. We also know of anti-Zionist people who cannot raise their voices fearing Zionist economic threats and boycotts. But money and economic pressure cannot make wrong right. With money goes political influence. In some countries Zionists have direct access to influential public men. With pressure of influence, with business partnership the Zionists gain supporters in many countries. Such support cannot make what is wrong right and what is unjust just.

Probably the most effective means which they have used to attain their goal is propaganda. The Zionists have a well-organised machinery of propaganda with which the Arabs cannot possibly compete today. They have access to the press in most of the Western countries, besides providing their own press. Through the press Zionists try to prove their wrong right, and the right of the Arabs wrong. They usually follow three lines of propaganda: One is that there is nothing in the way of their achieving their own aims except the Nazi effendis and feudal lords; the masses of the Arabs do not mind Zionist domination and flourish under it. To this line of propaganda I need not add a word. You need only travel round the Arab world to discover for yourselves whether it is only the effendis who are opposed to Zionism. I wish to assure you here that since the days of the Prophet Mohammed—may Prayer and Peace bless his soul—until today the Arabs have never been united on anything as they are in their unity to oppose Zionism. This is true not only of the Palestinian Arabs, but also of the Arabs throughout the Arab world.

I have just got a new book by a Dutch writer, Dr. Van der Meulen. It is called *Aden and the Hadhraman*, a journey to South Africa. I will read one paragraph to show you how these Arabs feel about Palestine:

"Palestine policy had to contend with some fundamental errors, the bitter truth of which we saw in these far Arab lands. The distrust that had arisen would only disappear with the passing of time and the implementation of a wise policy of justice to the original Arab inhabitants of Palestine. When we talked to the Arabs we found it possible, while acknowledging their acquired and ancient rights, to stress the desirability of co-operation with the Jews, that might be profitable to both parties, and to point to the wonderful economic benefits which Jewish immigration

to Palestine had already produced. From the discussions of political difficulties in that country, so rich in Jewish, Christian and Moslem tradition, I found it possible to state that these errors have had repercussions in the most distant tribal Arab countries which show that even the Bedouin in far-distant lands are interested in the question of Palestine."

The second line of propaganda is that of Displaced Persons Camps. The question of displaced persons is a humanitarian matter which the Zionists try to exploit for their own political ends. The question of displaced persons should be settled on an international level, and the United Nations has already created a special organisation to deal with the matter. This problem should not complicate the situation in Palestine arising from the Zionist struggle for political domination. To assist Zionist political domination in Palestine with the pretext of displaced persons is to create trouble in the Arab world. This is an anti-humanitarian act. One should not attempt to remove an injustice by committing a greater injustice.

The third line of Zionist propaganda is that of boasting of their own achievements in Palestine — sandy deserts turned into paradise, modern farms established, many factories erected, huge hospitals built, etc., etc . . . To this line of propaganda we have two observations to make. The first is that given an unlimited source of dollars from the Zionists in the United States and Western science and technique, any amount of construction and development could be done by anyone. The Arabs are doing their utmost with the limited resources at hand to work their own development. The second remark is that the Zionists fail to speak of the great losses incurred in what they have achieved. It is now a known fact that Zionist economy in Palestine is not self-supplied. It is running on a deficit of something like 40 per cent paid from donations. But, one might ask, are the Zionists fools? Why should they take such risks? The answer is quite simple. The Zionists have not come only for Palestine, which is mainly a barren, rocky and sandy country. Palestine is just a stepping-stone to the economic exploitation of the whole Middle East. In the long run, the Zionists dream of big economic returns which will make up for the temporary losses. Hence, the whole world needs critically to examine Zionist propaganda and Zionist influence on the world press if we are to achieve peace in a democratic world. Great donations of money in a humanitarian guise for terrorism and aggressive invasion of Palestine must stop if we are to achieve peace in this part of the world.

A new method used by extreme Zionists in post-war years has been a resort to force. Some Zionists in this War probably joined the Allied Forces with a double end in view — the defeat of Hitler and the conquest of Palestine by force. They certainly learned some of the deadliest and most treacherous Nazi methods of warfare. They are applying them in Palestine today.

These are some of the Zionists methods by

which they wish to dominate Palestine, but the fact remains that it would have been better for all concerned if the Zionists came with a direct force for the invasion of Palestine as the Crusaders did in the past. These round-about methods and these false pretences and camouflaged tactics cannot serve the purpose of peace. The undisputed truth is that the Arabs are unanimously opposed to political Zionism and that the Zionists can never establish a State in the Arab world. Such an attempt is doomed for it is unnatural to graft a foreign State on the Arab today.

What is involved in the Palestine issue?

What is involved in the Palestine issue is whether the principles of peace and justice can prevail or whether domination by the force of money, distorted propaganda, political pressure and terrorism will succeed.

What is involved is the loyalty of the Jews in every city in the world — are they to be uprooted or helped to live in a free democratic world?

What is involved is the future of the United Nations and the maintenance of the principles of the Charter, for the illegal immigrants invade Palestine and the terrorists practise violence under the very eyes of the United Nations Committee.

What is involved is the relationship between East and West, for the East looks at Zionism as a Western design inspired by old imperialistic methods which showed no respect for the rights and wishes of the people of the exploited country.

What is involved is the spiritual serenity of Palestine — whether it is to be a cradle of peace and holiness where the spirit of man can find a refuge, or a place where struggle and bloodshed between peoples of different religions and races prevail.

Much is involved in the question of Palestine and yet the question is so simple and the remedy is easy to apply.

It is simple in spite of Zionist claims and propaganda which have created a complex problem out of a simple matter of invasion and desire for domination. It is easy in spite of terrorist violence for we believe that terrorism could easily be squashed with firmer handling of the situation.

In conclusion, may I summarise my views and recommendations in the following words:

Palestine is an integral part of the Arab world and the Arab population are the rightful owners of the country, and the Arabs will never yield Palestine or any part thereof. There is nothing between Arabs and Jews; as such they can live together harmoniously as they have done for thousands of years past.

The Mandate has no moral or legal foundation; it has introduced an element of trouble in Palestine which will continue to grow from year to year and disturb peace and stability throughout the Middle East unless the United Nations

checks the source of trouble finally and completely.

The source of trouble is political Zionism with its ever-growing ambitions. Unless these political ambitions are finally and completely abandoned there can be no peace in Palestine or the Middle East. This can be done very easily if the United Nations declares that Zionist political ambitions are dangerous to peace and security in the Middle East, for Arab nationalism and political Zionism cannot go well together in Palestine. Either one or the other must disappear. The Arabs being the rightful inhabitants in Palestine are not ready to give up their Arab nationalism which is directly connected with all the Arab world. They will sooner or later fight for their political existence and defend their own country if aggression is permitted to continue. The Zionists should be advised to content themselves with the cultural and spiritual home which they have already achieved and abandon their aggressive political designs.

The Zionists should all understand that a Jewish State was never promised and can never be established in the whole or part of Palestine. Such a State can never survive with hostile people surrounding it and will always be a cause of war and struggle. We do not believe that the Jews need a State for they belong to the States where they reside. If it is deemed that a Jewish State is a human necessity it should be dealt with outside Palestine where no trouble will ensue.

A unitary democratic State should be established in Palestine where the people of Palestine, irrespective of race and religion, shall work together and live together peacefully and in harmony. Those who do not wish to live in such a State should be advised to leave Palestine.

Some Zionists who want a Jewish State, no matter how small to begin with, and some non-Jews who are not familiar with the situation, speak of partition as a solution. I wish to make it clear that no partition in any form or guise will be acceptable to the Arabs. They will fight it and resist sooner or later for no Jewish State in any size or form will ever be tolerated by the Arab world. Moreover, partition cannot work for more than one reason for it can never separate the Arabs from the Jews completely, and the State derived therefrom can never stand on its own feet economically. But these are, from the Arab point of view, secondary considerations compared with their firm determination to fight the idea of partition as well as the idea of the Jewish State. I hope the Committee will give due consideration to this point.

Palestine is already relatively over-crowded if due consideration were given to the barrenness of the country and the natural growth of the population. That is why immigration should be completely stopped. If immigration ever were possible it should not take place without the consent of the Arabs of Palestine and their view of the absorptive capacity of the country should be paramount. Even then immigration should not be discriminatory and there is no justification

for having Jewish immigrants mainly. The quota should be fairly distributed amongst all Moslems, Christians and Jews who wish to come to Palestine to lead a spiritual life.

An independent democratic Palestine shall be recognised by the Members of the United Nations and as such it shall be a Member of the Arab League and of the United Nations.

An experience of thirty years proved that flagrant injustice was done to the political rights of the Arabs of Palestine. That injustice led to strife and unrest throughout this period. Many committees and commissions were sent and made reports, with no avail. The Arabs have become desperate and they have lost hope in committees. May this Committee at last, guided by the principles of the Charter, make such recommendations which will finally remove the source of trouble and injustice, bring about clarity and finality in the situation so that peace and harmony may prevail in the Land of Peace and in all the Middle East.

The CHAIRMAN: I thank you, Mr. Jamali.

Mr. Fouad HAMZA (Saudi Arabia): I had intended to read a statement which I had, but as the hour is late and we have a long journey before us, I think it would be more convenient if I delivered the memorandum to you.

The CHAIRMAN: We shall put it into our records and it will be considered as read.

*The memorandum prepared by the representative of Saudi Arabia follows.*

Mr. Fouad HAMZA (Saudi Arabia): There is hardly any need for me to elaborate much further the joint memorandum and statements presented to you by the Arab Governments. The Saudi Arabian Government, who stands by the side of the sister Arab States and the Arabs of Palestine, wishes to explain a few outstanding points as to what is being thought by the Arabs in their different countries.

Never in the history of human conflicts have any people or country suffered an injustice so grave as the injustice and calamities suffered by the Arabs of Palestine. They have always been a peace loving nation against whom force and aggression have been directed, with a view not only of imposing the rule of a foreign regime, but of forcing an alien people upon their country; an alien people aiming at ousting the Arabs from their homeland or at best imposing their domination and rule upon them. The extent of Arab suffering and bitterness is not to be minimised.

The members of your honourable Committee represent free and democratic nations of whom some have tasted foreign rule and struggled through long years to retrieve their lost liberty and independence. You can therefore best appreciate our position. We have no doubt that the members of this honourable committee will conduct their investigations as best meets with the dictates of conscience, and that every effort will be made to find a lasting settlement which will remove the cause of injustice.

Might we here remark that any effort to assist persecuted people cannot be sincere if such assistance is to be at the cost and detriment of others. Consequently the world refugee problem must be treated on its own merits and not in relation to Palestine. It should in our opinion be kept distinct and separate and not serve as justification or cause for dispossessing the Arab people of Palestine of their rightful heritage, and replacing their corporate and national structure with an artificially created entity.

Zionism has no rightful claim on Palestine. In the implementation of their programme, they have exclusively relied on the support of a foreign power regime conducting itself arbitrarily and unjustly. Their forces have been forces of repression.

Zionists claim that foreign rule in Palestine and the influx of Jews into the country with their capital have contributed to the raising of the standard of living of the Arabs of Palestine. These allegations cannot bear the test of objective scrutiny. The whole of the administrative machinery of the Government of Palestine had been geared chiefly to facilitate the establishment of a Jewish National home and not for the promotion and development of the Arabs. In this respect nearly half the total budget of the Palestine Government is spent on maintaining non-existing security. What the Arabs, given a chance to develop peacefully and normally, are capable of doing can be evidenced in the Arab neighbouring countries. That in itself is a refuta-

tion of Zionist allegations. In fact we go as far as to assert that Zionism has been a direct cause of the retardation of Arab development in Palestine: given a chance to develop under favourable conditions they would have travelled far on the road of progress. Even if the Zionist allegation were held to be true, it should not serve as a basis or a pretext for dispossessing the Arabs of their own country.

We have full confidence in this honourable Committee. We are firmly convinced of the justice of the Arab case. Our belief is strong in the desire of the United Nations to carry out a just course in the interests of peace and security in this part of the world.

Thus in resting our case upon your sense of justice we sincerely hope for the establishment of permanent peace. You will thereby have rendered service to a just cause in the interests of humanity. You will have rendered service to the Arabs who will long remain grateful.

Mr. Fouad HAMZA (Saudi Arabia): As you have been making a record, I wonder if, before you go, you might let us have a copy of your record so that we can revise it and give it to you before you go.

Mr. Hoo (*Assistant Secretary-General*): We will send you a copy from Geneva, and if you have any corrections, you can send them to us and they will be placed in our final record.

The CHAIRMAN: The meeting is adjourned.

*The meeting adjourned at 5.50 p.m.*

**LIST OF ORAL HEARINGS IN PRIVATE MEETINGS  
BEFORE THE UNITED NATIONS SPECIAL COMMITTEE ON PALESTINE**

(in chronological order)

No. of Meeting	Place and Date of Meeting	Governments and Organizations	Representatives
6	Jerusalem, 16 June	Government of Palestine	Emir Adel Arslan (Syria)
6	Jerusalem, 16 June	Government of Palestine	M. Fadel Bey Jamali (Iraq)
31	Jerusalem, 15 July	Father Custos of the Holy Land	M. Fouad Bey Hamza (Saudi-Arabia)
36	Jerusalem, 19 July	Government of Palestine	M. Abdul-Rahman Hakki (Egypt)
36	Jerusalem, 19 July	Government of Palestine	Cheikh Ali Mouayed (Yemen)
36	Jerusalem, 19 July	Government of Palestine	M. Riad Bey Solh (Lebanon)
36	Jerusalem, 19 July	Government of Palestine	M. Camille Bey Chamoun (Lebanon)
36	Jerusalem, 19 July	Government of Palestine	M. Farid Zeinedine (Syria)
36	Jerusalem, 19 July	Government of Palestine	Sir Henry Gurney
39	Sofar, 23 July	Governments of the Arab States	Mr. D. C. MacGillivray
39	Sofar, 23 July	Governments of the Arab States	Brother S. Bonaventure
39	Sofar, 23 July	Governments of the Arab States	Sir Henry Gurney
39	Sofar, 23 July	Governments of the Arab States	Mr. D. C. MacGillivray
39	Sofar, 23 July	Governments of the Arab States	Mr. B. de Bunsen
39	Sofar, 23 July	Governments of the Arab States	Mr. M. Hogar
39	Sofar, 23 July	Governments of the Arab States	Mr. J. N. Stubbs
39	Sofar, 23 July	Governments of the Arab States	Mr. A. H. Couzens
39	Sofar, 23 July	Governments of the Arab States	M. Hamid Frangie (Lebanon)

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(in alphabetical order)

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