









# **PALESTINE — X DIVIDED OR UNITED ?**

**THE CASE FOR A BI-NATIONAL PALESTINE  
BEFORE THE UNITED NATIONS**

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## INTRODUCTORY NOTE

This is the second booklet published in 1947 by the IHUD (Union) Association.\* It contains the full text of the IHUD's evidence, both written and oral, before the United Nations Special Committee on Palestine, as well as other material relevant to the problem.

Some passages of the IHUD's evidence before the Anglo-American Committee of Inquiry (March 1946) to which reference is made, have been reprinted on pp. 22-30. The text of this evidence has been published in England by Messrs. Victor Gollancz Ltd. under the title "Arab-Jewish Unity", and in the USA by the IHUD (Union) Association under the title of "Palestine — A Bi-National State." Other documents referred to will be found in the Appendix.

To fill out the picture of the bi-national case, we have added the address delivered before UNSCOP by Dr. Ernst Simon, a leading member of the IHUD, on behalf of the League for Jewish-Arab Rapprochement and Cooperation. The IHUD Association is a constituent member of the League. A similar attitude towards the Palestine problem and its solution is expressed in the speech by Viscount Samuel in a debate in the House of Lords, which we reprint here with his kind permission. Dr. Magnes's paper "The Case against Partition" (p. 74) is to appear in the Autumn 1947 number of *The Menorah Journal*, New York.

*Jerusalem, September 1, 1947.*

\*The first publication was: **Towards Union in Palestine — Essays on Zionism and Jewish-Arab Cooperation** — edited by M. Buber, J. L. Magnes, E. Simon.



## C O N T E N T S

<p><i>WRITTEN STATEMENT TO UNSCOP</i> ... ..</p> <p style="padding-left: 2em;">The <i>Ihud's</i> Proposals — 9; Comments on <i>Ihud's</i> Proposals — 10.</p> <p><i>NOTES ON SOME ASPECTS OF THE LAND QUESTION</i> ...</p> <p style="padding-left: 2em;">by M. Smilansky</p> <p><i>EXTRACTS FROM THE IHUD'S TESTIMONY BEFORE THE</i>  <i>ANGLO-AMERICAN COMMITTEE OF INQUIRY (1946)</i> ...</p> <p style="padding-left: 2em;">Self-Government — 22; A Regional Trusteeship Council —          Jewish Agency, Arab League, Administering Authority — 25;          Numerical Parity — 26; Compassionate Immigration and the          Spirit of Jewish Youth — 27.</p> <p><i>ORAL EVIDENCE BEFORE UNSCOP</i> ... ..</p> <p style="padding-left: 2em;">INTRODUCTORY ADDRESS by J. L. Magnes — 31:</p> <p style="padding-left: 4em;">Arab-Jewish Cooperation: Necessary and Possible — 31;          Arab Natural Rights and Jewish Historical Rights — 32;          Political Parity: An Honourable Compromise — 32; Majority          Rule or Multi-Nationalism? — 33; Arab and Jewish Con-          cessions — 34; Neutrality for the Holy Land — 34; Self-          Government — 35; A Constitution for Palestine — 35;          Independent Palestine and the Middle East — 36; Immigration          — 37; 100,000 Immigrants — A Challenge to the Jewish People          — 38; Numerical Parity — 39; Land and Development — 39;          Palestine — Divided or United? — 40.</p> <p style="padding-left: 4em;">INTERROGATION — 41: — Voting by Counties — 41;          The Principle of Parity — 42; Cooperation Through          Life — 43; Cooperation Through Self-Government — 43;          The Good Will for Bridge-Building — 44; The Fear          of Domination — 45; Spiritual Links and Material Claims          — 46; Multi-Nationalism: A Lofty Principle — 47; It is Never          Too Late — 47; The Trusteeship Period — 49; Many Would          Welcome a Compromise — 50; Why Were the Recommenda-          tions of the Anglo-American Committee Not Implemented? —          51; Who Would Be the Trustee? — 52; The Reason for          Numerical Parity — 54; Function of the Jewish Agency — 54;          "Finality" — 55; Palestine and a Middle East Federation — 56;          Communal or Territorial Electorates — 57; Potential Capacity          for Cooperation — 58; National Sensibility — 59; The Jewish          Nationality — 60; Jewish Representation in U.N. — 61;          Minority Guarantees Will Not Do — 62; U.N. to Guarantee          the Constitution — 63; Jewish Nationality Again — 64; The          Technical Possibility of Partition — 65.</p> <p style="padding-left: 4em;">A <i>Palestine Commonwealth: Unitary or Federal ?</i> — 66:</p> <p style="padding-left: 6em;">Distribution of Power — 66; The Joint Authority — 66; Fede-          ration, Provincial Autonomy, and Partition — 67; Boundaries          Are Dangerous — 68; Lands and Immigration in a Federal          State — 69; Loyalties for a Joint State — 70; The Most Likely</p>	<p>7</p> <p>19</p> <p>22</p> <p>31</p>
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Ideal to be Carried Out — 71; The Jewish Yearning for a Home — 72; A Creative Jewish People in an Undivided Palestine — 73.

<i>THE CASE AGAINST PARTITION</i> ... ..	74
by J. L. Magnes	
<i>SOME REMARKS ON THE IMPRACTICABILITY OF PARTITION</i>	77
by M. Reiner	
Memorandum to UNSCOP	
Preface — 77; Population and Immigration — 78; Land — 79; Customs — 80; Communications — 80; Defence — 81; Development and Water Economy — 81; Agreements or a Joint Authority — 83.	
<i>ONE UNION OF TWO NATIONS</i> ... ..	85
by E. Simon	
Statement before UNSCOP on behalf of the League for Jewish-Arab Rapprochement and Cooperation	
<i>THE PEOPLE OF PALESTINE WANT PEACE</i> ... ..	89
by Viscount Samuel	
Speech in the House of Lords, April 23rd, 1947	
The Curse of Terrorism — 89; The White Paper: The Root of the Trouble — 90; A Home for Jewish Survivors in Palestine! — 94; No Jewish State, No Arab State — 96; Partition Is No Solution — 98; A Constitution Based on Equal Communities — 99.	
<i>APPENDIX</i> ... ..	101
I. Extracts from the British Proposals of February 7, 1947 — 101.	
II. Extracts from the Speech of Mr. A. Gromyko at the Special Session on Palestine — 103.	

## ERRATA

p. 24, l. 12 — read: *enjoying*; p. 28 — the first line should be read after the end of the first paragraph, before the next question; p. 29, l. 39 — read: *said*; p. 30, l. 11 — read: *acquiesce*; p. 51, *note*: to be deleted; p. 66, l. 20 — read: *partition*.

# WRITTEN STATEMENT

to the

UNITED NATIONS SPECIAL COMMITTEE

ON PALESTINE

submitted by

THE IHUD (UNION) ASSOCIATION OF PALESTINE

Jerusalem, June 1947

On behalf of the *Ihud* (Union) Association of Palestine we have the honour of handing you the following Statement, together with copies of the Statement submitted to the Anglo-American Committee of Inquiry on March 5th, 1946, as also of the Testimony before that Committee on March 14th, 1946. Our present Statement to the United Nations Special Committee on Palestine is inseparable from the material presented to the Anglo-American Committee, and we would ask that they be read together.<sup>1</sup> The present Statement takes into account the developments of the past year.

We are handing you also a booklet entitled "Towards Union in Palestine", which we published in February, 1947.

<sup>1</sup> The material referred to has been published in England by Victor Gollancz Ltd., under the title 'Arab-Jewish Unity' (1946, 5/-). Some extracts to which special reference is made in the present Statement have been reproduced for the reader's convenience on pp. 22—30.



## THE IHUD'S PROPOSALS

From this material it will be seen that the *Ihud* (Union) Association advocates the following program:

### I. POLITICAL

1. An undivided bi-national Palestine composed of two equal nationalities, Jews and Arabs.
2. The transfer of Palestine, for an agreed transitional period, to the Trusteeship System of the United Nations, under which a large measure of self-government under one Administrative Authority is to be instituted from the very start and under which this self-government is to be developed increasingly.
3. After this agreed transitional period, the bi-national Palestine of two equal nationalities is to become an independent constitutional state.
4. Close cooperation between the independent bi-national Palestine and the neighbouring countries of the Middle East within the framework of the U.N.

### II. IMMIGRATION

5. The speediest possible immigration of 100,000 Jewish Displaced Persons.
6. During the period of trusteeship, Jewish immigration in accordance with the economic absorptive capacity of the country, the Jews being free to reach numerical parity with the Arabs.
7. Thereafter, immigration to be agreed upon between Jews and Arabs under the bi-national constitution.

### III. LAND

8. Legislation for land reform, removing all discriminatory restrictions, and providing adequate protection for small land owners and tenant cultivators.

### IV. DEVELOPMENT

9. A plan for the development of the economic potentialities of the country for the benefit of all its inhabitants.

### V. COOPERATION

10. Cooperation between Jews and Arabs in Palestine and elsewhere in all walks of life — political, agricultural, industrial, social, scientific, cultural.



## COMMENTS ON IHUD'S PROPOSALS

We shall now take the above ten points and try to elucidate each as briefly as possible.

### I. POLITICAL

1. An undivided bi-national Palestine composed of two equal nationalities, Jews and Arabs.

#### *Neither a Jewish nor an Arab State*

We are in full accord with Recommendation No. 3 of the Report of the Anglo-American Committee of Inquiry, "that Palestine shall be neither a Jewish state nor an Arab state", but "a country in which the legitimate national aspirations of both Jews and Arabs can be reconciled, without either side fearing the ascendancy of the other. In our view this cannot be done under any form of constitution in which a mere numerical majority is decisive, since it is precisely the struggle for a numerical majority which bedevils Arab-Jewish relations. To ensure genuine self-government for both the Arab and the Jewish Communities this struggle must be made purposeless by the constitution itself."

#### *Equality irrespective of majority and minority*

The only fair interpretation of this is that the constitution provide for a bi-national Palestine of two politically equal nationalities, irrespective of who is the majority or the minority.

This principle of the political equality of the nationalities in a multi-national country cannot be emphasized too strongly. If this principle of national equality be borne in mind and adopted, it would give many a proposal for a Palestine settlement a more equitable aspect. Take for example paragraph 4 of the British Proposals of February 7th, 1947. If majority rule is to be applied invariably and under all circumstances, the independent Palestine envisaged in the British proposals would be an Arab state. How then could the Jews be expected to agree? If, however, Jews and Arabs are to be two equal nationalities in the bi-national Palestine, the Jews could accept the independent Palestine without fear that the Arabs would always be outvoting them.

On the other hand, one of the main causes of Arab opposition to Jewish immigration is the fear of being swamped and dominated by a Jewish majority. If, however, Jews and Arabs are to be equal nationalities in the bi-national Palestine irrespective of who is the majority or the minority, the question of immigration would lose its political sting and could be regulated by social and economic considerations.

Majority rule is the accepted working rule in democratic countries which are uni-national. But it is not the universal rule in democratic countries which are multi-national, such as Belgium, Canada, Czechoslovakia, Soviet Russia, Switzerland and Yugoslavia. In such multi-



national countries, the equality of basic national rights of the different nationalities is protected against majority rule. Where this is not the case, there is a dominant nationality and a dominated nationality, and this is not what we mean when we speak of a bi-national, or a multi-national country.

We have dealt with this problem at length in our Statement to the Anglo-American Committee.

### *Deadlock*

The disadvantage of this equality of national rights in a bi-national or multi-national country is the danger of a deadlock. As a matter of fact, constitutional parity is only an expression of the necessity of compromise. It is reasonable to assume that interests other than national, as for example economic and social interests, would cause some Jews and Arabs to vote together against other Jews and Arabs, as actually occurs in mixed municipalities and in other joint boards. Once cooperation was earnestly put into practice and the basic national problems were met according to our proposals, it may be expected that deadlocks, due to purely national interests, would become rare; nevertheless, the Constitution of the bi-national Palestine would have to provide for this, e.g. by a tribunal of arbitration to be appointed by U.N.

2. The transfer of Palestine, for an agreed transitional period, to the Trusteeship System of U.N., under which a large measure of self-government under one Administrative Authority is to be instituted from the very start and under which this self-government is to be developed increasingly.

We ourselves have prepared an outline of the political structure of a self-governing Palestine (in the Statement submitted to the Anglo-American Committee of Inquiry<sup>2</sup>). We think that the absence of concrete proposals for self-government is the chief weakness of the otherwise excellent recommendations of the Anglo-American Committee of Inquiry. The Morrison-Grady Report was an attempt to supply this deficiency on a federal basis, and we regret that the full text of the Morrison-Grady Report has not been published. An examination of the full text would reveal that a bi-national solution was taken very seriously by the committee of experts which drew up the Morrison-Grady Report. We have commented on both of these reports in greater detail in our booklet "Towards Union in Palestine" (pp. 111-116).

Meanwhile, advanced British proposals in regard to self-government were made on February 7th, 1947 (Cmd. 7044). We wish to comment

2 See the extract on Self-Government on pp. 22-24.

on these self-government proposals (paragraphs 6—17<sup>3</sup>), and it will be seen that we can accommodate ourselves to many of them. Yet we are not in accord with others.

### *Administering Authority*

The British Proposals of February, 7th, 1947, contain the essential features of a proposed Trusteeship Agreement. In accordance with the U.N. Charter (Chapter XII) in order that a Mandated Territory may become a Trustee Territory, an agreement has to be entered into between the Trusteeship Council and the Mandatory Government, in this instance Great Britain. The Trusteeship Agreement is to provide for an Administering Authority. Most probably Great Britain would be this Administering Authority. Despite very serious disappointments with Great Britain as a Mandatory, we wish to believe that she is capable of applying her experience of a generation here to the benefit of Palestine. We assume, of course, that the Trusteeship Council is to have much more authority and power than the powerless Mandates Commission of the old League of Nations, and that the Administering Authority will be subject to real control of the Trusteeship Council. Any such Agreement should include provisions for progressive self-government and for the safeguarding of the essential civil rights; for Jewish-Arab cooperation as the chief objective of major policy; and for a constructive social, financial and economic policy for the benefit of all of Palestine.

### *Local Government*

We favour the wide range of powers contained in paragraph 7 and 8 of the British Proposals for the local administration of the unitary Palestine and we agree that not all the Arab and all the Jewish areas need be contiguous. Some of these local districts or counties would be mixed, in order to avoid artificial administrative boundaries. We also attach great importance to the development of municipal self-government both in uni-national and bi-national towns as a school of genuine democracy and cooperation.

### *Central Government*

We have gone into this question in considerable detail (in our Statement to the Anglo-American Committee of Inquiry) and we shall therefore confine our comment to such questions as arise from paragraphs 12—17 in the British Proposals of February 7th, 1947.

The High Commissioner, who would during the Trusteeship period or until the elections of the Legislative Assembly continue to exercise supreme authority, would form a Consultative (rather than merely an Advisory) Body composed equally of Jews and Arabs. In selecting these

3 These have also been reprinted in the present publication.

members he would include representatives, not only of the Arab and Jewish Local Administrations, but also of labour and other organized interests. This Consultative Body would be supplanted as early as possible by an elected Legislative Assembly composed equally of Jews and Arabs.

### *Jews and Arabs in Central Government Organs*

We urge that the High Commissioner introduce Palestinians — an equal number of Jews and Arabs — into his Executive Council without further delay, and that he progressively increase the proportion of Palestinian members.

We urge also that the High Commissioner appoint, without further delay, Jews and Arabs in equal numbers to the Secretariat, and as heads of certain Government Departments, and as Presidents of Courts, and as District Commissioners. With the exception of a few minor officials in the Secretariat, there are no Jews or Arabs in any of these key central positions.

### *Constitution*

One of the first tasks of the High Commissioner under Trusteeship would be the appointment of a Commission to draft the text of a Constitution. This Commission would contain, among others, an equal number of Jews and Arabs. The Commission would receive directives from the U.N., the main directive being the necessity of Jewish-Arab Cooperation in all spheres in a bi-national Palestine of two equal nationalities.

At the end of a stated period a Constituent Assembly would be elected with equal Arab-Jewish representation, and it might be hoped that through clarification, open debates, give and take, a majority of the Jewish representatives and a majority of the Arab representatives might produce an agreed constitution.

The Constitution would contain a Bill of Rights guaranteeing the equality of the two nationalities, as also religious, educational and economic freedom to all the inhabitants of the country.

The Constitution would be confirmed by the U.N. which would also safeguard its execution.

In the event that in the Constituent Assembly no agreed Constitution resulted, the various drafts prepared for its consideration and the record of its debates would be submitted to the Trusteeship Council which would be asked to advise upon future procedure.

### *Transition to Independence*

We believe the Constituent Assembly, and the Constitution and the Legislative Assembly and other fundamental points, should not wait, as the British Proposals would have it, until the time that Palestine is



to become an independent State. It is our view that the serious attempt should be made to establish these institutions as early as possible during the Trusteeship period. This would have the double advantage of training the population in self-government and of making that much easier the transition to independence.

We are convinced that the five year Trusteeship period suggested in the British Proposals is not sufficient, in order to get an agreed solution. The chief reason for this is that after these 25 years of misunderstanding and struggle, time should be given to the two peoples to settle down together and work together, as we know they can and as we are sure they will.

If it be found that the bi-national arrangement succeeded more quickly than we dare to anticipate now the interim Trusteeship period could be shortened. If, on the other hand, these bi-national arrangements would not work as smoothly as we anticipate the advice of the U.N. would be sought.

- 3. After this agreed transitional period, the bi-national Palestine of two equal nationalities is to become an independent constitutional state.**

#### *Meaning of Independence*

The question has been asked if a bi-national state and independence are compatible. The present-day independence of multi-national states would seem to give an affirmative answer. The fact is, however, that to-day all independence is relative. Even the super-powerful states are unable just to do as they please. The existence of U.N. is proof of that. Any Union or Federation of States limits the independence of its constituent bodies. We have admitted that in case of a deadlock in the bi-national Palestine recourse may have to be had to U.N., which also should guarantee the Constitution. These are not crippling limitations. More powerful states are appealing to U.N. or the International Court of Justice for a political or judicial but in any event a peaceful settlement of their disputes. It will be no disgrace if the bi-national Palestine, which is a union of two peoples, will be obliged to submit basic internal disputes to the same authoritative bodies.

What we mean by independence for Palestine is that it be a state standing on its own feet, not dependent — except as outlined above — upon the decision of others, a Palestine that will be free to work out its own form of life and government in accordance with the specific genius of its constituent peoples.

4. Close cooperation between the independent bi-national Palestine and the neighbouring countries of the Middle East within the framework of the U.N.

*Foreign Relations*

The independent bi-national Palestine would be responsible for its foreign relations. It would, of course, join the U.N.

The independent bi-national Palestine, in the framework of the U.N. Charter, would be free to enter treaty relations with the British Commonwealth or other countries.

*Jewish Representation in U.N.*

We have pointed out at the time that the non-establishment of a Jewish State would deprive the Jewish people of their chance to be represented directly in the U.N. The Constitution of the bi-national Palestine might meet this difficulty by providing for equal representation of Jews and Arabs at U.N. The Jewish representatives would be looked to, to speak in Jewish matters.

*Jewish Agency*

The British Proposals provide that "on the conclusion of (i.e. during) the Trusteeship Agreement, the Jewish members of the Advisory Council would supersede the Jewish Agency for Palestine as the official Channel of communication between the Jewish community and the High Commissioner." We can agree with this provision, if it means no more than it says. But we cannot agree if it means the dissolution of the Jewish Agency. We think that the Jewish Agency has a most important function, that of representing the Jews of the Diaspora in their relation to the Holy Land, the Land of the Jewish National Home. Palestine is the concern of millions of Jews, Christians and Moslems throughout the world, and it is for this reason that it is appropriate that the U.N., representing the international conscience, should give its attention to the problem. We regard the Jewish Agency, particularly if constituted upon a broad basis, as representing the concern of world Jewry with Palestine. We tried to bring this out in our evidence before the Anglo-American Committee<sup>4</sup>. There we have also made suggestions for safeguarding the legitimate interests of the Christian and the Arab Moslem World in the Holy Land.

*Bi-national Palestine in the Semitic East*

We look forward to close cooperation between Palestine and the neighbouring countries of the Middle East. The details of this cooperation, economic, political and cultural, would be decided by the Legislature. Probably the bi-national Palestine would join the League of Arab States or some other form of regional federation. In any event we are strong believers in the mission of an independent bi-national Palestine to help

<sup>4</sup> Cf. extracts from the Oral Testimony, pp. 25—26. See also pp. 54f.

develop the Semitic Middle East and to deepen the spiritual powers of those people who are the descendants of the great Semitic people of the past.

## II. IMMIGRATION

### 5. The speediest possible immigration of 100,000 Jewish Displaced Persons.

We are in full accord with Recommendation No. 2 of the Anglo-American Committee of Inquiry that 100,000 certificates be authorized immediately for the admission into Palestine of Jews who have been victims of Nazi and Fascist persecution, and that actual immigration be pushed forwards as rapidly as conditions will permit.

In our evidence before the Anglo-American Committee of Inquiry<sup>5</sup>, we called this 'compassionate immigration'. It becomes this more and more with every day that goes by. How can there be any doubt about this?

The British Proposals of February, 7th, 1947, provide that these 100,000 Jewish immigrants be admitted in Palestine in the course of two years, at the rate of 4000 monthly. This is, of course, a great improvement over the 1500 now admitted. But we submit that, in view of the urgency of this initial compassionate immigration, the tempo be made as rapid as possible and that this tempo be fixed after consultation with those bodies as may be responsible for the financing, the planning and the implementation of this large program. Palestine is a small land, and its economy must be safeguarded; yet the Jews of Palestine as well as the Jews of the world are capable of great sacrifices, and after all that European Jewry has suffered in those terrible years, their remnants should be entitled to look forward to help and assistance from the world at large, in order to begin a new life in their ancient homeland.

### 6. During the period of trusteeship, Jewish immigration in accordance with the economic absorptive capacity of the country, the Jews being free to reach numerical parity with the Arabs.

Further immigration is to be determined by the principle laid down in the Churchill-Samuel White Paper of 1922 of "the economic capacity of the country at the time to absorb new arrivals."

#### *For increasing and not restricting immigration*

But much depends on how this economic absorptive capacity is to be determined. We propose that among the directives to be given by U.N. for the Trusteeship Agreement it may be laid down that this economic absorptive capacity is to be enlarged in every way. We shall

5 Cf. extracts from the Oral Testimony, pp. 27—30.

deal later on with this question in connection with land reform and development (page 17). Thus the principle of absorptive capacity would not mean restricting immigration, but rather increasing economic opportunities, both for the present inhabitants and for new immigrants.

Under such circumstances, the formula of the British Proposals (paragraph 10) could be amended to read that the continuance of immigration and the rate of entry would be determined, primarily in accordance with the principle of economic absorptive capacity, by the High Commissioner in consultation with his consultative body; and in the event of disagreement the final decision would rest with an arbitration tribunal appointed by the U.N. and on which among others the Jewish Agency and the League of Arab States should be represented.

### *Numerical Parity*

We have urged in our Statement to the A.A.C. of I., that the Jews should be free to reach numerical parity with the Arabs during the transition period. There may be found also details as to the demographical side of the question<sup>6</sup>. This would mean that the Jews would have the right of bringing into the country another 600,000 and more Jews. With the annihilation of 6,000,000 by the Hitler bestiality, forty percent of the whole Jewish people has been destroyed. The number of Jewish Displaced Persons does not make up even half of these 600,000. Yet there are hundreds of thousands of Jews in various countries poverty-stricken and unhappy and oppressed. Besides, there are thousands of Jews, especially young people, living under happier conditions who wish to come to Palestine not out of need or pressure but inspired by the ideal of the Jewish National Home, and they also should be free to devote themselves to the upbuilding of Palestine.

### **7. Thereafter, immigration to be agreed upon between Jews and Arabs under the bi-national constitution.**

But whatever be the practical possibilities we think it important to emphasize this principle of numerical parity. When and if parity is reached, the Legislature of the independent bi-national Palestine may review the immigration situation, and further immigration (beyond the difference in natural increase) is to be encouraged, if agreement can be reached between the Jews and the Arabs. This would mean that Jewish immigration beyond parity would be dependent upon whether the two peoples had found the way of peace and understanding together.

<sup>6</sup> Cf. p. 26.



### III. LAND

8. **Legislation for land reform, removing all discriminatory restrictions, and providing adequate protection for small land owners and tenant cultivators.**

Mr. Moshe Smilansky, member of the Board of our Association, veteran farmer and during many years the Chairman of the Jewish Farmers' Association, has prepared a special Note on some aspects of this question which you will find attached to this Statement.

### IV. DEVELOPMENT

9. **A plan for the development of the economic potentialities of the country for the benefit of all its inhabitants.**

The main way of increasing the economic absorptive capacity of the country is through a Development Plan which would exploit much more fully than up to the present the agricultural and industrial potentialities of the country for the benefit of all its inhabitants. It has been said on several occasions that the U.S.A. Government might help finance such a Development Plan. We propose that a Development Commission be appointed at once by the appropriate agency of the U.N. to prepare such a plan, and that then a Central Development Board be set up charged with carrying out this Development Plan. Jews and Arabs should participate equally in this vital constructive work.

### V. COOPERATION

10. **Cooperation between Jews and Arabs in Palestine and elsewhere in all walks of life — political, agricultural, industrial, social, scientific, cultural.**

We accept Recommendations 5 and 9 of the A.A.C. of I., looking towards an equality of standards in social services, in education and in other spheres of life for Jews and Arabs alike; and we accept the principle that nothing be done to reduce Jewish standards but that Arab standards be raised in every possible way. This aim can be reached only by fostering economic and cultural intercourse and cooperation between the two peoples and not by segregation.



# NOTES ON SOME ASPECTS OF THE LAND QUESTION

by Mr. M. Smilansky

## 1. *Area of Palestine*

The area of Palestine is about 27,000,000 dunams<sup>1</sup>, of which about 700,000 dunams are lakes and rivers. The remaining 26,300,000 are composed of four parts:

The Negev	12,250,000	dunams
the hills	9,600,000	"
the coastal plain	3,150,000	"
the valleys <sup>2</sup>	1,300,000	"

## 2. *Present Cultivation*

Out of the above lands, the following areas are under cultivation, mostly very extensive cultivation:

In the Negev	1,500,000	dunams
in the hills	4,000,000	"
in the coastal plain	2,250,000	"
in the valleys	900,000	"
Total	8,650,000	dunams

## 3. *Potential Cultivation*

It is our considered opinion that there are in Palestine at the very least 13,150,000 dunams of lands cultivable after suitable preparation. This means that 4,500,000 dunams which are not cultivated at present are suitable for agriculture. We think that the following areas in addition to the areas cultivated at present can be prepared for cultivation:

In the Negev	1,500,000	dunams	(incl. leachable salty land)
in the hills	2,000,000	"	(by terracing and removing of stones)
in the coastal plain	750,000	"	} (by draining the swamps and levelling the dunes)
in the valleys	250,000	"	
Total	4,500,000	dunams	

## 4. *Irrigation*

To give an idea of the present primitive state of Palestine agriculture, it is noteworthy that the area of irrigated lands in Palestine is at present 500,000 dunams, while the irrigable lands are about 5,500,000 dunams. The following is a fair estimate of the distribution of irrigable lands:

(1) 1 dunam = 0,23 acres = 1000 square metres.

(2) mainly the valleys of Esdraelon and of the Jordan River.

In the Negev	2,000,000	dunams
in the hills	500,000	"
in the coastal plain	2,250,000	"
in the valleys	850,000	"

## 5. *Water Resources*

Experience has taught that Palestine which had been considered a barren country has rich resources of water. These resources are to be found both on the surface and underground. In almost every part of the country deep wells have been dug, and hundreds of cubic metres per hour of water found.

Torrential rains fall during the winter months, and most of these which fall in the hills are not absorbed by the soil but flow into the sea, to the amount of milliards of cubic metres every season. If reservoirs were built in the hills, and dams where the hills lead into the plains, a substantial part of this water could be utilized.

Palestine's lakes and rivers are huge water resources. The rivers flow into the sea and the lakes are exposed to evaporation by sun and wind. A large part of these water resources could be made available for irrigating our lands.

There are in Palestine many sweet water and salt water springs. Up to now, not much has been done in the way of developing the existing springs, or of searching for those underground. Salt water could also be exploited for agriculture by mixing the salt water with sweet water.

According to experts Palestine has water resources sufficient to irrigate about 4,000,000 dunams. These resources may increase in the future, as we learn to use them more rationally, so that we may be able eventually to irrigate the whole of the 5,500,000 dunams of our irrigable lands.

## 6. *Conditions for Development*

The earth of Palestine can bring forth abundance, if the following five are combined: Sun, water, fertilizers, science, and money. We have sun almost all the year long. Resources of water exist, as we have shown, and it is but necessary to find and exploit them. Fertilizers will be provided by agricultural development itself and with the help of science. Science will also teach us the way to get cheap electricity, so that we shall be able to obtain nitrogene from the air with the help of electric power. This is, of course, only one example of the application of science for agricultural development. It goes without saying that large-scale plans of this kind cannot be realized without the necessary financial means, as indicated in Chapter IV. (Development) of this Statement.

## 7. *Present Agricultural Population*

The agricultural population of the Arab villages and the Jewish settlements of Palestine is made up as follows:

	<i>Arabs</i>	<i>Jews</i>	<i>Total</i>
In the Negev	60,000	1,000	61,000
in the hills	500,000	10,000	510,000
in the coastal plain	150,000	50,000	200,000
in the valleys	30,000	25,000	55,000
Total	740,000	86,000	826,000

There are also 70,000 Arabs and 70,000 Jews in the countryside who are *not* occupied in agriculture.

#### 8. *Potential Agricultural Population*

Experience proves that an area of 25 dunams of irrigated land will support a family. An area of 50 dunams of unirrigated level country, when cultivated rationally, will also support a family (five persons in the average). In the hills, an area of 100 dunams would be required for the same purpose. The irrigable 4,000,000 dunams could therefore support 800,000 souls. The rest of the cultivable lands includes 4,000,000 dunams of level, non-irrigated lands — for in the hills, too, there is more than a million dunams of level land or gentle slopes — and these lands could support 400,000 people. Another 5,000,000 dunams of hill country, which are included in the area of cultivable lands, can support 250,000 people.

The cultivable lands of this country could, therefore, support 1,450,000 people, instead of the present 826,000. We may assume that the rural population not occupied in agriculture will increase proportionally; that means there could be 260,000 such people instead of the present 140,000. Thus there is room for an additional 750,000 people in connection with agriculture alone, apart from the growth of the cities which will come in the wake of the increase of the rural population.

#### 9. *Protection of Smallholders and Tenants*

It is our considered opinion that the new settlers will not have to displace one single Arab fellah from his land, for there is enough room for both the old and the new settlers in our country. Yet at the same time a land law ought to be promulgated forbidding a fellah to sell his last 25 dunams of irrigated land, his last 50 dunams of non-irrigable land, or his last 100 dunams of land in the hill region. Also, leaseholders should be protected against their lease being taken from them.

#### 10. *"Uncultivable" lands*

In this small country of ours, about half the lands — ca. 13,150,000 dunams — are considered non-cultivable at present. But science will find new ways, and what is considered impossible today may well be possible in the next generation. Coming generations will profit from that.

A large part of these lands will have to be afforested; part has already become woodland by the efforts of the Government and of Jewish settlement. Afforestation, too, is a branch of agriculture which can support many thousands of families and workers.

EXTRACTS FROM THE  
*IHUD'S TESTIMONY*

*before the*

ANGLO-AMERICAN COMMITTEE OF INQUIRY (1946)

**SELF-GOVERNMENT**

*First period: Self-government during Mandate*

During the transitional period of the Mandate, i.e., up to the time when Palestine becomes a Trustee Territory, immediate steps should be taken by the Mandatory Power to institute a larger measure of self-government. Towards this end we would make two interim ad hoc recommendations:

(a) The appointment of Jews and Arabs in equal numbers to the Executive Council of Government, to the Secretariat, as Heads of certain Government Departments, and as District Commissioners in appropriate places.

(b) The appointment of a Consultative Body of equal numbers of Jews and Arabs. The High Commissioner would act as Chairman, and he would bring before this body such matters as he wished to communicate to the public and as he wished to have an expression of opinion on. The Consultative Body would have no legislative or executive functions.

*Second period: Trusteeship*

(a) We favour the transfer of Palestine to the Trusteeship System of the UNO.

(b) We favour the setting up of a Regional Trusteeship Body for Palestine which is to be composed of representatives of the Administering Authority, the Jewish Agency and the Arab League. The Administering Authority will be a Christian power, doubtless Britain, and will thus be representative of the Christian world. The deep interest of the Christian world in the Holy Land is not to be minimized. The Jewish Agency is representative of the Jewish world in matters affecting Palestine. The Arab League represents the various Arab states, which are for the most part overwhelmingly Moslem, and all of them are concerned with the fate of Palestine.

(c) We favour making the Immigration Board and the Development Board mentioned above responsible in the first instance to the Regional Trusteeship Body.

*Constitution*

(a) The working out of the first draft of a basic constitution for a bi-national Palestine would be entrusted to a special Commission on which, among others, the Jewish Agency and the Arab League would be represented and which would in the first instance be responsible to the Regional Trusteeship Body. This Draft Constitution Com-



mission would receive directives from the UNO, the main directive being the necessity of Jewish-Arab cooperation in all spheres in a bi-national Palestine based on the parity of the two peoples. The Draft Constitution Commission would have to secure the aid of competent experts, especially from the successful multi-national countries.

(b) The draft Constitution thus worked out would be presented to a Constituent Assembly of Jews and Arabs equally represented, in the hope that through clarification, open debate, give and take, an agreed constitution might result. In case no agreed constitution resulted, the matter would be referred for decision to the Trusteeship Council of the UNO, both the Jewish Agency and the Arab League being invited to participate in the discussion before the Trusteeship Council.

(c) The Constitution would contain, among other things, a Bill of Rights guaranteeing religious, educational, economic and national freedom to all the inhabitants as individuals, and to the national communities and the religious bodies.

## *ORGANS OF GOVERNMENT*

### *A. Federal Executive*

#### *(a) Head of the State*

He is to be appointed by the UNO, if possible upon nomination by the Palestine Legislature. His term of office is to be four years, and he is to be eligible for re-election.

#### *(b) His functions are to be:*

1. To preside over the Legislature.
2. To cast the decisive vote in case of a tie.
3. To appoint, with the concurrence of the Legislature, the Heads of Central Government Departments (Federal Administration).
4. To preside over the Federal Executive Council which is to consist of the heads of a given number of Government Departments (Federal Executive Council).

### *B. Federal Legislature*

#### *(a) A Legislature is to be elected democratically.*

(b) The country is to be divided into a number of districts (cantons or counties). Some of these districts will be mainly Jewish, some mainly Arab, and some mixed. In some districts, such as Nazareth and Bethlehem, the Christian Arabs would be the important part of the population. The Legislature is to consist of an equal number of Jews and Arabs.

We prefer election by geographical districts rather than election on a communal basis. Regional patriotism is highly developed in some parts of Palestine. The difficulties of communal elections are apparent in India. Election by districts has the advantage: 1. of giving increased importance to local bodies, which is desirable generally; 2. of enabling Jews and Arabs in mixed districts to vote for members of both communities. In general, we assume that, "in vital matters some Jews and some Arabs will vote together" (Royal Commission, page 360). This would mean that separate national interests would not dominate every situation. There are economic interests, social security,

standards of life, trade, agriculture, industry, labour, commerce abroad and other factors which will draw some Jews and some Arabs together.

(c) The Legislature is to have the normal functions of a Federal Legislative Body, including the passing of the budget.

(d) In case of a tie, the Head of the State is to have the casting vote.

#### C. *Local Districts (Cantons, Counties) including Municipalities*

These are to have wide autonomy, including the right of taxation. As to the Swiss cantons and their relation to the Federal Government, Professor Janowsky says ("Nationalism and Nationalities", pp. 37, 38, 42, 44, 45):

"The Swiss State is a confederation of 22 cantons each enjoying broad powers of self government... Within 14 of her 22 cantons German is spoken by over 90% of the people; one canton is overwhelmingly Italian in speech and three French. The four remaining are linguistically mixed... The people are further divided by 'confessional' differences, 57% being Protestant and 41% Catholic. However, the religious and linguistic groupings do not coincide... German, French and Italian are all recognized as official languages in relation to the Central Government. The individual cantons, too, where the population is sufficiently composite, have assured equality of language... The peoples of the particular cantons also possess organic unity: a Swiss nation, yet a Bernese and a Genevese people... Swiss Federalism rests solidly on the decentralization of governmental functions and on respect for local sentiment. Cantonal and communal institutions are zealously guarded by the population... Clinging to their ancient usages, local and cantonal communities preserve the character of nationalities... Federalism has left the cantons some of the most essential functions of Government — law and order, education and direct taxation... To be sure, the development of commerce and industry has led to a strengthening of the Central Government. But its sphere of activity has been mainly economic and social — railroads, factory legislation, insurance, contracts, sanitary precautions. Educational and cultural affairs remain predominantly the province of local bodies... It is the multi-national state which has rendered possible both political unity and cultural freedom."

#### D. *National Communities*

(a) In the bi-national Palestine there would be two National Communities, the Jewish National Council and the Arab National Council, with powers of taxation. Their practical province would be cultural.

(b) On the other hand there would be a Joint Commission of these National Councils for the purpose of devising ways and means of familiarizing the one people with the culture of the other.

(c) Members of the Civil Service down to the lowest grades would have to be bi-lingual. This is not difficult to achieve, as the experience of the past twenty years has shown.

#### E. *The Central Religious Bodies*

The Central Religious Bodies are to have recognized judicial functions in questions of personal status, such as marriage and divorce (Mandate for Palestine, Article 9).

## A REGIONAL TRUSTEESHIP COUNCIL

### JEWISH AGENCY / ARAB LEAGUE / ADMINISTERING AUTHORITY

There are organizations representing the Jews and the Arabs on the outside. There is the Jewish Agency. That has been the great instrument for the building up of this country. You go around this country and most of what you will see is due to the efforts of the Jewish Agency. The Arab League is but a young creation. It has not had the opportunity, let us say, of doing anything at all comparable to what the Jewish Agency has been able to do for Palestine, but it is the only body that we know of representing the Arabs and the Moslems on the outside; and this Jewish Agency is recognized by the Vaad Leumi here and this Arab League is recognized by the Arab Higher Committee, accepting them for the moment as the counterpart of the Vaad Leumi. For that reason, because of the international character of Palestine, because of its inter-religious character, we talk about this Regional Trusteeship Council which is to include also a representative of the Mandatory or of the Administering Authority, Great Britain, which is also interested in this country, not because the British live here, not because their officials are here, but because this is the Holy Land of Christianity. This is where Christianity had its origin, where it had its great decisive historic experiences. It was peopled by the Jews at the time; and Great Britain is interested and the rest of the Christian world is interested because of that. Therefore we say, it is not sufficient to have a local Government, although, as you see, we propose local self-government. But on certain of these basic problems we propose, at first at any rate, that this international force, represented through the Administering Authority, the Jewish Agency and the Arab League, should come together and try to work out a number of these things such as we propose.

*Mr. Buxton:* I dare say you are right, but what you say seems a little paradoxical to me. A few minutes ago, you were stressing the value of allowing native Arabs and native Jews to assume active management of their own affairs. On the other hand, you say let us bring together two international groups to manage their affairs for them. Will you not reconcile those two points of view for me, please?

A. It is a perfectly legitimate question, yes. The objective is to have the local Jews and the local Arabs conduct their own affairs, conduct their own government. How are we going to bring that about? That is our whole argument. We are going to bring it about, so we think, by steps something like those we have proposed. We do not go at once to the Vaad Leumi and the Arab Higher Committee for that, because we feel that the problem of immigration, taking that in the first place, is something that goes beyond the borders, beyond the confines and the ability of just local groups. Immigration concerns the rest of the world. One of the sources of the Jewish immigration is the rest of the world; it is the source of Jewish immigration, and it is the Jewish Agency, which is an international body, that has thus far been dealing with immigration. All of the Jews are interested in that, just as all the Arabs throughout the world are interested in that. Therefore as a first step we say, in order to help bring this about, do not



go to the local people; local people are fighting around too much; go to the international authority, go to the wider background. It is our conviction, at least our hope, that the Arab League is going to be much more moderate than any local Arab body in any country. I think the Arab League has thus far given evidence of that in its constituent documents. If you read the paragraph on Palestine you will find that, I think. Recent statements made by one of its representatives indicate that we have to encourage them. It will not be so easy for the Arab League to be more moderate than the local people, any more than it is so easy for the Jewish Agency to be more moderate. But I do think that will be the case, and for that reason we feel at the beginning, however it may turn out afterwards, in order to bring this about, in order to bring people together which is what we want, and we want to bring them together upon the basis of actual live practical things, their own interests, you have to bring into the picture these larger international forces to persuade and to be persuaded. If it were possible just to say that this thing could be carried out, as we propose it, through turning it over to the local people, it would be very good. The way we propose is more complicated. I think, however, it is more practical.

Q. You foresee the time when the local people will take over their own affairs, will that be in a decade, or a couple of decades?

A. However long it may be, yes, that is the objective.

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## NUMERICAL PARITY

As a long-term immigration policy we propose that, in the bi-national Palestine, the Jewish population should have the chance through immigration of becoming one half of the population. That means, that the Jews would, upon the basis of present population figures, have the opportunity of doubling their numbers, there being about 600,000 Jews here now and about 1,200,000 Arabs. It would really mean more than that, since the Arab natural increase is higher than the Jewish (2.7 : 1.3), thus leaving room, even after parity had been achieved, for additional numbers of Jews to catch up each year with the greater Arab natural increase.

### *Rate of Immigration*

How long it would take, approximately, under favourable circumstances, for Jews through immigration and natural increase to reach parity, can be estimated upon the basis of the population trends on pages 281—282 of the Royal Commission's Report. Although these calculations were made in 1936, it would appear that the ratio of Arab increase and Jewish increase has remained stable. We can therefore take the figures of the Royal Commission as roughly correct for 1946. Upon that basis it would take eleven years from now, i.e. up to 1957, for the Jews to reach parity at the rate of 60,000 immigrants a year; 14 years, i.e. up to 1960, at the rate of 50,000 a year; 18 years, i.e. up to 1964, at the rate of 40,000 a year, and 24 years, i.e. up to 1970, to reach parity at the rate of 30,000 Jewish immigrants a year. Any annual Jewish immigration below 30,000 would never let the Jews catch up with the Arabs.



## COMPASSIONATE IMMIGRATION

### AND THE

## SPIRIT OF JEWISH YOUTH

We pray, let us have these 100,000 people. What is the delay? When the terms of reference to this Committee were published on November 13th there was a great deal of discussion in this country, and I happened to be one of those who thought he could find within it a large number of positive aspects. I thought the association of America with it was one of these; I thought the emphasis on the desire for an agreed settlement was one of these, and I thought this was a positive side of it, that your Committee was authorised to make ad hoc interim recommendations. In the first place, the policy declared there would be no interruption of the then quota of Jewish immigration. There was this interruption unfortunately, though the numbers have been made good since. I would like to tell the Committee I have never seen quite so much distress, quite so much tension among all persons whatever political views they held as one could observe and feel then when it was realised that this quota of 1,500 a month had stopped. It stopped, I do not remember exactly for how long but for a couple of months I think, and then one was told: despite what is said in this document by the Secretary of State that everything was to be done to ensure that there was to be no interruption of the present rate of immigration, it was nevertheless interrupted. Then the Committee was authorised to make ad hoc interim recommendations upon its findings in Europe, and it seems to me the Committee did a wise thing, that was discussed here pro and con, in going to Europe first, because there is the scene of this tragedy. You have been there. Will you pardon me if I ask a question. Why are not the 100,000 permitted to come in? I am asking you now instead of you asking me.

*Mr. Macdonald:* I suppose your question is, why did we not recommend in an interim report that they should be admitted?

A. I should not want to put the thing in that way, that would be getting to close to the skin.

Q. You asked us why are they not admitted.

A. That is what we are interested in, not in the interim report. We are interested in having them come. We want them and I can tell you, I have been attending these sessions and I have heard questions as to the economic absorptive capacity. We think economic absorptive capacity is a criterion of immigration in the long term of policy, but not with these 100,000. We want them in and we will share with them, if the country has not enough work — there is enough work we think, there is enough money here; there is more money in this country, unfortunately I would like to say, than there has ever been in its long history. Well, let some of that money be spent. There are some houses that have more rooms than they ought to have, let them be occupied. The people here are ready, I think you can accept it literally, people here are ready to share what they have. Give them opportunity for it. These 100,000 will open their hearts, it will be a saving work. I cannot put it in any other way. Why should it not be done? Why not? You have the authority to recommend it.

Q. May I say first, so far as the interim report is concerned, I am sure its not having been issued was no indication that every member of this Committee did not feel the poignant tragedy and also the

A. Absolutely not.

urgency of the problem, but I come back to my question, would it not be assumed that the admission of these 100,000 on the basis of your conception of the agreement between Jew and Arab would be dependent upon Jewish-Arab agreement on that point?

Q. You mean you would ask the Mandatory Power to open the door?

A. Yes.

*Sir Frederick Leggett*: I take it you make your proposal with one important objective in mind, that is to provide a basis upon which these two parties can get together and get away from the two extreme courses to which they are now attached?

A. Yes.

Q. I take it you do that because the whole history of mankind shows agreements are not made between equals; they are often made between people each of whom can do the other very great harm. Now taking the evidence we have heard, is it not true that unless both sides see clearly the objective to which they are going and can agree upon it, that to bring new people here now would be to bring them into a battlefield.

A. No, I do not think so.

Q. Do you agree it is absolutely essential that the two sides should agree upon the objective?

A. I think it is very very desirable, but I do not think you are going to get that now. I think that is just chasing a will-o'-the-wisp. You will get it, not by sitting down and working for agreement in advance; you will get it through life, through these steps or other steps in actual practice that you take. It depends what the steps are. If they are steps directed to that end, I am sure you will get it in the course of many years. It will not come from today to tomorrow.

Q. I am afraid I did not make myself clear. Is it not your view that if these steps are taken, minds which are at present locked on one particular idea will begin to see the practical ways in which they could get to greater agreement, just as, for example, between the employers and workpeople in a particular industry, if there is a means by which they can get together and discuss matters, though they are not equal, they will probably find a way in which they can live together?

A. All the better if you can achieve that, if you can bring the Jews and Arabs together you will be fulfilling one of your great functions. I do not know if that is an answer to the question.

Q. It is partially, I think. Now may I raise another point. You were talking about urgency, and all of us who have been in Europe agree upon that urgency, but we saw there young men who were thinking they were coming here to fight. Since we have been here we found something of that atmosphere. I again ask you whether it would be right to bring those young children here if the only way open or the only way determined upon by either side is to fight.

A. I am going to give you an extreme answer — even though it were the only way I would bring them. But that is not the only way. All over the world young people have learned how to fight, that

is what this war has been teaching them, how to fight. It is impossible after a war of these dimensions to unlearn that today or tomorrow. That fighting atmosphere is unfortunately going to persist for years and years to come, a whole generation has been brought upon it. Unfortunately also a generation of my people. A generation of Americans too has now been brought up on something entirely new. There is probably going to be conscription or compulsory military service even there. Why should our young people be regarded by you as exceptions? It is the Jews who should take exception to this militarism among our people. I take exception to it. I take exception to this militarism, to this chauvinism, to this, I cannot use any other words, to this atmosphere of terror. We know it; you hear about it. We feel it in our flesh and blood; you read about it. You do not know the forms this terror takes. It is not only the terror of the bomb, and there are those among us who know what this is very well from their own experience. Nevertheless, I answer you again. If this were the only way, if we knew they were coming here in order to do this fighting, yes. But they are not coming here to do this fighting. Mr. Smilansky would just like to say a word. He says it becomes our duty to try and create conditions, so that this spoiling of our youth cease. That is what we want.

I cannot tell you how we condemn these things. I would like to say one more thing which will not be particularly popular, I am afraid. I have heard here in these sessions people express their great regret at what our youth are doing, some of our youth are doing. They mean that very sincerely. What I would like to say is, this is not just a question of our youth. Some of these young men who go out with bombs and guns are among our most idealistic youth, idealistic men and women, just as you find in other countries where rebellion goes on, ready to sacrifice their lives for what they believe to be a higher cause, to save their people, and the question I ask is, who sends them? It is not the young men who send them, it is older men who send them. Those are the people you should be directing your attention to.

*Sir Frederick Leggett:* Thank you. May I just say how wonderful it has been to hear this afternoon a counsel of conciliation put forward.

*Mr. Buxton:* You said something on a subject which may go to the very heart of the decision we are trying to make. You said perhaps a great many Jews would forego their aspirations, their passion for a Jewish State if liberal immigration were allowed; if that is your belief or conviction, not merely a hope or expectation, would you give me two or three reasons for that belief.

A. One reason is this, that some of my friends, not all, who are for the Jewish State, have no hesitation in saying, when they argue privately, that although they believe in the Jewish State with all their heart for various reasons that have been adduced here, they feel it probably will not be granted, and what they really do want is immigration. The argument oscillates back and forth between state and immigration. Some say, if we cannot get a Jewish State in all of Palestine, we want a Jewish State in part of Palestine, partition, because in that way the Jews would be recognized internationally as a unit, as an entity, and that has its advantages in helping Jews in other parts of the world. The argument is put forward, supposing Jews had a seat in the UNO it would not be necessary for somebody else to come and plead their cause. There are very good reasons for wanting this political representation. Some say if we cannot get the State, give us partition. There are



many people, if you would talk to them, who say, to be sure, immigration is the thing that we want, and the reason we want the State is because through the State we will get immigration. There are on the other hand some who want the State for the State's sake. They are State mad, not realising that the State is something these days that perhaps needs revision in its whole conception and practice. They want the State for the sake of the State. There are others, however, who want the State for the sake of immigration. That is another reason why I say, if immigration were given without the State there would be many people who would not be satisfied a hundred per cent, but who would asquiesce, would forego the State.

Q. You are inclined to think the fervour of these folks would die down somewhat if they had this immediate relief to the Jewish problem?

A. If you could arrange in some way the immediate release, you might say from captivity, of these 100,000 human beings who are our brothers and sisters, I can almost guarantee you, that the tension which fills our lives and which destroys the morality of so many of our young people, would be relieved.

## ORAL EVIDENCE

*before the*

UNITED NATIONS SPECIAL COMMITTEE ON PALESTINE

*at the public meeting held in Jerusalem on Monday, 14 July 1947*

*Chairman: Mr. Sandstrom (Sweden)*

*Dr. Magnes:* Mr. Chairman and gentlemen, I should like first to present the apologies of Mr. Smilansky who it was expected would appear before you. You have from him a memorandum on land in Palestine. Unfortunately, he is not well.

I also wish to introduce Dr. Reiner, who for twenty-five years was one of the chief engineers of the Department of Public Works in Palestine, and Mr. Gabriel Stern, who is the editor of the Hebrew Monthly, which the *Ihud* Association publishes.

We had not expected to deliver an opening address. We had expected, on the basis of the material which we handed to you, to spend the greater part of the time allotted to us for questions and answers. Inasmuch as the procedure seems to have been that an address should open the testimony, I have, within the past few days, jotted down what I believe has been distributed to you and what has been called an outline of the remarks I should like to make introducing what we really have to say. I will ask your pardon, therefore, for not having these remarks written out in full for you so that they may be followed with greater ease.

### *Arab-Jewish Cooperation — Necessary and Possible*

Our contention is that Arab-Jewish cooperation is not only necessary for the peace of this part of the world, but that it is also possible. We contend, upon the basis of the experience of the past twenty-five years, that Arab-Jewish cooperation has never been made the chief objective of major policy, either by the Mandatory Government, by the Jewish Agency, or by those representing the Arabs. We regard this as the great sin of omission which has been committed throughout all these years.

Arab-Jewish relationship is the main political problem which one has to face. There may be attempts to evade facing this by placing emphasis on other very important aspects of the problem, but that is the kernel of the problem, and it must be faced courageously and with intelligence, and upon the basis of the experience of these past twenty-five years.

Palestine is a land *sui generis*, and no one can have in Palestine everything that he wants. In all of the history of Palestine, no one has had everything that he wants. Palestine is not just a Jewish land; it is not just an Arab land. Among other things, Palestine is a Holy Land of three great monotheistic religions.

### *Arab Natural Rights and Jewish Historical Rights*

The Arabs have great natural rights in Palestine. They have been here for centuries. The graves of their fathers are here. There are remains of Arab culture at every turn. The Mosque of Aksa is the third holy Mosque in Islam. The Mosque of Omar is one of the great architectural monuments in the world of Islam. The Arabs have tilled the soil throughout all these centuries; they have, as we say, great natural rights in Palestine.

The Jews, on the other hand, have great historical rights in Palestine. We have never forgotten this country. "If I forget Thee, O Jerusalem, may my right hand wither." That has been upon the lips of our children from generation to generation. The Book of Books was produced here, in this city, by our ancestors. From that time until the present day, there have been hymns, prayers, voyages, great stirrings among the Jewish people, indicating that this Holy Land has been engraven in their hearts all these centuries.

Moreover, since the return to Zion, during the past generation and more, the Jews have, by their sacrifice, by their scientific ability, by their love of the soil, by their hopes for its future, built up a national home of which in many respects they may well be proud. This labour also has given them a kind of right which is not to be despised.

### *Political Parity — An Honourable Compromise*

We have, therefore, the Arab natural rights, on the one hand, and the Jewish historical rights on the other. The question therefore is, "How can an honourable and reasonable compromise be found?" There are those, we know, who reject the very idea of compromise. But no answer can be found for this complicated situation, except through compromise, that may be reasonable and feasible.

We are in full accord with Recommendation No. 3 of the Report of the Anglo-American Committee of Inquiry. You will permit me to read part of that: "...that Palestine shall be neither a Jewish State nor an Arab State", but "a country in which the legitimate national aspirations of both Jews and Arabs can be reconciled, without either side fearing the ascendancy of the other. In our view, this cannot be done under any form of constitution in which mere numerical majority is decisive — —" I should like to emphasize that they say that the answer cannot be found under any form of constitution in which a mere numerical majority is decisive — — "since it is precisely the struggle for a numerical majority which bedevils Arab-Jewish relations. To

ensure genuine self-government for both the Arab and the Jewish communities, this struggle" — that is, for majority — "must be made purposeless by the constitution itself."

The Anglo-American Committee did not, unhappily, propose the outlines of such a constitution. We regard this as the main weakness of their Report, with all of the recommendations of which we are in full accord. We are attempting to give the outlines of a constitution for Palestine in which the question of a mere numerical majority is not to be decisive.

We propose that Palestine become a bi-national country composed of two equal nationalities, the Jews and the Arabs, a country where each nationality is to have equal political powers, regardless of who is the majority or the minority. We call this 'Political Parity'.

### *Majority Rule or Multi-Nationalism?*

Majority rule is, to be sure, the accepted working rule in countries which are uni-national as, for example, in the United States; but majority rule is not the universal working rule in multi-national countries such as Belgium, Canada, Czechoslovakia, Soviet Russia, Switzerland, Yugoslavia, where the equality of basic national rights of the different nationalities making up the state is protected against majority rule. It will not do, therefore, to try to apply to a country like Palestine the working rule of the majority in some such way as is done in countries of the West.

Bi-nationalism based on parity is a comparatively new way. It gives full protection to the various religions of the country, to the national languages, cultures, institutions, and yet, with all of that, there is full allegiance to the political state. Switzerland proves this possible. That, to be sure, is not so new, it is over one hundred years old. In Switzerland, there are three or four basic nationalities. There is no concurrence of religion, language, nationality in the twenty-two cantons. Some of them are divided up. Nevertheless, we find in Switzerland this great experiment that has been succeeding for more than one hundred years, of three distinct nationalities, each one guarding their own culture jealously, and at the same time proving faithful citizens of the political state.<sup>1</sup>

We contend that multi-nationalism is a high ideal. It is not just something that is made to order to cover a given situation. The old way of having a major people and a minor people in a state of various nationalities we regard as reactionary. It will not do to have a dominant people and a dominated people. That leads to constant friction, breaks out in revolution, results in war. Parity, we contend, is the one just relationship between the different nationalities of a multi-national state.

<sup>1</sup> On this point, see extracts from Prof. Janowsky's "Nationalism and Nationalities" reproduced on p. 24.



### *Arab and Jewish Concessions*

It is not always easy to achieve a bi-national or multi-national state. In Palestine great concessions have to be made by all concerned. What are the concessions the Arabs would have to make? They would have to yield their ambition to set up in Palestine a uni-national, independent sovereign state. There are other Arab states which are uni-national, independent, sovereign. Yet, in yielding that great ambition of theirs, which is only natural and to be understood, they would enjoy the maximum of national freedom in a bi-national Palestine equally with their Jewish fellow-citizens.

What are the concessions that the Jews would have to make? They would have to give up their dream of a uni-national independent sovereign Jewish state. That is a great concession. This is the only country where such a thing is conceivable. Yet a bi-national Palestine based upon parity between the two nationalities would give the Jews what they have not in any other place. It would make them a constituent nation in this country. They would not be classified as a minority, because in the bi-national state, based upon parity, there is no such thing politically as majority and minority.

We have seen the minority guarantees of the Treaty of Versailles broke down at every point. Minorities can be protected only through parity; and the Jewish case, the Jewish cause in Palestine, can be protected here only upon the basis of bi-nationalism with two equal nationalities, so that they are in Palestine not a minority — to be sure, not a majority — and they, too, can have full national rights equally with their Arab fellow citizens.

There is another concession that the Jews would have to make, which is rather serious and which requires grave consideration. If there were a Jewish State, presumably that Jewish State would have its representation in the United Nations. This is a problem which requires very careful consideration. We are of the opinion that the Jews should have representation in the United Nations; exactly in what form remains to be seen, although we have certain views as to how that might be achieved.

### *Neutrality for the Holy Land*

Now what are the concessions that the Administering Authority or the Mandatory, or whoever it is that is here, would have to make? This is a concession of very far-reaching importance. We say that Palestine is the Holy Land of three great monotheistic religions. Are there any practical consequences to be drawn from this? Does that merely mean that there will be a few so-called sacred places which will be held intact, to which access will be granted? That is not our conception of it. Our conception of Palestine as the Holy Land covers the whole country. Our historical and religious associations are with the whole of Palestine and not with a few isolated places. The practical



consequence to be drawn from that thesis is that Palestine should be made neutral, that perpetual neutrality should be accorded to Palestine. Switzerland has neutrality. The Vatican has neutrality. And what we mean by that is that Palestine should not be, should not become, a military base, or a naval base, or an air base for any of the Powers, whether that Power be the Mandatory or the Administering Authority or anyone else.

### *Self-Government*

We have tried to set out in the documents presented to you how self-government based on parity might be introduced and carried out in Palestine. We have envisaged this in three stages:

First, while the Mandate lasts, however long that may be, we ask for the immediate appointment — now, today, tomorrow — of an equal number of Jews and Arabs to the Executive Council of the Government, to the Secretariat, as heads of the non-controversial central Government Departments, as Presidents of Courts, as District Commissioners. There are no Jews or Arabs in such positions in the Central Government. There is a considerable amount of local government, but Jews and Arabs have been excluded from all responsible posts in the Central Government, as I have tried to outline. The Anglo-American Committee stated that "British officials hold all the important positions. They exercise as much authority as in a country where the inhabitants are in a primitive stage of civilization."

Now I am not criticizing the British officials. I regard them as good and able men. There are many hundreds of British officials, aside from the police, in this tiny country. What we contend is, that there are Jews and Arabs — and many of them — who could fill these positions with equal distinction, and we see no reason in the world why in these posts of great authority in the Central Government there should be no Jews and no Arabs. We ask that that be done now, at once.

### *A Constitution for Palestine*

Secondly, we favour — we have favoured, it is not only just before you that we have favoured — the transfer of Palestine for an agreed transitional period to the Trusteeship system of the United Nations. When and if that stage is reached we think that the first thing that ought to be done is the appointment of a Commission on Constitution which should be composed, among others, of an equal number of Jews and of Arabs. It will not be easy to work out a draft of a constitution for a bi-national Palestine based on parity. It may take a long time. It will require a great deal of expert help, particularly from such countries as are successfully multi-national today. It may be that there will be more than one report presented to the Constituent Assembly which we envisage. But it is necessary that this basic work

be done, under the auspices of the Trusteeship Council of the United Nations. If, at the Constituent Assembly which is to be elected upon the basis of parity between the Jews and the Arabs, there be no agreement on this or that point, we propose that on these moot points the decision be left to the Trusteeship Council of the United Nations.

Now we realize that one of the disadvantages of a bi-national system based upon parity is that there may be a deadlock, a stalemate, and that it may be hard to come to a decision. We think that on social and economic questions, as the Royal Commission expressed it in its Report, some Jews and some Arabs would vote together. On national questions, however, it may be that the Jewish representation and the Arab representation would find no way of coming to a conclusion. We propose, in order to meet this, that a tribunal of arbitration should be in constant existence, appointed by the Trusteeship Council of the United Nations.

Some of these provisions must be embodied in the organic law of the state. They would have to be removed from all danger of majorization, of being subject to a majority. It has been asked, for example, "How could the bi-national state legislate on immigration?" We propose that there be a standing Committee on Immigration on which should be represented the Jews, the Arabs and the United Nations. I shall deal with immigration later on, but the decisive voice would be that of the United Nations. We do not believe, in general, that it is possible, within the near future, for Palestine to be without some third party — the United Nations. It may be that in the course of Palestine's development that may be achieved. There certainly is required, I do not say a long period, but a considerable period of transition under the auspices of the Trusteeship system of the United Nations.

Why should that be so hard to accept? A bi-national Palestine would be a union, a federation of two peoples. Every union, every federation, lays certain limitations upon its constituent members. Even great powers turn to the United Nations or wish to turn to the International Court of Justice in order that some of these difficult problems may be considered and may be decided by someone other than themselves. Why should a tiny country like Palestine, a Holy Land of three religions, regard it as a disgrace to have to turn to the Trusteeship Council of the United Nations for help to bring them over these difficulties which history — a long and chequered history — has created?

#### *Independent Palestine and the Middle East*

We then envisage the third stage. After this transitional period of trusteeship, the bi-national Palestine of two equal nationalities is to become an independent state. It is to have the power of deciding whether and upon what terms it is to join a wider federation of neighbouring countries within the framework of the United Nations.

We are all for that, we have been for that these many years. We think that a bi-national Palestine based on parity has a great mission to help revive this Semitic world materially and spiritually. The Jews and the Arabs are the only two peoples remaining from Semitic antiquity. We are related. We have lived and worked together. We have fashioned cultural values together throughout our history. We regard it as the mission of the bi-national Palestine to bring about once again, within the Semitic world, this revival of the spirit which has characterized Semitic history from antiquity.

I have dealt thus far with the structure of the bi-national State based upon parity. If you have given attention to the documents which we have submitted, you will have seen that we have given in very great detail certain suggestions as to how this state should be constituted,<sup>2</sup> suggestions which might be turned over to that Committee on Constitution which I mentioned. We talk of the Head of the State. We talk of the Federal Executive, the Federal Legislature. We talk of counties or cantons, however they may be called. We talk of the Executive and of the Advisory Council. We talk also of a consultative body to be constituted even during the time of the Mandate, or the Trusteeship. If you wish to go into some of these details in your questions, we shall try to do our best to answer. We do not pretend that the scheme we have drawn up cannot be improved. We do say that we have given it considerable thought.

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### *Immigration*

Now, just as the structure of the state is one side of the problem, so is immigration another side. Indeed, the question of Jewish immigration is in many ways the crux of the whole situation. We propose three principles upon which Jewish immigration is to be encouraged. You will note that I say "encouraged".

First, that Jewish immigration be permitted up to parity with the Arabs. We call this 'Numerical Parity.' (What I have been describing before is, I said, what we call 'political parity.') This would enable the Jews to bring in another 500,000 to 600,000 immigrants.

The second principle would be that immigration be regulated in accordance with the economic absorptive capacity of the country.

Third, that this economic absorptive capacity of the country be enlarged through a Development Plan, which is to be of benefit to all the inhabitants of the country.

May I take up these three principles or stages one by one as briefly as I can?

<sup>2</sup> Cf. extracts from the Written Statement submitted to the Anglo-American Committee of Inquiry reproduced on pp. 22-24.



Number one. Why should not the 100,000 Jewish displaced persons be admitted into Palestine rapidly? President Truman began to speak of it, I think, almost two years ago. Admitting them into Palestine would of course mean an enormous enterprise. It will require great sums of money, great capacity for absorption, and great sacrifice on the part of the Jews of Palestine and perhaps of the rest of the world. We wish to express to you our opinion that if it be decided to admit these 100,000 Jews into Palestine as rapidly as possible, you will find the manpower, the organizational ability, the money, together with the money which the United States and Great Britain have already said they were ready to put into this enterprise. It will be a great challenge to the Jewish people. No one can say to you at the present time that these 100,000 can be absorbed in Palestine in a year, as was thought. But the Jewish people should be challenged with that. We have wanted these 100,000 of our brothers and sisters so intensely that it seems to us that it ought to be granted, if for no other reason than because the Jewish people have suffered this unspeakable tragedy. Forty per cent of the Jewish people have been annihilated. No other people has suffered anywhere near such losses. This challenge to the Jewish people, putting upon their backs this burden, this task, would in large measure calm them down and keep them from thinking constantly of what has happened to father, mother, and sister in those gas chambers. The Jewish people need to be saddled with this enterprise. One should not be particular and say that 1,500 or 4,000 or 5,000 a month, or however many a month, should be admitted. Give these certificates, 100,000 certificates, and tell the Jewish people that they are primarily responsible for the use of them. Those who have rooms to spare in our spacious homes will yield some of them. Those of us who have clothes to spare will turn some of them over. Those of us who have a little extra money, or no extra money, will turn the money over or go into debt. It is a matter of historic mercy. It is a psychological problem, and not so much a political or an economic problem. The Jewish people must be given something — not as a gift — not as charity — but given a task, a burden, an enterprise. One hundred thousand souls! What greater function can all of us see before ourselves than to do what we can to bring these brands from the burning into this new National Home?

The Arabs need not be afraid of these 100,000. In one of our documents<sup>3</sup> you will find that we have made a computation based upon authentic figures which will show that during the war there was very little Jewish immigration. The Arab natural increase is much greater than that of the Jews — almost twice as much. During the war, all these years, the Arab natural increase has brought the Arab population

<sup>3</sup> The relevant passage is reproduced on p. 26.

up to figures out of all proportion to what they were before. Last year when we prepared these figures we found that if 100,000 Jews were brought into the country at once, the increase in the Jewish population in relation to the Arab would be only about 30,000, taking into account the lack of immigration during the war and the greater Arab natural increase. These 30,000 would not bring the Jewish state of which the Arabs are so afraid. We are convinced that if these 100,000 had been admitted, without all of this discussion going on for almost two years, the Arabs would have acquiesced. They would have protested, but we know that they are at heart our brothers, and that it would not have been on account of these 100,000 that any revolt would have taken place. We feel the same thing now despite the fact that the situation has been aggravated by these two years of bitter and acrimonious discussion.

### *Numerical Parity*

The next stage that we envisage is, as I have said, up to parity with the Arabs. From where would these additional immigrants come? There are, in accordance with figures that I have seen lately, about 200,000 displaced persons in the camps of Europe. That would not make up the 500,000 to 600,000 to bring the Jewish numbers up to parity with the Arabs. These immigrants would probably come, in the first place, from North Africa. There are 300,000 to 400,000 Jews in North Africa, who are very unhappy. Then there are hundreds of thousands of Jews in Hungaria and Roumania. And in Jewish history, one can never tell, unfortunately, where the shoe will begin to pinch next. Moreover, there are many Jewish young men and women who want to give their strength to the upbuilding of the National Home, although they are not in need of migrating at all. All of these would make up, we think, the additional numbers.

Then the third stage is if parity were ever reached with the Arabs, what then? I mentioned to you, in the first place, the greater Arab natural increase. There would always be that much to catch up with. But the chief answer that we give is, that if in the course of those years Jews and Arabs find the way of peace and understanding together, they would come to some agreed conclusion as to how much additional Jewish immigration the Jews might be able to have.

### *Land and Development*

As I have said to you, my friend, Mr. Smilansky, had expected to say something to you about legislation for land reform. His point is that all discriminatory restrictions should be removed and that adequate protection for small owners and tenant cultivators, particularly among the Arabs, should be provided for. I mentioned, in passing, the Development Plan. It has been said that the United States Government and the British Government are ready to invest large sums in the economic development of Palestine and the Middle East. We propose



that on the Development Board, that board which is to work out these plans, the Jews and the Arabs be equally represented, among others, just as we proposed the same thing for this Immigration Board, which I touched upon in passing.

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### *Palestine — Divided or United?*

We have no belief in Partition for many reasons — religious, historical, political, economic. Indeed we regard Partition as not only impracticable, but, should it be carried through, as a great misfortune for both Jews and Arabs. We have not wanted to encumber our documents to you by engaging in polemics with the advocates of Partition, whom we greatly respect. We have wanted to present a positive case for a united bi-national Palestine on its own merits. Should it, however, be desired, we are ready to formulate our arguments against Partition as well.<sup>4</sup>

We are greatly encouraged by the advocacy of the idea of a bi-national Palestine by some of the delegates at the Special Session on Palestine of the United Nations General Assembly. It has been said by the Chief Delegate of the U.S.S.R. that Partition is only to be considered if a bi-national solution should prove to be impossible.

We think it is the task of statesmanship to make this possible. In any event we think consideration of Partition entirely premature until the bi-national Palestine be given a full and fair chance to prove its worth over a number of years.

We regret to say that it has never been given this chance. Neither the British Government nor the Jewish and Arab leaders have ever made any determined and systematic attempt to make Jewish-Arab cooperation a chief objective of their policy. The Anglo-American Committee of Inquiry made very important recommendations in this direction, but the leaders all around failed to accept them or to implement them.

Many Jews as well as many Arabs of all classes and sections — some openly and many more privately — anxiously look forward to a courageous lead from you which will deliver this unhappy country from the evils of political tension and nationalist passion, of mental and physical terror. We call upon you to take up this attempt, and not to accept counsels of despair, but to give a fair chance to constructive proposals which in the long run bear hope for real freedom, prosperity and peace for the two peoples of this land.

<sup>4</sup> Since the Committee expressed this desire, two additional memoranda were handed them. These are reproduced on pp. 74—84.

## INTERROGATION

*Chairman*: I thank you, Dr. Magnes. I understand that Dr. Reiner is not going to give an address. Is that right?

*Dr. Magnes*: No, Dr. Reiner is prepared particularly to give you details in relation to Partition should you require them, more especially in relation to the analysis of the Woodhead Commission which rejected, in its time, the proposal of the Peel Commission. Dr. Reiner can tell you a great deal about the water resources of the country, erosion, and other things. And should you so desire, he will answer your questions, if they come.

*Chairman*: Now we can begin our questions. Before I do that, I will ask you if you want a recess before we begin?

*Dr. Magnes*: No, I am ready for a long session with you.

*Chairman*: Then we will begin at once. I should first want to ascertain whether your suggestions now are the same as those you made before the Anglo-American Committee?

*Dr. Magnes*: Substantially the same.

*Chairman*: I understand there are very small modifications?

*Dr. Magnes*: Yes, we have taken into account some of the documents that have appeared during the past year, particularly the Morrison-Grady Report, and the 'Bevin proposals' of February 7, 1947,<sup>5</sup> which are the latest of the British proposals, and we have addressed ourselves in some detail to those. But, essentially what we propose to you is what we proposed to the Anglo-American Committee, and for that reason our document to you is really rather thin. We thought that you would be called upon to read several thousand pages and if you found a thin document you might be tempted to read it.

*Chairman*: We appreciate that. Then I should want to ask some questions regarding the way in which your scheme for a bi-national state would operate. I want to know if I am right when I think that it would be partly through regional provinces, territorial provinces, and partly through communities without any territorial basis?

### *Voting by Counties*

*Dr. Magnes*: Yes, we provide for the division of Palestine into counties, to use the English term, or cantons, to use the Swiss term. Some of these counties need not be territorially contiguous. Some of them would be mostly Arab or purely Arab. Some of them might be purely Jewish. Some of them would be mixed. They would be scattered throughout the

<sup>5</sup> Some extracts from these proposals are reproduced in this publication.

country. That would be on the one hand. On the other hand, in our plan we provide for two National Councils, the Jewish National Council and the Arab National Council, which would have cultural functions, primarily. Then we provide also for the religious courts, both Jewish and Moslem, inasmuch as those are institutions that are rooted in the very ancient tradition of this country.

*Chairman*: I suppose that you mean the details of the constitution would be worked out by this Committee which would be set up for working out the constitution. But I should like to have your suggestion as to how the elections for the legislature would take place.

*Dr. Magnes*: We do not favour what is called "communal registers", "communal lists". By communal lists one means that all the Jews of the country would vote on one list of electors and all the Arabs of the country on another list. We favour the territorial method. We favour election, as I have said, by counties. In the purely Arab counties we presume that there might be two or three, or however many Arab tickets, to be voted for by the elector. The same in the purely Jewish counties. In the mixed counties we even go so far as to think that in some places the Arabs might even favour a Jewish candidate, and the Jews might even favour an Arab candidate. I do not want to become too personal, but I think I could mention a couple of mixed districts where that might very well take place. The voting would be by counties and be regulated in such a way as in the final analysis to produce in the Constituent Assembly in the first place an equal number of Jews and of Arabs, and in the Legislative Assembly, which we hope might result from the Constituent Assembly, an equal number of Jews and Arabs.

*Chairman*: There will be a provision in the constitution which would have the effect that an equal number would be elected?

*Dr. Magnes*: Yes.

#### *The Principle of Parity*

*Chairman*: I come now to the big dividing question — the question of immigration. I suppose the question of the 100,000 Jews who would be allowed to immigrate immediately would be a problem which would have to be provided for in the decision of the United Nations. When you came to your further immigration policy you mentioned the principle that the Jews would be allowed to immigrate up to a number which would equalize both groups, and you mentioned also that the principle would be the economic absorptive capacity. Do you mean that these principles could be inscribed in the original decision of the United Nations, or in the constitution? Or how have you envisaged that?

*Dr. Magnes*: Yes, I think it is absolutely required that those principles be enunciated from the beginning. Those would be principles that ought to be very clearly laid down because in that way you would be providing for two equal nationalities. That is the basis of our whole conception.



## *Cooperation Through Life*

*Chairman:* I think your scheme is inspired by a great ideal. If one has hesitation it is, as you yourself pointed out, on the ground of the practical workability of the scheme, and the test for the workability of the scheme, I think you said yourself, would be cooperation. If you cannot bring about the necessary cooperation I think the scheme will fail. Do you agree with me on the importance of cooperation in the working of your scheme?

*Dr. Magnes:* Your question is how to bring that cooperation about. There are some who say that the Jews and the Arabs will have to agree in advance to certain abstract principles providing for cooperation between them. We say that cooperation is not produced in that way. We say that discussion, while very essential, can run out into the years and produce nothing practical. That has been the case right along in this country. There have been certain agreements, certain texts of agreements drawn up, certain discussions between Jews and Arabs. Our contention is that cooperation is brought about not through discussion, but through life itself. By life we mean, among other things, government.

### *Cooperation Through Self-Government*

Why do we propose that there should be Jews and Arabs in the Executive Council? Why do we propose all of these things I have gone over? Because that is life. That is something that affects intimately the individual and the communal life of every person and of every community. Immigration affects it. Development affects it. Sitting in the Executive Council of Government affects it; being members of the Secretariat, being Presidents of Courts, being District Commissioners — a most important position, coming into contact with the people of the country. That is the way cooperation is brought about. Cooperation cannot be brought about, so we have learned, through agreement in advance. Had that been possible, that agreement would have been made long since because, whatever be the views of this one or that, there is hardly anyone who would deny that cooperation is much to be preferred to strife and animosity.

Why has cooperation not taken place up to this time? It is because the Jews and the Arabs have not been given the opportunity of creating together. One of the ways of creating together is through government. That is perhaps the chief way of creating together. And it is for that reason that we lay such great stress upon declaring in advance more or less what the form of government is to be.

A man in a municipality — a Jew or an Arab — knows that the paving of a street in front of his house, or the laying of a sewer, is an important thing. But we find that there have not been the opportunities for Jew and Arab to sit down together over these matters. There have been opportunities — I should like to correct myself — in relation to the municipality, but I am talking primarily now of central government.

That is the way, so we contend, cooperation can be brought about. By creating the conditions in life, people must come together and work together for their common good.

*Chairman*: I quite appreciate what you said. When you are striving for an ideal you are perhaps not engrossed in the difficulties, but on the other hand, you have to have the difficulties cleared before your eyes, and I suppose that you are quite aware that the difficulties in the way of cooperation in this case may be greater than in the case of those bi-national or federal states which you have quoted. We have, for instance, this difference of mentality between the two communities, the difference of general outlook on life, the difference in ways of living, the difference of standards of life. I suppose those are difficulties which have not existed to the same degree in the other multi-national or bi-national states of which you have spoken.

### *The Good Will for Bridge-Building*

*Dr. Magnes*: I do not want to go into a description of the other multi-national states, although I think I could show that there are these differences in standards in some of them. But there are these facts which you have mentioned. There *are* these differences in the standard of life between the Jews and Arabs. But then those are the facts which we have to face together, the facts that we have to try to overcome together. It will not do, so it seems to us, to try to segregate the Jews from the Arabs, or the Arabs from the Jews, only because there happen to be differences in standards. One sees for example in the United States of America how in one generation — and it takes no longer than that, and sometimes half a generation — these differences of education and of tradition are completely wiped out, and the ignorant become the learned on an equal level with those who have the tradition of learning for a long time back.

Those are not insuperable problems. It requires merely the will to face them together. They cannot be faced by trying to put the Arabs into one compartment of an insane house, and the Jews into another compartment of an insane house.

In the Government memorandum I was struck by one phrase which, I must say, seemed to me to be very frank because it was in accord with what I had been observing for the past twenty-five years of my residence here. They said there — I do not think I can quote the exact words — that the Mandate did not apply itself to bridge-building. Well, it was always our conception that the Mandate was just for that purpose — to build the bridge between the two peoples. It would appear from this document — and that is not true, for example, of the administration of a High Commissioner like General Sir Arthur Wauchope, who was greatly interested in bridge-building and did a great deal of bridge-building between Arabs and Jews — that the Mandatory was a sort of referee in a prize-ring where two combatants were fighting one another.



These combatants were doing all the work and the referee was judging them. We do not regard the thing from that point of view at all. We think that the conception of bridge-building is a much higher conception. You build a bridge this way — from both ends — bringing peoples together. Or we have thought of it from the point of view of the teacher: The Mandatory as a teacher trying to teach two pupils not always equal in their standard of education, not always equal in many other respects, but teaching them, leading them. It says there, however, the Mandate does not apply itself to bridge-building.

What we propose is this bridge-building. It can be done. It will take a long time. We do not try to deceive ourselves, and we certainly are not trying to deceive anyone else. It will not be done overnight. It cannot be done from today to tomorrow. For that reason we do not think there can be any sort of finality about any answer that is given to this problem at the present time. This is a situation that has to be permitted to develop and to grow under happy auspices, under the direction of men of good will, teachers who understand what it is to have two pupils in one class, one backward and one more forward-looking. That is our whole contention. That is one of the reasons I have been talking about, one of the reasons we oppose Partition. It is along those lines we think.

#### *The Fear of Domination*

*Chairman:* One could certainly develop a good deal on the difficulties, and one of the difficulties is, of course, what you have pointed out, the separateness of the communities and the tendency of the Mandatory rule to widen the rift instead of bridging it. But I shall not go into that question. I shall only mention one difficulty, which I think might be the greatest, and that is this: —

When you state that the Arab standpoint, the Arab ambition, as you put it, is self-government, that is true; but I wonder whether the Arabs, in self-government, do not also put in a notion of proprietorship to the country and that they feel the Jewish immigration here is an invasion, a penetration, and that they resent this immigration. My question is whether the Arabs, in the scheme you propose, resent the insertion of this immigration as a condition of the cooperation. It is just the opposite of their aim, I think.

*Dr. Magnes:* You are right in saying that that is the chief objection the Arabs have to the Jews — that the Jews are coming here in too large numbers. And from a certain point of view, when they use the term "invasion" it may be right. People are coming from the outside who were not born here, and that might perhaps conceivably be called an invasion. We have great sympathy with the Arab fear of Jewish domination. That is what it arrives at. We do not believe that the Arabs ought to be dominated by the Jews. We do not think Palestine is a place for that. But we do not think that the Jews ought to be dominated by the Arabs. If we come here as invaders — to use that very harsh term —

it is not because we have found a new continent, as the early American settlers did, who found great riches before them and who wiped out the Indians in order to make a place for themselves in those vast spaces. We have not come into this country for wealth, because it can hardly be called a wealthy country from the material point of view. The wealth that is here we have more or less created by taking advantage of some of the natural resources which heretofore had been supposed not to exist as, for example, water. We have not come here because we happened to find on the map a country in 1917 where there were 800,000 inhabitants and which perhaps might hold 4,000,000; where the inhabitants are weak and we are going to overcome and dispossess them.

### *Spiritual Links and Material Claims*

Why is it that we come here? Why is it that there are some of these younger men and women among the Jews coming here who have no need whatsoever, materially or even spiritually, of migrating from their homes? It is because this is Palestine. It is because this is Eretz Israel. It is because we have these links with this country. If the Arabs want to deny the substantiality of these spiritual links, that is of course their affair, but we think that these spiritual links are just as substantial as the *kushan* which my former landlord had, in the house where I lived, throughout his family for almost six hundred years. Before Columbus went to America his family had that title deed to that land. That is a mighty strong claim that he has. We contend that our claim is at least as strong — to be sure, not so material. This happens to be an instance where the Jewish people, which is accused of being a materialist people, is trying to emphasize spiritual bonds and trying to make these spiritual, historic bonds of equal validity at least with these material *kushans*, or deeds, which certain landlords have over the soil.

You have put the problem from the Arab point of view, and you must consider it from that point of view. I have tried to give you an answer from our point of view. There are some who criticize us and say that the Arab natural rights, as we have called them, are not to be considered as of equal validity with Jewish historical rights. Our whole conception is to try to make this something that is equal — equality. There may be a certain amount of artificiality in that. If you weigh the thing, if it were capable of being weighed — these natural rights and these historical rights — heaven knows to which side the scale would tip. But this is a human situation and we think that situation can be met more or less successfully if we say to both of these peoples, both of whom have very good claims to this country, "Your claims are just; your claims have equal validity; now let us try to see if we cannot build up a common life together from that common background."

*Chairman:* You spoke of the somewhat artificial character of this principle of equality. That makes me ask another question. Would not the Arabs resent this artificial character of some of the most important

principles of the constitution? Would they not say that they had been conceived with the aim of keeping them down? I mean, I suppose they have the majority now in the country, and they could say that these principles aim at depriving them of this majority situation.

### *Multi-Nationalism — A Lofty Principle*

*Dr. Magnes:* These principles do deprive the Arabs of what a majority has in uni-national states. If Palestine were an Arab state and the Arabs were in the majority, they would be the rulers of the state; they would be the dominant people, the Jews the dominated people. If this were a Jewish state and the tables were reversed, the Jews would be the dominant people and the Arabs the dominated people. We have tried to avoid that. We have tried to set up the principle of multi-nationalism.

It is not a principle which we ourselves have invented. There is a great literature to be studied on that principle. We quoted at least three books in some of our documents, all of them published in 1945: one on "Nationalism and Nationalities", by Professor Janowsky of New York; another "Eastern Europe between the Wars, 1918—1941" by Professor H. Seton-Watson; and another by Mr. A. Cobban on "National Self-Determination". It is not as though the situation in Yugoslavia, for example, which is the newest of the multi-national countries, were the same as in Switzerland, or that the situation in the Soviet Union were the same as in Belgium; the situation in Palestine is different from what it is in any of these; but there is this basic guiding principle of which we are advocates.

We contend that this principle is a lofty principle. It is lofty because it tries to do away with domination by a majority over a minority. And it is lofty because it tries to find a practical way of bringing together different types of human beings. It is history that has created that. It is history that has created this congeries of nationalities in the Balkans, for example, and in this country and in other countries. No one of us has created that. The question is, how are we going to try to meet that historical situation?

We contend that you have to have a principle. That principle is the principle of bi-nationalism. Within that principle you will have to find very many ingenious methods of meeting certain practical, day-to-day difficulties. We have tried to outline some of those — by no means all of them — and it is for that reason that we suggest that there be a Commission on Constitution, which is to work through, and take its time in working through, the details of this bi-national or multi-national state.

### *It is Never Too Late*

*Chairman:* I look at the question the whole time from the point of view of the practical workability, and from that point of view I ask this question also. Would not this artificial character of the principle of



equality of which we have spoken give from the outset an invidious character to the constitution on the Arab side?

*Dr. Magnes* : It might well be. There are Arabs who say that. On the other hand, there are Arabs — and I can testify to this from my personal experience — who are altogether in favour of this bi-national idea of two equal peoples in Palestine. If there is another answer that is better than this, then that other answer ought to be applied. We think there is no better answer and we think therefore that the best must be made of this principle of bi-nationalism or of multi-nationalism.

*Chairman* : Would it not have been a good thing for the success of your idea — of your scheme — if it had been put to trial at an earlier stage — let us say ten years ago?

*Dr. Magnes* : You would not think that I was trying to be amusing if I said it would have been better if it had been tried twenty-five years ago.

*Chairman* : What I am aiming at is whether the situation has not deteriorated.

*Dr. Magnes* : It has deteriorated almost from year to year.

*Chairman* : And also, we may say, from the time when the Anglo-American Committee made its inquiry?

*Dr. Magnes* : It has deteriorated in certain respects since then, I think, primarily because of the failure to grant the 100,000 immigration certificates. On the other hand, since the Anglo-American Committee has been here, there have been discussions of the problem on the Arab side, not altogether in the spirit of the present Arab Higher Committee. I think you will find from some of the discussions of the Arab League, or from some of the members of the Arab League, a much more moderate attitude towards these proposals of ours than the present intransigent position of the Arab Higher Committee. But you are right; the situation has deteriorated. The situation has deteriorated especially in my view since the Jewish Agency adopted as its official programme the Jewish State for Palestine.

*Mr. Granados* (Guatemala) : I should like to ask a question in this connection.

*Chairman* : I should like to put my questions first. Then I shall give the right to other Members to put their questions.

*Mr. Granados* : But it is related to this.

*Chairman* : Yes, but if it is related, you can also put the question afterwards.

Is it not right to say that the anxiety of the Arabs has been aroused by this claim for a Jewish State?

*Dr. Magnes* : There is no question of it.

*Chairman*: That the exasperation on both sides has increased?

*Dr. Magnes*: Yes.

*Chairman*: That there is a rather nervous state of affairs here?

*Dr. Magnes*: Yes.

*Chairman*: But you do not think it is too late to put your idea to a test?

*Dr. Magnes*: It is never too late to do a good thing!

### *The Trusteeship Period*

*Chairman*: You envisage the continuation of the Mandate for a transitional period and then a Trusteeship. Would that not, to a certain degree, continue the present situation, with important modifications? I quite see the importance of, for instance, the elements of the population taking more part in the Government and of these attempts to bring about cooperation. But would it not be, in the main, about the same situation for the Trustee as it is for the Mandatory?

*Dr. Magnes*: If I understand the question, it means this: that whatever situation there is anywhere, a certain continuity is required, except if there be a revolution. If you have a revolution, then the existing situation can be overturned and continuity is destroyed. I do not know that anybody at the present time is planning that. So that it would necessarily follow that the Mandate would continue for a given period until the Trusteeship System made the Mandated Territory a Trust Territory. In order to do that, the Charter provides that a Trusteeship Agreement has to be drawn up with the Mandatory itself. That would take a considerable period, I should say. Whatever be the answer, the country cannot just be left to itself, all of a sudden, overnight.

*Chairman*: I am thinking more of the Trusteeship which would follow and which, in your opinion, would take quite a considerable time.

*Dr. Magnes*: Yes, I think that the Trusteeship System would take a number of years.

*Chairman*: I mean that during that period the same difficulties would be encountered.

*Dr. Magnes*: No. You know the Trusteeship terms better than I do, but if I have read these terms aright, it would seem to me to be a different situation. For example, the old League of Nations Mandates Commission was not permitted to visit Palestine. Well, under the Trusteeship Agreement, the Administering Authority would have no right to object to your Committee or some other Committee of the United Nations visiting Palestine. There are ever so many differences, it seems to me, between the Mandatory and the Trustee.



*Chairman:* Then I shall only ask you one more question, and that is with regard to the section of the population which is in favour of your solution. I know that you do not represent a large organization, that it is a comparatively small organization, but I think it has been pointed out already to the Anglo-American Committee of Inquiry that there is quite a large portion of the population which, in the main, adheres to your ideas.

*Dr. Magnes:* There is a very large proportion of the population definitely committed to the bi-national state, and there is an even larger proportion of the population who would accept the bi-national state once the bi-national state were proposed, no matter what their present views were.

*Chairman:* I suppose it is difficult to express in figures the section of the population which would be in favour of such a solution?

*Dr. Magnes:* Well, it is difficult, but I think it can be approximated. As you pointed out, our organization is not a political party. It is a small political group, a club — you might call it that — which publishes a Monthly, in Hebrew, 1300 copies a month. We know we have thousands and thousands of readers. We are partners with the Hashomer Hatzair Workers' Party in what is called the League for Jewish-Arab Rapprochement and Cooperation, which is going to appear before you, so I gather. It is we and they who make up this League, and it is they who advocate a bi-national state. Their votes during the last election here for members of the Vaad Leumi, if I remember rightly, were over 25,000. Then, there are the Communists, who were here before you yesterday. They are for a bi-national state. I would like to say that there are differences, of course, between all of us as to this and that detail. There is, I would like to add further, a large section of the inarticulate population very much in favour of some such accommodation with the Arabs. There is a large proportion of the Palestine Jewish population not concentrated in political parties. We get evidences of this constantly. I do, personally.

We published a book in February, a copy of which we submitted to the Members of your Committee, called "Towards Union in Palestine". We published 2,500 copies of that book. The copies were exhausted almost at once.

I was in New York last summer, and there we published the testimony which our organization gave before the Anglo-American Committee. We published 2,000 copies. Those 2,000 copies were taken up within a few days. We had to publish another 2,000 copies, and they were exhausted presently. In other words, we do get indications all around that a large part of the inarticulate Jewish population would be happy, would rejoice, if some way of accommodation between the Jews and Arabs along these lines, more or less, could be found. Just how many and what the proportion is, I do not know. But I have no doubt and I

am ready to admit that the majority of the Jewish population is in favour of a Jewish state.

*Chairman*: A uni-national Jewish state?

*Dr. Magnes*: In favour of a Jewish state of one sort or another. I think it is correct to say that.

*Chairman*: I thank you, Dr. Magnes, for your answers to my questions. I give you the right, Mr. Granados, to put your questions.

*Mr. Granados (Guatemala)*: I thank you very much for the great favour you are granting to me. It seems that nowadays dictatorship is a bit contagious.

*Why Were the Recommendations of the Anglo-American Committee  
Not Implemented?*

I should like to put to Dr. Magnes some questions relating to his plan, but not to the ultimate end of his plan. I should like to know just why this plan which, in a great part, was adopted by the Anglo-American Committee, was not carried out. For instance, the Anglo-American Committee asked for 100,000 immigrants to come in. The Anglo-American Committee accepted the idea of a bi-national state. More than a year has passed, and nothing has been done. Is there not something lacking at the base of the plan? What do you think, Dr. Magnes?

*Dr. Magnes*: I do not think that is the reason. I think there are other reasons, if I understand the situation. The Anglo-American Committee put forward this general idea: no Jewish State, no Arab State — and we call that a bi-national state. But they did not propose any constitution for that state.

It has been said, therefore, that the British Government held up the issuing of the 100,000 immigration certificates in order to try to bring together the two main aspects of the problem: immigration being one aspect and the form of the state — self-government — being the other. The Anglo-American Committee went into great detail concerning the one aspect, namely, immigration. The British Government therefore, if I read the situation aright — and I have no information except that which one gets from the press — proposed to the American Government that two committees of experts — they were called 'delegations' — were to meet in London in order to try and work out the second aspect of the problem, namely, the political. The result of those meetings was what is known as the Morrison-Grady Report. It is a great pity that the Morrison-Grady Report has not been published in full. I suppose you gentlemen have seen it in full; I think others have also seen it in full.<sup>6</sup> You find there a considerable discussion as to how this recommendation, Recommendation No. 3 of the Anglo-American Committee which I read

<sup>6</sup> Some remarks about the full text of the Morrison-Grady Report are to be found at the end of this publication.

to you, could be implemented. The purpose of the Morrison-Grady experts was to try to find a way of giving practical form to that.

Well, I think only a torso of the plan was produced by Mr. Morrison in the House of Commons at the time. It provided for two provinces, a Jewish Province and an Arab Province, as you know, with no participation of the Jews or the Arabs in central government whatsoever, and with many other drawbacks. At once, both sides — both the Jews and the Arabs — rejected the Morrison-Grady plan. The British Government therefore was not satisfied that the two aspects of the problem had been worked out together; the immigration aspect and the political, self-government aspect. What they did was to produce other plans. On February 5, 1947, they tried to call a conference, and all the rest of it. I need not go into those details.

At any rate, I think there are two reasons why the bi-national plan was not advocated. The one that I have just given, that there was no political aspect to the immigration side of the problem; and the second, that there was a tremendous propaganda for partition, particularly in England, throughout the whole of the past year. The Secretary of State for the Colonies was said to be in favour of partition. The London "Times" was in favour of partition. And a large number of other prominent individuals and publications were in favour of partition. I think it was for those two reasons, because of the lack of a clear-cut political solution, and because of the propaganda for partition, that the bi-national plan was put into the background.

*Mr. Granados:* Do you think there is a real chance of your plan or any other plan being carried out under a mandatory, or do you think that it would have more chance under an independent state?

*Dr. Magnes:* I think that in order to get an independent state you have to have a transitional period.

*Mr. Granados:* For how long?

*Dr. Magnes:* It is difficult, I must confess, for me to say. In these British proposals of 7th February 1947, Mr. Bevin proposes five years. I think that is too short a time. I think that is too short a time for two reasons. In the first place, you have to give the Jews a longer time within which to immigrate. In the second place, you have to give both the Jews and the Arabs a somewhat longer time to settle down together, to work out this constitution that I speak of. I would say that the interim period, the transitional period of trusteeship, should be measured by the time within which this constitution could be worked out.

#### *Who Would Be the Trustee?*

*Mr. Granados:* When you speak of trusteeship, do you envisage any particular country as a trustee?

*Dr. Magnes:* Yes. I do not know just what the result is going to be, but I assume that Britain is going to continue as a trustee. And why?



Because Britain, whatever is said, has interests in this part of the world. Your Trusteeship Agreement will have to be made with Great Britain, if it is to be made at all. And I should imagine that Great Britain would say: Well, we can remain a trustee. Moreover, Britain has had this tremendous experience here of twenty-five years, which is not just to be put aside. There are some of us, if I may make a confession to you, who have great admiration for the liberalism of Great Britain, for the traditional liberalism of Great Britain; and particularly now, if I may speak for myself, for the way in which Great Britain is trying to change her Empire, change her Imperialism, which has brought a great deal of unhappiness, into a Commonwealth; the way she has tried to do it in India, the way she has tried to do it in Burma, the way she is trying to do it in Egypt, whether with complete success or not. That is one of the great political movements of history. That is another reason — if you ask me the question — why I say Great Britain would probably be the trustee over this period.

I would like to add one more thing. We assume also that the Trusteeship Council is going to exercise control. We also assume that the Trusteeship Council is in a position different from that of the Council of the League of Nations in relation to that unhappy Mandates Commission.

Moreover, I hope that you have not overlooked what I said about neutrality in this country. I hope that some consideration may be given to that. I hope that Palestine or this part of the world might be very unattractive, and I hope it may be made very unattractive, to Great Britain or to any other power, if Palestine were to be forbidden as the base for armies, navies and air forces. Now I do not know if, in a neutralized Palestine, Great Britain would want to be the trustee and would insist on being the trustee when she makes the Trusteeship Agreements with you or with the United Nations. But I have tried to give an answer to your question as fully as I could.

*Mr. Granados*: You have lived in the country for the last twenty-five years. You have seen the results of the Mandate. Do you think that your people, the Jews, and your friends, the Arabs, would be happy under that Trusteeship?

*Dr. Magnes*: Whether they would be happy or not, I do not know. I think I can say this for the Jews, if you will permit me to; I cannot speak for the Arabs. I think that, once these problems can be met in some such spirit of cooperation as we have tried to indicate, the Jews would be happy to have Great Britain as the Trustee during this interim period. You may think that is strange, but I think I know my own people somewhat, and I think you can find expressions of that, even in the most extreme quarters. Moreover, who is to be here in place of Great Britain? If we knew that, we might perhaps be able to give you a better answer as to whether we would prefer that particular country to Great Britain.

*Mr. Granados:* Well, that is exactly what I meant when I said that on the basis of your reasoning there was something lacking. Thank you very much.

### *The Reason for Numerical Parity*

*Mr. Salazar (Peru):* I wish to ask Dr. Magnes to explain something. You have stated that in a bi-national state with political parity the numerical relation between Arabs and Jews would have no importance whatever. And yet, you propose immigration until numerical parity is attained. I find an apparent contradiction between those two propositions. Will you make clear your proposal, please?

*Dr. Magnes:* Well, I admit to that contradiction. If, on the one hand, one says that a bi-national state with two equal nationalities, no matter who is the majority or the minority, is to be established, and in the same breath one says that the Jews are not to be enabled to go beyond parity, there is undoubtedly a contradiction there.

The Hashomer Hatzair Party, for example, who, with us, advocate a bi-national state, overcome that contradiction in a way that we have not been able to. They say, inasmuch as majority-minority is not to play a decisive role, let the Jews then become the majority, if they can, if there be need for that in the exigencies of Jewish life. Now, we have put this, you might say 'political', level on the increase of the Jewish population up to parity because of political considerations.

I have had the experience that in talking with Arabs there was understanding of parity in population, but no understanding whatsoever of the idea that inasmuch as majority-minority was not to play the decisive role, let the Jews become the majority. It is there for the sake of trying to work out some acceptable formula to both sides. Your logical contradiction, nevertheless, remains.

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### *Function of the Jewish Agency*

*Mr. Blom (Netherlands):* I would like to ask Dr. Magnes this: Dr. Magnes visualizes a transitional period. We do not know exactly — and he does not either — what the duration of this period will be. But Dr. Magnes gave the indication that five years, in his opinion, is too short. I think that was the way he put it. What I would like to know is this: What will be, during this transitional period in the *Ihud's* proposals, the authority and the position of the Jewish Agency? On the one hand, it is proposed that Jews will be appointed in central government jobs immediately, as well as Arabs. Now, what will then be the relation of the Jewish Agency to the central government, to Jewry all over the world? Perhaps Dr. Magnes will explain what he has in mind in this respect.

*Dr. Magnes:* You will pardon me if I cannot give a very brief answer to that question. We look upon the Jewish Agency as the repre-



sentative of all the Jews in the world in relation to Palestine. We tried, in our memorandum to the Anglo-American Committee of Inquiry, to equate the Arab League with the Jewish Agency and to make the Arab League the representative of all the Arabs and Moslems of the world in relation to Palestine. We then said that the Mandatory or the Administering Authority would probably be the representative of all the Christians of the world in relation to Palestine. Palestine is not a country that has only local interests. As has been pointed out over and over again, as I tried to say this morning, this is a place that engages the affections and the interest of millions and millions of persons throughout the world, Jews, Arabs and Christians. We feel, therefore, that there should be in this whole set-up what we termed more or less a regional trusteeship council. I have not emphasized that, because that may be going into too great detail, but that Regional Trusteeship Council would contain representatives in equal numbers of the Jews, of the Arabs and of the Administering Authority. For what purpose? For the purpose of working out this problem of immigration, the numbers of immigrants, of working out the question of the economic absorptive capacity, of working out the Development Scheme. Those are three basic ideas, plans, schemes which one assumes would have to be taken into account whatever was done.

Now who should be the representatives of the Jews, of the Arabs, of the Moslems and of the Christians on this Regional Trusteeship Council? We think the Jewish Agency for the Jews; the Arab League for the Arabs; and the Administering Authority or the United Nations or some representative there for the rest of the world. The Jewish Agency, moreover, collects large sums of money from the Jews of the world. That cannot be done by government officials, whether they be Jews or whoever they be. The Jewish Agency also carries on certain work of settlement, the work of the buying of land, of education, which the Government has not done for the Jews. So that we find that the Jewish Agency would for some time to come have a great role to play, as long as the situation here was fluid, until the Jews and the Arabs themselves, in this independent bi-national Palestine based on parity, proved that they could be the trustees, as we hope they might, for their brethren throughout the world. Our objective is that in this independent Palestine the Jews of Palestine — not necessarily the Jewish Agency any more — could be the trustee of all the Jews and the Arabs of Palestine the trustee of all the Arabs and Moslems of the world; but for a considerable period — how long one does not know — the Jewish Agency, we consider, would be a necessary link in this chain.

#### *"Finality"*

I should like to go on and continue a bit what I said before as to finality, because some of the questions that are put would seem to indicate that in the minds of some there could be finality given to this question. One of the arguments for Partition, for example, is finality. One of the arguments for the Arab State is finality.

There is no finality in this problem. This is the kind of problem that is going to tax the spirit of mankind for years to come; whether there be a Jewish partitioned state or a Jewish State in all of Palestine, or an Arab State in all of Palestine, there is no finality to this. This is a developing problem. If this is a Holy Land, it is not a Holy Land merely because it is a museum of antiquities, but a Holy Land in the spirit of living men today and tomorrow, developing their spiritual values, their intellectual values for today and for tomorrow. We do not look upon Palestine as a place where once and for all you can put the stamp of finality. Moreover, if you have in a Jewish partitioned state a tremendous Arab minority — and you can have no Jewish partitioned state without a tremendous Arab minority, almost as large as the Jewish majority itself — you would there have the same bi-national problem. Why not, then, in all of Palestine? Why use the term “finality” in all of this? Why try to say that a problem as complex as this, an historical problem that has been developing for hundreds, perhaps one might say for thousands of years, is to be met by some formula that will overnight, from today to tomorrow, pronounce: “The problem is settled now once and for all”?

We do not contend that our solution is a settlement of this problem once and for all. We merely contend that it gives the framework for the development of common interests between the Jews and the Arabs, who are both going to remain here unless the Arabs drive the Jews into the sea, as they say they once drove the Crusaders into the sea, or the Jews drive the Arabs into the desert, as some think perhaps they should be driven. We do not believe in that. We believe that the one practical hopeful solution — and we do not call it a solution either — the one hopeful, practical approach is that which we have tried to outline, so that it does not make so much difference, in our view, whether that interim period is one year shorter or one year longer. That would have to be determined, when the time came, by the Trusteeship Council of the United Nations.

#### *Palestine and a Middle East Federation*

*Mr. Blom:* I have two more points. One is this: Dr. Magnes has very eloquently expressed to us his belief, and that of the members of his Association, in the cooperation that will come about in life, in the daily necessity of dealing with practical problems of administration. What I would like to know is what, in Dr. Magnes' opinion, will be the influence from outside on this will to cooperate? I can quite see that the daily necessity of deciding practical points will bring about a lot of cooperation, but will or will not this cooperation be endangered by influences from outside countries, surrounding or not surrounding?

*Dr. Magnes:* So far as the neighbouring countries are concerned, we believe that the bi-national Palestine based upon parity should become a member in due course of a larger federation, a larger union, whether

it be the Arab Federation or a union of countries of the Middle East. From that point of view, the neighbouring countries would undoubtedly exercise a great deal of influence upon what is going on in Palestine, and Palestine, perhaps — so we hope — would exercise a beneficent influence upon them. One of the ways in which this influence could be felt would be this: that if in Palestine these problems of majority-minority were put into the background, it is perfectly conceivable that some of the other countries of this Federation would say, as some have said in days gone by: "We also would like to have some Jewish immigrants in order to help us build our land." That would not mean, of course, that the Jewish National Home would be extended into those countries. But Jewish scientific ability, Jewish organizing power, perhaps finance, perhaps the experience of the West, which many of the countries of this part of the world have need of, might be placed at their disposal for the good of this whole region. In this way reciprocal influence might be felt. To be sure, if I gathered the purport of your question, people from the outside can always interfere, can always harm. It is not Palestine alone that will have to face that problem.

*Mr. Blom*: I do not know whether this question is very easy to answer, but Dr. Magnes' associate might perhaps do so. If, just for the sake of argument, we exclude now any psychological and political arguments against partition, I would like to know whether in your opinion, from an entirely technical, economic, financial and agricultural point of view, there is a possibility of drawing up a partition scheme that is, from this point of view, feasible.

*Chairman*: That is a question for Dr. Reiner. I might ask, perhaps, if there is anyone who wants to put some more questions to Dr. Magnes. I think we might do that and then we might continue with Dr. Reiner later.

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#### *Communal or Territorial Electorates*

*Mr. Hood* (Australia): I have one question of a constitutional nature for Dr. Magnes, relating to the general framework of the principle which he outlined this morning. I would like to ask Dr. Magnes whether the assumption on which the plan is to some extent based, namely, that the primary division of Palestine into counties or cantons or local divisions of one kind or another, is an essential assumption for the primary constitution of the bi-national state. Whether, in other words, a bi-national state, in his opinion, must necessarily be a federal state, or whether the division of Palestine into counties and local administrative areas is a proposal which arises from other motives. I hope I have made myself clear.

*Dr. Magnes*: The other alternative would be to have the two communities constitute the two parts of the state without any territorial



divisions whatsoever. Instead of having these counties as we propose, the alternative would be that there be a register of the Jews and a register of the Arabs, and that these two communities carry on their elections in the way that they choose to do, sending to the Constituent Assembly, and later to the Legislative Assembly, an equal number of their citizens. That is, as far as I can make out, the only alternative to the plan which we propose. Drawing boundary lines for provinces, such as the Morrison-Grady plan did, we regard as dangerous, as almost impossible, because just as we think that it is dangerous and almost impossible to draw any boundary lines for the partition of Palestine, so we think it is almost impossible to draw administrative boundary lines if they are to mean two provinces, one Jewish and the other Arab.

We think, therefore, that the only two practical possibilities are — let me repeat — either these counties or these communal lists. We have effected in a certain way a synthesis of those two in what we call the National Councils. There is at the present time a Jewish National Council, the Vaad Leumi. In our proposals we give that Council and a corresponding Arab Council a definite function — cultural. Those two Councils would be responsible for the schools of those communities, etc. But basically, if I understood your question aright, I have given you the answer as to these two alternatives.

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#### *Potential Capacity for Cooperation*

*Mr. Rand (Canada):* I am rather interested in the potential capacity for cooperation between these two groups. You spoke of them as the remaining representatives of the Semitic group of peoples. Would you say that from the standpoint of their fundamental attitudes and instinctive tendencies there would be more, or less, likelihood of an easy transition to cooperation than in the case, say, of the Central European multi-national countries?

*Dr. Magnes:* It is impossible for me to give a direct yes or no in answer to that. I think in some ways it would be more difficult, in other ways easier. It would be more difficult than, for example, in Yugoslavia, if I may be so bold as to mention that country in the presence of its representative here. There, although the alphabet of the Croat language is different from the alphabet of the other languages, nevertheless the basic roots and the basic forms are the same. So that from the point of view of language, it would be easier, despite these difficulties, in Yugoslavia for the various peoples to come together and form this tri- or quadri-national state. Here the basic languages are Hebrew and Arabic. They are sister languages, very closely related. I have here the prospectus of an Arabic-Hebrew dictionary, which the Hebrew University is about to publish in a week's time, almost 500 pages, and anyone who can go through that, who can read the alphabets, will find



out how closely related the Hebrew and Arabic languages are. Nevertheless it by no means follows that one who speaks Hebrew can speak Arabic, or the reverse; so that the language question here is more difficult than it would be, say, in Yugoslavia.

On the other hand, it has to be looked at from the point of view, so we think, of historical perspective. Why do we call the Jews and the Arabs Semitic peoples? It is because they have presumably more or less a common ancestry. There is no racial problem, therefore, between them. An Arab cannot say to a Jew, "You have a big nose", because a lot of Arabs have bigger noses, and a Jew cannot say to an Arab, "You are too clever a merchant", because we have very clever merchants among ourselves. There is no racial animosity. Moreover, as far as religion is concerned, there are many points of affinity between Judaism and Islam. I do not want to go into that, because that would take one very far afield. But some think there are even greater points of affinity than between Judaism and Christianity, in some respects. To be sure, it is easily possible to arouse the religious fanaticism of many of the Moslems, I am sorry to say. That was done here. I do not think it can be done so easily again by the same people who did it then. There is a great deal of affinity in the religious sense, and if I can use the term "spiritual and intellectual", in the spiritual and intellectual sense there is very much affinity between Jews and Arabs, if you take their history. The Jews and the Arabs, for example, were the intermediaries, the *colporteurs* of Greek civilisation to Europe. It was the Arabs and the Jews who translated into Arabic and into Hebrew, and it was these two peoples, particularly the Jews, who brought this translated Greek philosophy to the Catholic monasteries of Europe, where they put them into Latin and disseminated them throughout the European world at the time.

### *National Sensibility*

*Mr. Rand*: What would you say about the development of what is called the concept of nationality among both groups? I ask that because essentially it is the impingement upon that sensibility in all governmental arrangements that produces, I would think, most of the antagonisms.

*Dr. Magnes*: If you knew a way of wiping that problem out —

*Mr. Rand*: I was wondering how sensitive it is in this country.

*Dr. Magnes*: It is very sensitive. Both the Jews and the Arabs are novices in relation to the feelings of nationality. The Jews always have held together by an invisible national bond, but by a more visible religious bond, so that when one talks of the bond of nationality among the Jews, one talks of a comparatively modern phenomenon. It is even more modern among the Arabs. The Arab awakening, from the point of view of nationality, is a comparatively recent development.

*Mr. Rand*: Would you think it became more or less sensitive as it developed and became more mature?

*Dr. Magnes*: That has been the case, I think, with every developing sense of nationality.

*Mr. Rand*: Would you say that was so in Central Europe?

*Dr. Magnes*: I would say it was so in Central Europe, so much so that — but what do you mean by Central Europe?

*Mr. Rand*: I have in mind the old Austro-Hungarian Empire.

*Dr. Magnes*: They have had their fill. For them, national sensibility was no new thing. It was something that had grown stale in their mouths, something that had brought them nothing but pain and suffering, and for that reason the sensibility as to nationality in Austria-Hungary, for example, was, so I believe, a declining thing. This sensibility as to nationality among the Jews and among the Arabs is still on the rise. There are Jews who have passed beyond that sensibility. More of them, I think, many more of them, than among the Arabs, because the Jews have had experience of the disadvantages of this national sensibility; they have experienced it in their own lives, trying to work through their own problems of Jewish nationality, and they have come to the conclusion that that is not perhaps the final answer to things anyway. Nationality is something that undoubtedly still requires a great deal of clarification. But to answer your question as to this situation here: there is undoubtedly that sensibility as to feeling of nationality which makes the problem here much more difficult.

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### *The Jewish Nationality*

*Sir Abdur Rahman* (India): Do you not think that Jews who have been living in this country for a long time feel more akin to the Arabs than the Jews who have come from Europe and other places?

*Dr. Magnes*: That is only natural, because they get to know one another's mode of life, they get to know one another's language, they get to fear one another less, they appear less strange to one another.

*Sir Abdur Rahman*: Do you not think that the Jews who have been living here consider the Jews who have come from other places to be almost a different nation?

*Dr. Magnes*: Oh no! I should advise you not to believe anybody who told you that.

*Sir Abdur Rahman*: Then according to you religion and nationality are one and the same thing, so far as Jews are concerned?

*Dr. Magnes*: I do not know that I quite catch the purport of your question.

*Sir Abdur Rahman*: Whether you would identify the Jewish nationality with those who believe in the Jewish faith?

*Dr. Magnes*: No, there are those who have abandoned the Jewish faith, so they say, and who are yet Jews, pertaining to and belonging to the Jewish nationality. There are many such cases.

*Sir Abdur Rahman*: And the vice-versa of the statement you made just now?

*Dr. Magnes*: That is, those who are Jews by religion are not Jews by nationality? Well, I hardly think so. There may be certain Jews who have been converted to Judaism, who are not born Jews. They may contend that they are not members of the Jewish nationality, because Jewish nationality presupposes, in general, birth into the Jewish nation.

#### *Jewish Representation in U.N.*

*Sir Abdur Rahman*: One more question. How would you fit in the idea of Jewish representation in a bi-national state — you suggested a bi-national state — how would you fit in the idea of Jewish representation in the United Nations?

*Dr. Magnes*: I must confess it is a problem that I have not seen discussed as thoroughly as it should be and as it probably will be. But I would have the bi-national state appoint two representatives to the United Nations, a Jew and an Arab. They would receive instructions from the bi-national state as to their attitude in relation to this and that. The Jewish representative, however, would be granted the privilege by the bi-national state of representing the Jews — now here comes the difficult part for me — I have not worked out in my own mind just those specific things in which he would be the representative of the Jews. I would go further and I would say that it is not only the Jews of Palestine who are interested in problems affecting Jews coming up before the United Nations, but it is the Jews of the world. And I would have the Jews of the world, through some of their representative organizations, meet with the Jews of Palestine in order to discuss the problem as to how, together, they could all be represented before the United Nations.

One of the things that impressed me in reading the Charter of the United Nations originally was its flexibility. The Charter, for example, would be ready to let certain organizations appear before certain constituent bodies of the United Nations. The United Nations, I am sure, would find itself flexible enough to provide for a reasonable and just representation of the Jewish people before it. It will hardly do for the Jewish people, who still number, despite all of these massacres, many millions, to be left without direct access to the United Nations. As I have said to you, I have not worked it out for myself, and I have not seen that anybody else has. But I think that one of our functions ought to be to try to do that and come with a prepared plan in relation to it.



### *Minority Guarantees Will Not Do*

*Sir Abdur Rahman*: Dr. Magnes, can you suggest any other solution for parity than what you have suggested? Can it not be secured, for instance, by constitutional safeguarding of the rights of the various parties without affecting the numerical parity between the two sections of the community living there?

*Dr. Magnes*: Does your question mean to imply that there would be no further Jewish immigration?

*Sir Abdur Rahman*: No, it does not imply that.

*Dr. Magnes*: Then I do not understand the question.

*Sir Abdur Rahman*: Taking the situation as a whole today, the question whether there is going to be future immigration or not may be left to be determined by the state which will come into being later on. But to settle the question today, is it not possible to achieve the same objective by safeguarding the civil, political and religious rights and liberties by constitution, and by providing that no change in the constitution should be effected unless something like seven-eighths or four-fifths of the majority vote for the change?

*Dr. Magnes*: What you say has a great deal to it. On the other hand, I would like to ask you when that would begin? What would happen to Jewish immigration meanwhile? If I understand you aright, you would leave the determination of the problem of immigration to that bi-national state based on parity when it came into being. Now, I ask when will it come into being? What will happen to the Jews in these intervening years? If that state could come into being at once, then I would say that what you have proposed has a great deal to it. But there is no guarantee that that will happen.

*Sir Abdur Rahman*: But suppose it is suggested that independence be granted to Palestine and the Mandatory Power and the Trusteeship disappear altogether. I am just putting the idea before you to consider whether or not it is practical — we will go into details later on. Supposing independence is recognized for Palestine as such and a bi-national state is brought into being, and that that state is given the safeguards against infringements of political, religious and other liberties, will power be given to that constitution which comes into being in pursuance of that recommendation, if it is adopted by the Assembly, to settle the question itself?

*Dr. Magnes*: Is that a bi-national state based on parity?

*Sir Abdur Rahman*: That is what I am asking you. That is the very question. Can we, without resorting to numerical parity, safeguard the minority who are numerically less?

*Dr. Magnes*: I don't think so. I think the history of the past generation has taught us that the safeguarding of minority rights is



just nothing but words. The safeguarding of minority rights in the various countries where Jews were minorities, and where their rights were to be safeguarded, failed. That is the basis of our contention. We contend that there is one just, equitable, practicable way of meeting a minority-majority problem, and that is by wiping it out and making both the majority and the minority equal constituent partners.

*Sir Abdur Rahman:* Although numerically they may not be so?

*Dr. Magnes:* Although numerically they may not be so. A numerical majority, we contend, is all right for this place and for that place, but — it has not been decreed from Heaven for other places. And if one starts on the assumption that a numerical majority is going to be bound by a constitutional provision to protect the minority, history teaches us that the majority sooner or later becomes arrogant, becomes dominant, and subjects the minority to its will. It then has the civil service in its hands. It has the military in its power. It can wipe the minority out, if it wants to. And if there is any virtue in any constitution, it must be just that — that there be no minority and that there be no majority. There is, to be sure, the logical contradiction that was pointed out by the gentleman on the other side of the table (Mr. Salazar), but we have faced that logical contradiction and we think that our formula of parity is a formula that can be accepted by both the Jews and the Arabs. And, we know Arabs who do accept it.

#### *U.N. to Guarantee the Constitution*

*Mr. Rand (Canada):* I would just like to ask a question arising out of the last statement. You say that you can secure parity by constitutional provision but you cannot secure minority rights by the same kind of provision?

*Dr. Magnes:* I said if there is any virtue in a constitution at all — I do not know.

*Mr. Rand:* I was just wondering. I was suggesting that a majority that in fact would repudiate a provision to secure the minority would scarcely hesitate at repudiating a parity provision.

*Dr. Magnes:* But may I suggest to you that there is this difference: That if there be in the constitution that provision, minority-majority, all on the same level, there is now something there never was before — a United Nations. And it is the United Nations that would have to guarantee that Constitution. Now, if one is sceptical as to what the United Nations can do, well, then the fat is in the fire whichever way you put it. But if one is hopeful as to what the United Nations can become, and I must say I am one of the hopeful ones, then the situation becomes such that it is not love's labour lost to put it into the constitution, because despite what that majority would want to do, there would be this greater power behind it.

*Mr. Rand:* I quite sympathize with that view. What occasions my question is that I live under a constitution that has such minority provisions, and it would be rather shocking to me to have to feel that the majority would take the course, in contingencies that are conceivable, of making such a repudiation.

*Dr. Magnes:* You live under a constitution that has a rather long tradition.

*Mr. Rand:* Well, they all have to begin, I suppose.

*Dr. Magnes:* Yes, but your people have been trained in the exercise of self-government for a long time and you have not the nationalities problem before you, and I think there are many other differences that might be pointed out. I should say that you are very fortunate in not having to live under the fear of that majority.

I beg your pardon, I thought you were from Australia. I see you are from Canada. Then I should have given you a different answer, of course. I am not quite as ignorant as that! Do you want me to go over it all again?

*Mr. Rand:* No, it is not necessary.

#### *Jewish Nationality Again*

*Mr. Simic (Yugoslavia):* Dr. Magnes, you said that the Jewish nationality presupposed birth in the Jewish nation, if I have properly understood you. Are you sure that during the centuries there have been no conversions and that all existing Jews have been born into the Jewish nation?

*Dr. Magnes:* By no means. There have been many conversions to Judaism, and they are all Jews, and their children are Jews. Their children are, I should say, members of the Jewish nation. Whether they are or not, I am ready to include them also in the Jewish nation, although nationality to me conveys in some way or other also the conception of birth. But there have been conversions by the tens of thousands.

*Chairman:* Are there any further questions? (No response.)

*Chairman:* Well, then, I take it we have finished questioning Dr. Magnes. Before we question Dr. Reiner we shall have to take a recess. If you, Dr. Magnes, want to leave, I want to thank you once more. We appreciate very much that you under the circumstances have taken pains to come here and give your very interesting views. I thank you.

*Dr. Magnes:* Let me thank you also for your great courtesy. And I want to thank you for all those, and there are many in this country, who are looking forward to peace and cooperation and who are not taking the defeatist view that Jews and Arabs cannot live together. They live together, and they can live together. Let me thank you.

(The meeting adjourned for a brief recess).

### *The Technical Possibility of Partition*

*Mr. Blom* (Netherlands): I should like to have the views of the representative of the *Ihud* with regard to the technical possibility of drawing up a partition plan, not including all the political and psychological aspects of partition.

(In answer to this question, Dr. Reiner read a statement which is embodied in the Memorandum on pp. 77—84, which was handed to the Commission at their request.)

*Dr. Reiner*: I think this is enough. It does not go into details. I am prepared to answer questions of detail.

*Chairman*: What you have said is laid down in a memorandum?

*Dr. Magnes*: We are going to present a memorandum on this.

*Chairman*: We will have copies of it?

*Dr. Magnes*: Yes.

*Chairman*: Do you have any questions, Mr. Blom?

*Mr. Blom*: (Netherlands) No. If we get the memorandum, then I think the views on the situation will be clear.

*Chairman*: You have spoken of a special partition scheme.

*Dr. Reiner*: Yes, sir.

*Chairman*: Of course, there are many possibilities with regard to partition.

*Dr. Reiner*: Yes. I have taken the maximum and I have stated what its disadvantages are. I have said that one of the disadvantages of the maximum area with regard to Arab and Jewish population is this very large minority. By reduction of the area this disadvantage could be overcome, but on the other hand, the area would be so small that it would not permit future, or little future Jewish immigration. So one is between the devil and the deep sea.

*Chairman*: Does anybody else wish to ask any questions?

*Mr. Simic* (Yugoslavia): I should like to put a question to Dr. Reiner. I see you are very well acquainted with all schemes and plans for the irrigation of Palestine as a whole. I have understood the biggest source for exploitation of water is the Jordan River. Is that so?

*Dr. Reiner*: Not the biggest, but one of the biggest.

## A PALESTINE COMMONWEALTH — UNITARY OR FEDERAL?

### *Distribution of Power*

*Mr. Rand* (Canada): You think it would be impossible to segregate these essential features which you have mentioned under a joint control bearing an analogy to your bi-national administration? I mean assuming a physical partition of the land on the one hand, and on the other hand a common general administrative control over those features where the necessity for legislative and executive powers, which would be nullified by a straight partition, could be met.

*Dr. Reiner*: That would be possible with regard to the last-mentioned feature, development and water economy. It would, of course, not do away with the proportion of the Jews and Arabs in the Jewish State, nor do away with the difficulties of communications and customs.

*Mr. Rand*: Why couldn't the customs be brought —

*Dr. Reiner*: One could also have a customs union.

*Mr. Rand*: Not a customs union. Well, that would be the effect of it, but could you not have a central administrative power with limited jurisdiction, and all other powers of a state residing in the partitioned sectors?

*Dr. Reiner*: Yes. That would make the partition not really a partition into two sovereign states but a sort of federation of two areas.

*Mr. Rand*: That is really a question of names, is it not? Is not the essence of it the question of distribution of power?

*Dr. Reiner*: Well, I will leave that to Dr. Magnes, since that is a political question.

*Dr. Magnes*: It would appear from everything that one gathers in conversation and in reading that when partition is proposed there is in the background the idea that on certain basic features there would be a kind of joint administration. One of these features is water. Not only would the Jewish State and the Arab State have to come to some understanding on that, but that would include also the State of Trans-jordan, which is on the other side of the Jordan river, because they are also concerned with the uses of the water from the Jordan.

*Mr. Rand*: Yes, but that could be by agreement with any central authority.

### *The Joint Authority*

*Dr. Magnes*: That could be by agreement with the joint authority or with each state separately. The question is just this: whether in setting up two partitioned states the joint authority or joint authorities are also to be included. If they are to be included, it would make the setting up of these partitioned states that much more reasonable. In view, however, of the opposition, which is very strong, both among the Arabs and among the Jews, to this division, the question remains whether these



joint controls are going to be agreed to. It may be that the force of life in the course of years would compel that. In any event, the establishment of joint controls, particularly if there be many of them, would be a point in favour of the idea of partition. Without these joint controls, some of these consequences that have been outlined by Dr. Reiner would undoubtedly ensue. Very great care would therefore have to be taken as to how these partitioned states were going to be set up.

*Mr. Rand:* Of course, it raises the question of whether or not what you might call a physical local habitation is a more or less essential element of the conception of nationality. You say no. I mean an exclusive area where you can stand upon it, or kneel upon it, or kiss it, as you like. It becomes a sort of sacred national soil. You exclude that feature. And I was wondering whether you do not consider or whether you do consider that as one of the fundamental components of the feeling, the spirit, the totality of what we call the national conception.

*Dr. Magnes:* May I just speak for myself for a moment. I have the feeling that every point in this country, every square foot of it, is something that I am in touch with, through my history, through my tradition. I cannot exclude Jenin, which was at one time in the Bible called Ein Ganim, which is going to be, under all calculations, in the Arab State.

*Mr. Rand:* But would it be a necessary result of an arrangement in which there would be a central administering body that you would be excluded from Jenin?

#### *Federation, Provincial Autonomy, and Partition*

*Dr. Magnes:* If you are going to have a central administering body, then you have almost a federation. If you have a central administering body, you have the Jewish State here and the Arab State there — — it does not matter much what you call them, province or state, or whatever else — — and the central administering body is then to be the important thing.

*Mr. Rand:* Well, necessarily? I am dealing purely hypothetically now. Suppose the fundamental administrative departments were land and immigration. Suppose those were committed to the States.

*Dr. Magnes:* You mean that each State could deal with its own immigration and each State could deal with its own land?

*Mr. Rand:* Yes.

*Dr. Magnes:* What would then be the part of the central administering authority?

*Mr. Rand:* Well, those features that have been mentioned, the customs, foreign trade, inter-communications of all sorts, works that affect both States.

*Dr. Magnes:* Well, that is practically what the Morrison-Grady Plan proposed. The Morrison-Grady Plan said that in the Jewish Province we will be in control of immigration; we will be in control of land. In the Arab Province, the Arabs will be in control of immigration and of land. It may be that you have in mind some modification of the Morrison-Grady Plan.

*Mr. Rand:* Well, I am suggesting a modification of the field of central power, a lessening of it, a minimum. What is the fundamental objection to that?

*Dr. Magnes:* Well, the fundamental objection, to my mind, is that it segregates Arabs and Jews.

*Mr. Rand:* In a federal state, of course, the whole of the land is yours. I am a Canadian living in one of the provinces, but my Canadianism extends from the Atlantic to the Pacific.

*Dr. Magnes:* There you have a strong central government, have you not?

*Mr. Rand:* In that instance, yes. But the interest, the spread of the individual's conception over the total commonwealth, you might call it, is not affected by the fact that you have two states in which the residue of power may be committed to the state rather than to the central government.

#### *Boundaries Are Dangerous*

*Dr. Magnes:* Well, if I understand your point, it is this: That you would set up a joint commonwealth, an Arab-Jewish commonwealth with a central —

*Mr. Rand:* I am suggesting that as a possibility.

*Dr. Magnes:* I understand. I would like to try to understand it and to meet it. You are setting up a joint commonwealth, Arab-Jewish, and you are giving to the Arab state or province certain functions and powers, and the same practically to the Jewish. That is one way of doing it. There is no question about that. That is the essence of the Morrison-Grady Plan, except that you would whittle down the central powers that are so obtrusive in the Morrison-Grady Plan, all of them remaining in the hands of the British there. You would make the central powers limited in extent and confine them probably to water and to other matters of common interest.

The objection I have to that is this: You nevertheless set up boundaries. And, as I tried to indicate this morning, boundaries are not difficult to draw up but they are dangerous to maintain. You set up boundaries on either side of which the Jewish youth and the Arab youth are going to be trained in chauvinism and you make the creation of irredentism on either side of these boundaries a very simple thing. In one of the Hebrew papers yesterday I saw an abstract of a speech that was delivered by one of the foremost advocates of partition, in which

he said, trying to persuade his audience that partition was all right: "Boundaries are not eternal things." The example of Piedmont and Sardinia has been cited by some of our people. We know that in the unification of Italy that took place at the end of the fifties and the beginning of the sixties, it was Piedmont and Sardinia, far-separated Italian provinces, that were used as the springboards, as the jumping-off places for the unification of all of Italy. That history is most fascinating and illuminating when one reads it in the light of our present problem here.

The main objection that I have to what I gather to be your tentative suggestion is these boundaries. These boundaries that keep me here and keep him there, and those boundaries over which we are going to fight. What I would like to see is that there be a united Palestine without these boundaries. Set up the central administration, as you propose it, for the control of these waters. Why must you have the boundaries?

*Mr. Rand:* Well, even you suggested boundaries of counties.

*Dr. Magnes:* Yes, but those are purely local administrative boundaries.

*Mr. Rand:* What do you think these suggested boundaries would do in the way of impediments or obstacles to each group?

*Dr. Magnes:* There would be absolutely no need of a passport from one county to another.

*Mr. Rand:* There would not be in the case I suggested. You would be citizens, in effect, of the commonwealth.

*Dr. Magnes:* Well, that is an entirely different conception from what I understand partition to be.

*Mr. Rand:* I quite agree.

*Dr. Magnes:* I see. So we have been arguing at cross purposes, really.

*Mr. Rand:* No.

#### *Lands and Immigration in a Federal State*

*Dr. Magnes:* If you want to set up a commonwealth, call it bi-national. Why not?

*Mr. Rand:* Well, I think it is a question of names, so far as that goes.

*Dr. Magnes:* Yes, all right, do or do not call it bi-national. If you want to set up this commonwealth, give freedom of access to all citizens, to all parts of this commonwealth, and freedom for land purchase in all parts of that commonwealth — —

*Mr. Rand:* You might have to qualify *that*. I was speaking of the right of any individual in the commonwealth to go where he pleased. Now that is a fundamental privilege. On the other hand, as each state would have control over its land and immigration, in fact, the geographical boundary would operate as the control of the numerical population.

*Dr. Magnes:* That is one of the things I would object to, that each state should have control over its lands. I would like to see a condition under which I could have land anywhere in this country, and an Arab could have land anywhere in this country.

*Mr. Rand:* Of course, I agree that that might be desirable, but I am not losing sight of the fact that no matter what is suggested, there will be objections to it. I was wondering whether we could not make progress towards that which might be least objectionable.

*Dr. Magnes:* You might find it less objectionable to the Arabs; but you will find it very objectionable, in the eyes of the Jews, to be excluded from lands here, there, and anywhere.

*Mr. Rand:* So far as they would be willing to accept partition, they would accept land restriction in a commonwealth?

*Dr. Magnes:* That is one of the reasons why I would not want them to accept partition.

#### *Loyalties for a Joint State*

*Mr. Rand:* Might it not depend upon the underlying setting in which you would look upon a commonwealth, and is your analogy to Piedmont and Sardinia quite apt? Here, as you properly stressed, you have a Holy Land in which millions all through the world are interested. That sets it apart somewhat, does it not, from the rest of the earth?

*Dr. Magnes:* Yes, and would that conception play any part in the picture which you may have of administrative areas? I just do not quite gather the purport of your question.

*Mr. Rand:* Loyalties must cluster around ideas, or feelings, at least sentiments. Here, it seems to me that we are lacking in the framework of a conception in which loyalty in a Palestinian sense can arise. I think it was the Peel Commission that said it was nonsense to think that either the Jews or the Arabs in the present condition of things took any pride in Palestine, or even contemplated his relation to it as that of a citizen of one state. Now could you modify that by a change in setting?

*Dr. Magnes:* Might I read you the last paragraph in our statement to the Anglo-American Committee? It is headed "A Palestine Solution":

"What a boon to mankind it would be if the Jews and the Arabs of Palestine were to strive together to make their Holy Land into a striving, peaceful Switzerland, situated at the heart of this ancient highway between East and West.



A 'Palestine Solution' is required for the Palestine problem. This would have an incalculable political and spiritual influence in all the Middle East and far beyond. A bi-national Palestine could become a beacon of peace in the world."

What I say is that one of our problems is the creation of just those loyalties that you so rightly emphasize. A loyalty for a Palestine State and not just for a Jewish State or for an Arab State. If that be our ideal, the question is, how is it to be brought about? and it seems to me that the fewer barriers set up between the Arabs and the Jews — territorial or political or economic — the better chance you have of creating common loyalties for this Palestine State.

*Mr. Rand:* Yes, the only question would be whether the one or the other practically is realizable. Which would be the more likely to attract that new conception of loyalty which is a necessary condition, but which seems today to be absent?

*Dr. Magnes:* Undoubtedly if you have a Jewish State or if you have an Arab State, a uni-national state creates national loyalties much more quickly than a bi-national state could. On the other hand, as you know and as you have said about Canada, your loyalty extends to all parts of it, from east to west, and to all sections, whatever language be spoken there. Now it has not been so easy in Canada, because I read, 2 or 3 years ago, I should say, in the *American Foreign Affairs* an article by someone from Canada<sup>7</sup> who talked about fundamental difficulties that are still to come, because of the basic differences in language and in customs and in European connections, and so forth. But the fact that it has not been entirely simple in Canada does not mean that it has not been possible.

It has not been simple in South Africa — more difficult there than it has been in Canada. On the other hand, you have there a kind of bi-national state where very deep loyalties have been engendered in the hearts of many Englishmen and many Africaaners towards a South African unified state. The Premier of South Africa at the present time is not an Englishman, the Vice-Premier is not an Englishman. You have these loyalties on the part of the dominant political parties, and on the other hand you have the Nationalist Party in South Africa, which is by no means satisfied for South Africa to remain as it is under this present-day bi-national conception.

#### *The Most Likely Ideal to be Carried Out*

The question is what is one going to strive for? What is the higher ideal, and what is the more likely ideal to be carried out? That is the question you ask. Now I would like to answer that. It may be that any answer that is given will have more or less to be imposed by the

<sup>7</sup> Judith Robinson: "Canada's Split Personality" (*Foreign Affairs*, October 1943); Blair Fraser: "Political Ferments in Canada" (*Foreign Affairs*, October 1944).

United Nations. The question is, "What can be imposed with least difficulty?" That is the way I should like to formulate it.

I think partition can not be imposed. It is going to create war. The great majority of the Arabs are against it. Large numbers of Jews, both extremists and moderates and among the religious groups of the Jews, are against it. It is going to create these irredentas and these outbursts. The bi-national state, however, is here. We are a bi-national state. We do not have to draw any new boundaries. We do not have to persuade anybody that that part of the country is land for the Arabs and this part of the country is land for the Jews. It would hardly have to be imposed. It will come into being. If you begin with the appointment, for example, of a Jew and an Arab — take the most modest of all requirements — as members of the Executive Council, sitting with the High Commissioner of this country during the period of the Mandate, that is nothing that you will have to go to war for, or all these other things that I tried to outline in the government of the country. Those things arise almost naturally. They are organic. You do not have to segregate people in any sense of the term, physically or spiritually. So that I have not the slightest doubt myself that if anything is to be imposed, the one thing that can be imposed is the bi-national state, because using the word 'imposed' about that is a very strong term. We are here already a bi-national state, and any attempt to make these divisions is going to be something that will stir up animosity that does not at the present time exist.

#### *The Jewish Yearning for a Home*

*Mr. Rand:* I was thinking of the more or less universal objective or dream or, you might say, spiritual aim of the Jewish people to have some part of this earth's surface which it might say was its own exclusively.

*Dr. Magnes:* Well, if it were all left to me and we had a free hand, I would create a Jewish State. I am not among those who have objections in principle to a Jewish State. There are many Jews throughout the world, in America and elsewhere, who object to a Jewish State in principle; I am not one of those. I would like to see the Jewish people burdened with the task of conducting a state. They might, perhaps, add to the spiritual treasures of mankind if they were given that burden.

But it has not been left to me. There is no *tabula rasa*. We are here in this country with two peoples. One of the ways of trying to evade that has been to try to find some other territory. The British Government at one time offered the Jews a settlement in Uganda. The Jewish people refused that settlement. Why? Because it was not Palestine. There may be other countries in the world which would offer space for Jewish homeless people. The Jewish people are not interested in that. I must say I am surprised some of the great

countries of the world have not opened their gates to some of the Jewish displaced persons, but all constantly concentrated only and exclusively on Palestine for the reception of these unhappy languishing victims of this terrible holocaust. But the Jewish people would turn it all down. When I say Jewish people, I mean Jewish history, I mean the Jewish future, would turn it down as it has turned it down thus far.

So that we find ourselves in this peculiar position; a peculiar people — that is what we are called in our Bible — and we *are* a peculiar people, sometimes in the good sense and sometimes, perhaps, not in so good a sense; and this is a peculiar land, with, as we have agreed, millions of people interested in it; and it is here we want to set up our National Home for good and true purposes, and where we are setting up our National Home.

### *A Creative Jewish People in an Undivided Palestine*

Now if you think that by this division, this partition, you are answering the century-long yearning of the Jewish people for a niche in the world, for a home, for their own state, I think myself that is a mistaken conception. This does not answer the Jewish need for that. It is too small. It has too large a minority of Arabs in that particular state, too many administrative, economic, social and educational difficulties. If you could give to the Jewish people Palestine, all of Palestine, as many of our Jews want — we have our parties who say that all of this talk, all our partition talk and the rest of it is all rot; what the Jewish people require is Palestine on both sides of the Jordan River — and some go as far as the Euphrates River — (which you could not do, of course) — that, perhaps, might meet this great historical need of the Jewish people for some kind of a state that would make this the equivalent in statehood of some of the other peoples in the world. But to take this tiny country — you have seen how small it is — —

*Mr. Rand:* It necessarily has to be symbolic, by its geographical limits, but what you say is that that yearning must remain forever unsatisfied.

*Dr. Magnes:* I say this, that as long as Palestine is inhabited by two peoples and as long as we have not had one or two generations of experience and experiment, of hit-and-miss, of working things out together, — I say that the Jewish people will have to do without that as it has done without that for many hundreds of years. I am convinced in my own heart that the Jewish people here can be creative: that is what we are after, most of all. In addition, by increasing immigration up to parity in this bi-national state, even though we do not achieve our legitimate ambition to have one state in the world that we may call our own, I am sure the solution will be more easily found. I do not think the task could be accomplished otherwise.

# THE CASE AGAINST PARTITION

## *Additional Memorandum presented to UNSCOP*

We have been asked for a statement as to why we are against the partition of Palestine. I shall try to make the argument clear and concise.

1. Primarily because we are against further mangling this Holy Land. It is worth every effort to keep it whole. Our religious and historical associations are with the whole country. Partition would keep us from free access to large parts of the country. We want to help develop all of the country and not just a part of it, and this for the sake of all its inhabitants and in order to increase the possibilities of settlement for new Jewish immigrants in all of the country.

2. We have no wish to be segregated from the Arabs. We and the Arabs are the only Semitic peoples remaining from antiquity. They are here and we are here, and we want to live and work together with them. Moreover, there is no need to try to segregate us. There is no fundamental enmity between us. We are not ready to yield to the defeatist cry that these two peoples must be separated politically and territorially so as not to kill one another. The political leadership on either side may have worked itself up into this state of mind. This is not the case with the great majority of the plain people. Given the chance, we shall overcome the political animosities of yesterday and today.

3. Not only is segregation undesirable and unnecessary, but we also believe genuine segregation to be impossible. No matter where you draw the boundaries of the Jewish state, there will always be a very large Arab minority. In a recent study published in the *Ha'aretz* on June 13, 1947, a population expert, analysing the situation upon the basis of facts and figures, comes to the following conclusion: "Any Jewish state in a partitioned Palestine will in effect be a bi-national state whatever be its boundaries". Moreover, the important urban centres have a mixed population. On this account the Peel Commission has proposed that Tiberias, Safad, Haifa and Acre be segregated from both the Jewish and the Arab states.

4. A Jewish state without Jerusalem is inconceivable to us. There is no practicable plan for partition which includes Jerusalem in the Jewish state. To include Jaffa in the Jewish state strikes us as absurd,



and the difficulty of this situation is very clearly brought out by the unworkable proposal of the Peel Commission for a Jaffa-Jerusalem corridor.

5. It is impossible to draw satisfactory economic boundaries. The larger the Jewish state, the more Arabs it contains. The larger the Jewish state, the more impossible becomes the economic existence of the Arab state. The Peel Commission recommended, therefore, that the Jewish state give the Arab state a large annual subvention. Is it conceivable that this would be done? In a bi-national state Jews would help finance the Arab economy in order to raise the standard of life of the whole country.

6. Satisfactory "national" boundaries, if the object is to promote peace, cannot be drawn. Wherever you draw these boundaries, you create irredentas on either side of the border. Irredentas almost invariably lead to war. In order that the war spirit may be kept up to pitch, chauvinism is taught in the schools. There are those who say that we should accept partition now, because, as was declared recently in an address delivered in Paris by one of the chief advocates of partition, "borders are not eternal". One of the historical precedents which we hear quoted upon occasion is that of Piedmont and Sardinia, two widely separated Italian provinces, which were independent and from which issued the movement for the later unification of Italy. In other words, the partitioned Jewish Palestine would be a bridge-head for the further conquest of the whole country.

7. Water is a great basic need for the further development of the country. The river Jordan is one of the chief sources of water. Through a large part of its length and at its outlet at the Dead Sea it would be in the territory of the Arab state, even assuming that its head-waters are to be within the Jewish state. Moreover, the water which is now being piped into the Negev is undersurface water in the Gaza region, which is in the Arab state. Furthermore, the largest quantities of rain-water fall in the hills of the Arab state and the use of this water in the plains and valleys of the Jewish state requires an undivided Palestine for its proper regulation.

8. In view of these and similar difficulties the Peel Report declared that the whole scheme of partition is dependent upon the transfer either forcibly or voluntarily of Arab lands and of Arab population. The Labour Party accepted this at one time, but the Jewish Agency, to its credit, rejected it. But this Peel Commission conclusion is there staring us in the face.

9. The time element is of importance to the Jews. If partition be decided upon, it will take too long a time getting it going. A Commission will have to be appointed for fixing the boundaries and regulating other important questions affecting the two divided states such as the

rights of the Arab minority, the Jewish minority, security, water, customs, railroads, roads and the Holy Places.

10. Many Jews are in favour of partition, and that seems to be the official programme of the Zionist organization, although it has not been so declared, clearly and frankly. But there are very many Jews, moderates and extremists, religious and not religious, who are opposed to partition. Almost all the Arabs are opposed to partition. Aside from the fact that they declare Palestine to be an Arab land, partition would leave some of their most important economic possessions in the Jewish state, and the Jewish possession of the sea coast is described by them as a dagger into the Arab heart. "Imposing" partition would therefore be a hazardous undertaking.

11. Under all these circumstances we find it strange that anyone should claim for partition that it, at least, gives finality. To us it seems to be but the beginning of real warfare — warfare perhaps between Jew and Jew, and warfare between Jew and Arab.

The bi-national Palestine does not require the re-drafting of boundaries or any of these dangerous or complicated arrangements which will be required if partition is to be carried out. The bi-national Palestine is here. Jews and Arabs do live and work together. What is required is that we try to bring home to everyone the idea that Jews and Arabs in a bi-national state are to be *equal nationalities, that the question of majority and minority is not to be the dominating factor*. There are a number of multi-national states, as for example Switzerland, where the question of majority-minority is relegated to the background. We set up the principle of political parity just as we set up the principle of numerical parity. If there is something artificial about this, it is certainly less artificial and more hopeful than any other way of approaching the problem.

Jerusalem, July 23, 1947.

J. L. MAGNES

## SOME REMARKS ON THE IMPRACTICABILITY OF PARTITION

*Memorandum presented to the United Nations Special Committee on  
Palestine at their request. See page 65.*

For the solution of the Palestine Problem, Partition has been proposed first in 1937 by the Royal (Peel) Commission, and last by Dr. Weizmann before your Committee. The representatives of the Jewish Agency, while not actually proposing Partition, have indicated that they would be ready to consider it. It is safe to say that almost all Arabs, and a substantial part of the Jews, are against partition.

We want to state at the outset that we consider partition, if carried out, as disastrous to the interests of the country; and that we do not believe it will be carried out. It may thus be asked why we deem it necessary to present the case against partition. It is to do what we can to prevent further unnecessary delays. For if your Committee should recommend Partition, and supposing the General Assembly accepted it, it would then appoint a technical commission to work out the details of the scheme. That commission would come to Palestine and spend much time investigating into the details, only to find, so we believe, as happened with the Palestine Partition (Woodhead) Commission before, that the scheme is impracticable. The situation in Palestine and the plight of the Displaced Jews in Europe would by then have become still more grave than it is even now. It is in order to help prevent this that we submit the following for consideration.

The area usually contemplated as the future Jewish State is that proposed by the Peel Commission plus the Negev (i.e., the Beersheba sub-district).

The partition plan of the Peel Commission consists, as may be remembered, of two areas, a larger one to the north and a smaller area to the south, divided by a corridor from Jerusalem to Jaffa. If the Negev is added, it would also be separated from the other two parts by another area belonging to the Arab State; it has not been claimed that this area, roughly the Gaza sub-district, should belong to the Jewish State. There would therefore be three separate areas, and there would be two corridors to connect these areas, and also a cross-corridor to connect the Gaza area with the main part of the Arab State. We will take this proposal, which in some respects is the best scheme of partition put forward, as the basis of our analysis.

Our remarks in the present memorandum will deal only with the following aspects of partition, without going into a discussion of the

various financial, religious, psychological, and, most important, political, issues involved: —

- (i) Population and immigration
- (ii) Land
- (iii) Customs
- (iv) Communications
- (v) Defence
- (vi) Development and water economy.

(i) *Population and Immigration*

Within the boundaries as proposed by the Peel Commission, but with the Negev added to the Jewish State, the population of the Jewish State, the Arab State and the Jerusalem and Nazareth Enclaves would be roughly as follows:

	Jewish State		Arab State		Enclaves		Total	
		%		%		%		%
Jews	490,000	53	10,000	2	100,000	27	600,000	32
Arabs	430,000*)	47	580,000	98	265,000	73	1,275,000*)	68
Total	920,000	100	590,000	100	365,000	100	1,875,000*)	100

\*) of these about 75,000 in the Negev.

In 1938, at the time of the Woodhead Commission, the percentages in the Jewish State were 51% Jews and 49% Arabs. With the increase and change of distribution of population these figures would now be 58% and 42%, but the inclusion of the Negev has added about 75,000 Arabs, and changed the percentage to 53 and 47 respectively.

The existence of such a large Arab minority would certainly prove a most serious hindrance to the smooth and successful operation of partition. The Peel Commission therefore contemplated that the problem created by this large Arab minority should be solved by the transfer to the Arab State of the greater part of the Arabs constituting that minority. However, the Jewish Agency and the Jews in general have on several occasions expressed themselves as opposed to any degree of compulsion, and this in any case could only be effected by military operations which are out of the question. Nor can the problem be solved by an exchange of population, the number of Jews in the Arab State and the Enclaves being insufficient — apart from the fact that the majority of Jews in Jerusalem will be unwilling to leave the city in which many of them live from religious motives.

With the proportion of Jews and Arabs in the Jewish State as it is, the Jewish State would be Jewish by name only. It could not be, in Dr. Weizmann's words, "as Jewish as England is English", because the Arabs would keep their nationality within a "Jewish Citizenship", the latter being an entirely empty concept.



The Jewish Agency has realized this, and relies upon large immigration in a transitional period to effect a radical change in proportions. It is assumed

- (i) that the Jewish State can economically absorb a yearly increase of 100,000, and
- (ii) that the natural increase of the population is about two per cent., and
- (iii) that all immigration is Jewish.

Accepting all these assumptions, a simple calculation will show that after 7 years the population of the Jewish State would be over 1,600,000, with about 1,100,000 Jews and about 500,000 Arabs, or 69 and 31 per cent. respectively. This works out at a density in the area outside the Negev of 270 persons per sq. km., the same as in Belgium, the most densely populated country in Europe; and at 100 persons per sq. km. in that part of the Negev which is at all suitable for settlement.

Even after this maximum immigration of Jews, the Arab minority would be so considerable as to exclude a homogeneous national Jewish State and make it actually a bi-national state, not much different from an undivided bi-national Palestine.

The Jewish State could only be made more Jewish by reducing its area, excluding purely Arab districts. This was attempted by the Woodhead Commission, but the cure would kill the patient. The area of what was called Plan C would be about 1200 sq. km., which with *double* the density of Belgium could support a population of not more than 600,000, while the present population is already nearly 400,000. The disadvantages of another scheme called Plan B are intermediate between Plans A and C.

#### (ii) *Land*

With regard to landownership, conditions are still worse. At the time of the Woodhead Report, the Jewish State in the Peel area would have comprised a total area of 5,000 sq. km., of which 1,150 sq. km. were in Jewish possession, and 3,850 in Arab possession, or 23% and 77% respectively. The inclusion of the Negev adds about 12,000 sq. km. Since 1938, the situation has changed to the advantage of the Jews, but not to such an extent as to reverse the proportion. Here, too, the authors of the Woodhead Report saw no other remedy than a reduction of the area of the Jewish State, which would of course seriously affect its absorptive capacity. Unless it is contemplated that the authorities of the Jewish State should have the right to expropriate Arab lands — which might lead, in some cases, to clashes — the actual landowners in the Jewish State will thus be predominantly Arab. It will of course be possible for Jews, both private individuals and the Jewish National Fund, to buy lands, and probably even on a large scale; but, again, such transfers are unlikely to reverse the proportion of Jewish and Arab landowners, at least in the near future.

#### (iii) *Customs*

The Woodhead Commission, while recommending "some form of customs union between the Arab and Jewish State" as "necessary to provide for the economic welfare of those states", nevertheless realized that "the tariff requirements of the Arab and Jewish States are likely to be fundamentally different", with the Jewish "expected to pursue a policy of high tariffs for the protection of their industries". The carrying out of such a policy would, however, be extremely difficult with the shape of the Jewish State as contemplated. It is difficult to visualize something less than walls being erected along the whole boundary and constantly patrolled by customs guards along its whole length. This is what the Woodhead Commission considered as necessary for securing the boundary between Jaffa and Tel-Aviv (p. 41 of their Report):

"In our opinion... (one) would have a road as a boundary between the two towns. Down the middle of it a high iron railing must be constructed which would form the actual boundary and would be the joint property of the two states. At intervals where the boundary would cut important roads there would be gates to allow of the passage of traffic between the two towns. Such an arrangement would enable the police of each state to patrol the boundary and would provide a reasonably effective barrier between two potentially hostile communities... This arrangement... is not perfect. In the event of disturbances no barrier could prevent shots from being fired... the substitution of a wall for a railing, would, it is true, prevent shots from being fired from street levels, but would not prevent the throwing of bombs... it would doubtless also be possible for small articles to be smuggled through the railing, but again provision of a wall instead of a railing would not wholly prevent the smuggling of such articles".

This sounds fantastic, but the Woodhead Commission, considering other ways and methods, found none. And the very earnestness in which it suggested this wall serves to show to what lengths Partition must lead.

I estimate the cost of such a wall along the greater part of the boundary between the Jewish and Arab States at about two million pounds with a yearly cost of maintenance of at least L.P. 20,000. Barbed wire fences as erected by the Palestine Government along the northern boundary some years ago proved to be insufficient. A solid concrete wall of about 2½ metres height would be required.

#### (iv) *Communications*

The Palestine Railways consist of the Palestine Railway proper and the Hejaz Railway. The workshops for both are located at Haifa and would therefore be in the Jewish State. New workshops would have to be built in the Arab State. Also some of the line would have to be relaid, e.g. near Tulkarm where the line would pass over Arab territory. These measures, while expensive, do not present unsurmountable difficulties. Taken as a whole, the railways will be less efficient and more costly. The same applies to roads.

The personal freedom of movement between the States will be restricted and this will be especially felt with regard to the movement of Jews between the Jerusalem Enclave and the Jewish State. Some Jews of Jerusalem earn their living in Tel-Aviv and even "commute" for week-ends between Tel-Aviv and Jerusalem. The greatest drawback will, however, be caused by the "corridors". There will be the corridor connecting Jaffa with the Jerusalem Enclave and this will necessitate a corridor crossing that corridor, to connect the northern with the central section of the Jewish State. Then there will have to be a corridor between the southern section of the Jewish State and the Negev of some 80 km. length crossing the Arab State. It is difficult to imagine how the traffic through these corridors will be organised, especially when the necessity for preventing smuggling is kept in mind. Should the last mentioned corridor be fenced in on both sides by high walls? And how will Arabs communicate between both sections of the Arab area cut in two by that corridor? Will traffic be by enclosed, locked and guarded vehicles as through the Danzig Corridor? One should not forget that the Danzig Corridor was one of the sores from which the second world war started.

(v) *Defence*

In 1938, the military authorities impressed upon the Woodhead Commission that "no boundary can be found west of the Jordan which affords a satisfactory strategic line." Since then the experience of modern warfare during the last war has shown that an area which in vital parts is only 15 to 20 km. deep can be cut into small portions by means of tanks, aerial artillery and selfpropelled guns in the course of a few hours. Even should the Arab State, as may be hoped, not possess these armaments, it should not be overlooked that the Jewish State would border in the north upon two sovereign Arab States and be within easy air-reach of other sovereign Arab States in the east and south. All offensive armaments of the Jewish State, even if procured at unbearable cost, would be of no avail against this danger, and defensive works would be of no use because of the unfortunate shape of the country, which from the beginning would consist of three separate areas, the central part being a narrow strip, and the southern part (Negev) being separated from the "metropolitan" part by nearly 100 km. length of Arab country.

(vi) *Development and water economy*

While the objections under the headings (i) to (v) are substantially the same as led the Woodhead Commission to consider the Peel Plan impracticable, a formidable objection is added now under the heading of development and water economy. The main purpose of the Jewish State is immigration and the settlement of Jews. This necessitates the development of the land, mainly by utilizing its water resources.



A large number of schemes have been worked out in considerable detail, the Hays-Savage scheme being the most notable. You will have occasion to examine them. If you do so you will note that they can be carried out in an undivided Palestine only. Even in the United States where every single State is immeasurably greater than the whole of Palestine, it has become necessary to establish interstate and federal agencies of water catchment areas, the single states being too small for a rational water economy. It would therefore be surprising if Palestine's water economy could suffer partition. Actually, on the contrary, any rational water economy and development plan would require the tapping of the Jordan just above the northern boundary of Palestine and the inclusion of the winter waters of the Litani, at present running waste into the sea.

All development schemes, different though they may be, have some essential features in common. The first of these is the utilization of the Jordan waters. The smaller rivers which together make up the Jordan come into Palestine from Syria. These waters at present run to waste into the Dead Sea, and every development scheme assumes the utilization of these waters by leading them on to lands where irrigation is required.

Now in the proposed partition plan, the greater part of the Jordan as well as the Dead Sea would lie in the Arab State. Then, in accordance with the usual international practice, only such water as is at present taken off the Jordan or its tributaries up to the northern boundary of that future Arab State belongs to the Jewish State; all the rest must be allowed to enter the Arab territory, as it does at present, even if it there goes to waste. The Arab State may legally object, and they would probably be found right, e.g. on the ground of the argument that while they do not use the water at present, they may perhaps use it at some future date. Thus partition would make it impossible to make full use of the Jordan waters for any comprehensive irrigation project.

The second main installation for irrigation is an intercepting channel. Palestine is divided by a range of hills and has two catchment areas, one to the east going down to the Jordan, and the other to the west going down to the Mediterranean Sea. There is a tremendous amount of rain water falling down on the western catchment area. At present this flows down into the Mediterranean without serving any purpose. All development schemes provide for an intercepting channel, going from north to south along the foot of the hills, and intercepting these waters in the wadis, as the valleys are called.

Now the plains will belong to the Jewish State, but the hills will belong to the Arab State. The Arab State would have no interest in putting up works in the hills, which would not be of immediate service to them, but would serve only the Jews in the plains. According to all present plans, this channel will lie just east of the boundary of the



Jewish State, within the Arab State. But even if the boundaries are extended so as to include the area where the intercepting channel is to run, it would be just alongside the boundary, and could easily be sabotaged. Its protection would add considerably to the heavy burden of the protection of frontiers. Thus, partition would make that part of the development scheme extremely costly and precarious.

The third source of water is surface water which cannot be stored in reservoirs or collected in the intercepting channel. The schemes provide for forcing such water underground, so that it may enrich the ground water of the plains. This has, of course, to be done in the hills, by means of wells and small dams and by draining the water, while the benefit would accrue to the plains. It is obvious that if the plains and the hills belong to different states, such a project would hardly be possible.

Erosion is a case where the necessity of cooperation in an undivided country is particularly spectacular. The danger of erosion is twofold. First, it takes off the soil from the fields in the hills; secondly, it deposits it on the fields in the plains in ways and places where it is not useful, but harmful. Thus the Arab in the hills and the Jew in the plain are both interested in the prevention of erosion. But they are interested in it to different degrees and at different stages, the hill farmer immediately, the plain-farmer only as a measure to be taken as long range planning. There exists a community of interests, but only if the planning is country-wide.

Immediate and ultimate advantages must be balanced and made to complement each other. The details of any development scheme have to be worked out so that part of it could be of immediate interest for one or the other community. If it is of ultimate advantage, say, for the Jews, it must be of immediate interest to the Arabs. If it is of ultimate interest to the Arabs, it must hold some immediate advantage for the Jews. It is obvious that that kind of planning cannot be done in a partitioned Palestine, where the interest of the Arabs and those of the Jews are opposed to each other, if only for political and economic reasons. Every development makes it imperative that a common interest be established, maintained, and furthered.

It has been proposed to meet some of the difficulties mentioned by *ad hoc* agreements between the two states for cooperation in certain fields, e.g. a common railway administration, a customs union and the like, and also a common administration of the development schemes. Such agreements are of course technically possible, and will work in some fields, where cooperation does not require emotional efforts and does not present controversial financial issues. A customs union, for instance, is of course possible; but it is precisely the question of protective tariffs and different customs duties which is one of the main arguments in favour of partition. A customs union would deprive partition of one of its principal advantages.

As to a joint development authority, this would of course make things much easier. But it would seem too much to expect cooperation between the citizens of different states in a comprehensive development scheme, where in many cases the inhabitants of one area would be called upon to make sacrifices for the good of some area of the other state. It is quite another thing if all areas belong to one state which has the interest of all its inhabitants at heart, who might then reasonably be supposed to guard the interest of the whole state even if the advantages to some of them may become evident only at a later stage. No matter where development makes the best progress, the increased wealth of a common state benefits the underdeveloped areas as well. This is not the case if international boundaries artificially cut and divide the natural development zone.

A genuine cooperation in the fields of development and economic planning would thus require a very great measure of mutual good will and confidence as well as a strong central (or federal) authority with very wide powers. In this case, the Jewish State and the Arab State would have to yield much of their sovereignty and independence, and would be bound together to such an extent that the result would practically be a bi-national state.

M. REINER

# ONE UNION OF TWO NATIONS

STATEMENT OF DR. ERNST SIMON

*on behalf of the League for Jewish-Arab Rapprochement and Co-operation  
before UNSCOP in Jerusalem on July 15, 1947.*

We appreciate very deeply the privilege you have granted us to appear before the Special Committee which was sent here by the United Nations — an organisation which strives for the unity of the entire human race. Our aim is to achieve one Union of two nations in this country. Such an effort, we believe, can be our greatest contribution to the welfare and unity of the world, especially since we dwell on one of its danger spots.

The League for Jewish-Arab Rapprochement and Co-operation is not a political party. It is composed of a number of organisations \* and personalities in the Jewish community. The League does not speak in the name of the Yishuv or the Zionist movement. It wishes to offer you the opinion of a group which has devoted a great deal of thought and a considerable measure of action to the solution of the Jewish-Arab problem. While a party is built upon an all-inclusive program relating to most problems of life, a league like ours unites its members through one central aim. We all see in the matter of Jewish-Arab relations the crux of the political situation in this country. We believe that failing to solve this problem, no satisfactory solution is conceivable for the aims of Zionism or for the development and progress of the inhabitants of this country and its newcomers.

All the members of the League are united in their belief that the solution to the political situation in this country must be based upon the principle of bi-nationalism, namely: full equality of rights for both nations. It is not sufficient to grant equality to the individual Jew or the individual Arab. This equality must be possessed by the Jewish people returning to its homeland by right and not on sufferance, and by the Arab people dwelling here in its homeland, also by right and not on sufferance. This equality for which we strive must guarantee each nation what it needs most: to the Jews, the right of immigration and settlement; to the Arabs, economic and social development; and to both, the prospect for peace and joint independence.

This common belief unites all members of the League. While there may be amongst us differences of emphasis why such political ag-

\* Mainly the Hashomer Hatzair Workers' Party and the Ihud (Union) Association.

reement between the two nations has not been reached in the past, all of us agree that all the three political factors involved in Palestine are, in one way or another, to be blamed for the impasse. We do not indulge merely in casting accusations against others. We are constantly struggling for our ideas within the Jewish community and we do not deter from open criticism at the proper occasion. At this moment, when we stand before an international forum, we wish to touch upon the international aspects of this problem, and we believe that our criticism within our community gives us the moral right to assess the responsibility of outside forces.

We do not wish to create the impression that we are anti-British. We know how to appraise the fine traits of the English people, its heroic efforts during the last war, especially when it stood alone against the enemy of mankind. But we are concerned here with the Jewish-Arab problem, and in this matter we cannot exonerate the various British Governments from perilous negligence and at times even from harmful actions.

One more word about the activity of the League within the Jewish community. As we stated in our memorandum, the League was founded in 1939 in the midst of the riots when it seemed that there was almost no hope for better relations between the two nations. The founding of the League crystallised in an organised way certain trends and activities which existed already for many years. One of the greatest dangers which lurks for the Jew in the Diaspora as well as in his homeland is the danger of despair. The cause for this despair may be very well understood. When a human being loses a third of his blood, then he becomes mortally ill. Certainly, the Jewish people which has lost a third of its members has cause to be gravely ill — the illness of despair. The first symptoms of this illness were apparent in the very year when the League was founded. They increased in intensity during the terrible slaughters of the war in Europe, during the era of the White Paper in Palestine.

The members of the League still believe in man, in the brotherhood of nations, in the progress of mankind and in the eventual triumph of the progressive forces within it. They feel that they are part of one world front fighting for the victory of certain ideals without which there will be no hope for the liberation of the Jewish people. Our efforts are devoted to heal the woes of our people by showing the way to a brighter future. We feel that it is not sufficient to preach the brotherhood of nations and international unity abroad without making the first steps here. Charity begins at home.

We began our work at home. It is not an easy task. We are swimming against the current of all the three political forces involved. We may assume that the testimony of the economic experts has proven beyond doubt that Jewish immigration to Palestine has been benefiting the Arabs economically. However, we know that a nation does not sell



its national birthright for a pot of lentils of economic development, just as we, the Jewish community of Palestine, are not ready to give up our right to take in our brothers from overseas at the price of equality within an Arab State promised us by Arab leaders.

We, as Jews of national consciousness, understand and honour the Arab national movement in Palestine as well as in the neighbouring countries. We believe that there is a reciprocal relationship between the two national movements. Any progress made by Zionism automatically strengthens Arab nationalism. The problem is how to direct this additional strength not against the aspirations of the Jewish people, not to destructive warfare, but rather how to direct it into positive channels so that the Arabs may become active partners in the constructive up-building of the country.

The solution to this problem lies in the setting of a common political goal. As long as the economic benefits which the Jews are bringing to the Arabs are counterweighted by political demands, the situation is almost hopeless. However, if we set as our goal bi-nationalism — the creation of bi-national facts leading to a bi-national regime, then the economic benefits brought by Jewish immigration will assume their full positive value. The Arabs will cease to see in them political danger.

Meanwhile, Jewish immigration must continue on a large scale. We cannot — gentlemen, you cannot — punish the Jews who are knocking on the gates of this country — those remnants, victims of fascism, who two years after the close of the war are still rotting in their camps and find the doors of Palestine shut in their faces. It is unforgivable that they should be punished and continue their suffering because of the political entanglement in this country. Their right as human beings to reach a haven in the land of their desires precedes any political settlement. However, we believe that if bi-nationalism were set as the political aim, it would minimize to no small extent the opposition of our neighbours, the Arabs, to Jewish immigration. Of all the solutions offered to you, gentlemen, we think that this solution holds the greatest promise of peace, especially if bi-national self-government be granted as soon as possible to the Jews and Arabs of Palestine, who deserve it as much as any other nation in the east as well as in the west.

Professor Weizmann spoke about the normalisation which Zionism seeks to bring in the life of a sick and wandering people. This normalisation has three aspects:

*First*, it refers to the attitude of the Jewish nation to itself, to its own cultural heritage. There is no contradiction whatsoever between satisfactory neighbourly relations among peoples in one country and the fostering of their respective languages, cultures, and educational systems. Certainly the example of Switzerland, Yugoslavia, Canada, and Soviet Russia proves this fact.

*Secondly*, normalisation in relationship between the Jewish people and their land.

*Thirdly*, normalisation in the relationship of the Jewish people to the outside world — a nation among nations.

The League for Jewish-Arab Rapprochement and Co-operation seeks to promote these aims. The return of the Jewish people to its homeland and its entrenchment within it, should be accompanied by the reestablishment of the proper healthy relations between the Jewish and other nations; above all, with the neighbouring Arab nation to whom it is closest related, racially, territorially, and also in the respective aspirations of the two nations for national and social liberation and freedom.

Jewish-Arab co-operation is not only desirable but is of utmost necessity for the welfare of both peoples. Governments and political regimes may come and go, but these two nations, who are bound forever to this land, will always live side by side. Their true freedom and prosperity depend upon their mutual co-operation. Since this is necessary, it must be made possible. It is the noble task of all statesmen who sincerely seek to contribute a lasting solution to the fate of this country and to the peace of the world to help these two nations find their *mutual* way.

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# THE PEOPLE OF PALESTINE WANT PEACE

## VISCOUNT SAMUEL'S SPEECH

*in the Palestine Debate in the House of Lords, April 23rd, 1947.*

### *The Curse of Terrorism*

I must first refer to the matter which I am sure is uppermost in the minds of all — namely, the continuance of the terrible terrorist outrages in Palestine. In view of my long connection with the Palestinian question, since before the Balfour Declaration, and the fact that I devoted five years of my life in the attempt to establish a stable and prosperous Government in Palestine, it is a matter upon which I feel perhaps more deeply than can any other Member of your Lordships' House. This group of fanatics, mostly very young enthusiasts, are animated by that abominable doctrine that the end justifies the means; that any purpose which is held to be good in itself may warrant any efforts in its pursuit, however wicked they may be. That doctrine has been the curse of mankind all through its history.

The Jewish people have always taken pride in the good deeds performed and the distinctions won by their members; in the number of scientists, writers, musicians, philosophers and statesmen, who have come from the Jewish ranks, far out of proportion to their numbers. They remember that in the distant past it was the Jewish people who laid the foundations for the three greatest religions of the world. Here in this city, and all the great cities of the West, vast cathedrals and abbeys are dedicated to the names of men of Jewish stock; their psalms are sung and their prayers are recited in these places.

Today these same people have given birth to a set of assassins, who, disguised in false uniforms, waylay soldiers and policemen, hurl bombs promiscuously, blow up trains, and are responsible for the terrible list of casualties, particulars of which have been given to your Lordships, only this afternoon. I feel bound to say to-day, as I have said before in this House, that the Jewish population of Palestine and the Jewish Agency are blameworthy for not having, by resolute determination and at whatever cost, extirpated this curse which has brought shame upon all members of the Jewish community.

I do not to-day say that the Government should take this or that action in order to end this terrorism — far from it. On the contrary, if the British Government were to say that until the terrorism stops nothing else could be done, it might perhaps be justified, although it might not be statesmanlike. I urge to-day that action should be taken, not because of it but in spite of it.

With regard to immigration, I look upon that from an entirely different point of view. I do not put that on the same footing. I think that there the noble Lord, Lord Altrincham, has missed the real point, which is that the Jews of Palestine — of all sections, from the most moderate and law-abiding to the most violent and extreme — with hardly a single exception, support this immigration and approve of it. They declare that it is not illegal and that what is illegal is the ordinance that forbids it. That is the point to which the noble Lord did not give any attention. It may seem rash to claim, after all these controversies have raged for so many years about Palestine, that anyone can bring forward a new point; yet I think this afternoon there is one thing new which can be said. It arises out of a recent speech by the Foreign Secretary, Mr Bevin, in another place, and it touches very closely this point of whether the prohibition of immigration is itself legal or illegal.

Speaking in another place on February 25th last, Mr Bevin discussed whether there should be in Palestine a Jewish State, or an Arab State, or a mixed State. He said that the British Government had no power to decide that point, and that, therefore, it must be taken to the United Nations. I quote his next words because they are exceedingly important. He said:—

“That, therefore, raises the issue which has got to be decided and we, as Mandatory Power, cannot solve that problem until the United Nations have recommended which of these three alternatives is to form the basis of the future organisation of Palestine. We, as Mandatory Power, have no power to make that decision. Nothing that I can find in any of the documents, either at the League of Nations or in the discussion between the Powers at Versailles and after, indicate that we have that power. The Mandate certainly does not give it . . . ”

It may not be thought that is relevant to the particular point; but it is, because he declares that the British Government cannot decide this but must refer it to the United Nations because the Mandate would not authorise anything of this kind — any one of these three courses departing from the existing conditions. But has the Mandate authorised the prohibition of Jewish immigration into Palestine? Where is there anything in the Mandate that would confer that power upon the British Government, acting under it and with the approval of the League of Nations?

The White Paper of 1939 (which is the root of the whole of the present difficulties and which was enacted by the Chamberlain Government) declared that after five years from that date there was to be no more Jewish immigration into Palestine at all, unless the Arab community of Palestine gave their assent to it. Everyone knew that there was no reason why the Arabs of Palestine should give their assent; that was universally agreed. Consequently, there was to be, after five



years, a prohibition of Jewish immigration into Palestine. Is that in accordance with the Balfour Declaration? The Balfour Declaration declared — and this is embodied textually in the Mandate itself — that the Mandatory Power should favour the establishment of a Jewish National Home, should encourage Jewish immigration and should enact such laws with regard to land settlement and so forth as would conduce to it. That was approved, first of all, by all the great Powers — the United States, France, Italy and others — and afterwards, formally, by the League of Nations itself in 1922.

How the Mandate is to be interpreted was not left to the Mandatory Power itself; it was not for the British Government to say, "This is allowed and this is not allowed," as Mr. Bevin very frankly and clearly stated. The League of Nations set up a Mandates Commission which was to exercise supervision over all the Mandates entrusted to various Powers and to be the authority charged with the duty of interpreting the Mandates. The White Paper of 1939 was brought before that Mandates Commission in June of that year, and it occupied their attention at a number of sittings. They heard Mr. Malcolm MacDonald, the then Colonial Secretary, with regard to it, and they went into the whole subject with the utmost thoroughness. The Mandates Commission was an extremely competent body, consisting largely of representatives of the smaller Powers, some of them with Colonial experience. They were perfectly impartial. When I was High Commissioner I had the privilege of appearing before them for three days, and I was greatly impressed by their competence and their impartiality. On this occasion the views of the members diverged, but they were unanimous on one point.

I have lately been refreshing my memory by reference to the voluminous reports of that Commission — a great volume of some 300 or 400 pages — and there I find these records. This is one paragraph, on page 275 :—

"From the first, one fact forced itself to the notice of the Commission — namely, that the policy set out in the White Paper was not in accordance with the interpretation which, in agreement with the Mandatory Power and the Council, the Commission had always placed upon the Palestine Mandate."

That was unanimous. The White Paper put a different interpretation upon the Mandate from that which had been, for many years until then — this was 1939 and the Mandate was 1922 — adopted by the Mandatory Power, by the Commission and by the Council of the League. Then they said :—

"It" —

that is the Commission —

"went on to consider whether the Palestine Mandate might not perhaps be open to a new interpretation which, while still respecting its main principles, would be sufficiently flexible for the White Paper not to appear at variance with it."

There the Commission was divided. The noble Lord, Lord Hankey — whom I see in his place to-day — was the British representative at that time. The divergent views that were expressed could only be recorded by the Commission, which could not judge between them, and they set out what they were.

The noble Lord, Lord Hankey — the British Government representative — supported by two other Members, held that existing circumstances would justify the policy of the White Paper, provided that the Council did not oppose it; that is, that the matter ought to be referred to the Council and then, if they did not oppose it, it might be held that this restriction on immigration was in accordance with the letter or the spirit — I do not know what their view was — of the Mandate. But the majority of the Commission — four members — refused to say — I quote again —

“that the policy of the White Paper was in conformity with the Mandate, any contrary conclusion appearing to them to be ruled out by the very terms of the Mandate and by the fundamental intentions of its authors.”

Here is the argument which I wish to address to your Lordships. The Foreign Secretary has lately stated that proposed future arrangements for Palestine must be referred to the United Nations, because the Government here have no authority under the Mandate to adopt any one of the three courses or any substantial departure from the Mandate. The international body which was appointed to interpret the Mandate considered this prohibition of Jewish immigration. They were unanimous that the new departure differed from all previous interpretations of the Mandate. Four of the Commission held that it was contrary to the terms of the Mandate. That was the majority view; that it was not justified by the Mandate, and was contrary to its terms. Three of them held that it might be justified, subject to any action by the Council of the League. But the war came and the Council of the League had never considered this matter, never assented, and never even had an opportunity of declaring its opposition.

Thus the present Foreign Secretary, by saying that he has no power to adopt this policy, is saying in effect that his predecessors, the Chamberlain Government and Mr. Malcolm MacDonald, as Colonial Secretary, had no power to do this very thing which is now in dispute. That is the reason why the Jewish community of Palestine, Jews throughout the world and the Zionist Organisation, say that the illegality is not on the part of the immigrants, but was on the part of the British Government here, at the time of Mr. Malcolm MacDonald, who declared that five years from then the doors of the Jewish national home should be closed, and this prohibition should be clamped down upon Zionists throughout the world who were seeking to go to Palestine. That is the essence of the whole present situation. When the noble Lord denounces with so much vehemence the horrible conditions in which these immigrants

are coming in, and says we must uphold the law, the Government of the United States and other Governments are inclined to ask: "How dare you shut out these Jews, and stop this immigration in defiance of the very spirit of the Mandate which you purport to administer?"

*Lord Altrincham*: As the noble Viscount has questioned my interpretation of the Mandate, may I say that the Mandates Commission was not the body set up to interpret the Mandate? The only body to interpret the Mandate was the League itself. The Mandates Commission was set up simply to go into the detailed administration of Mandates in various parts of the world. This question was never put to the League of Nations, and there is no reason whatever to assume that because of a majority of four to three in the Mandates Commission on one particular view, that view would necessarily have been taken by the League before the matter had ever been submitted.

*Lord Calverley*: Would the noble Viscount say if he approves of these coffin ships?

*Viscount Samuel*: The answer to what the noble Lord, Lord Altrincham, has said — which is a point worth notice — is that it is quite correct that the Mandates Commission was a Commission of the whole body, like a Committee of this House; but the League was always very greatly guided by the Mandates Commission, which went into these matters with the utmost care and made the most elaborate reports to the Council of the League. The League naturally gave the greatest possible attention to the reports of these experts. The Commission were unanimous that a new interpretation was being put upon the Mandate — there was no question of four to three — and said that this might be held to be justified, provided that the Council did not object. How can you say it was authorised to be done, when the Council had no opportunity either of objecting or of not objecting?

For all these reasons the present Government, in fact, have rather belatedly stated quite clearly that they are not accepting the White Paper and are not acting upon it. The Prime Minister said in another place on July 1st of last year:—

"It is quite wrong to say that we are carrying on the White Paper policy."

They disapprove of it themselves, and yet they support these measures for the prevention of immigration into Palestine. As a matter of fact, they are allowing a certain amount of immigration into Palestine in defiance of the White Paper of 1939.

*Viscount Hall*: Might I ask the noble Viscount whether he is now arguing that immigration can be admitted into Palestine, irrespective of numbers or its effect upon the Arab community?

*Viscount Samuel*: I am coming to that a little later on. What I am now dealing with is the question of illegality — on which side the law



rests. The Government says: "We have passed an ordinance and that is the law." The Zionist Organisation says: "The law you have passed is itself an infringement of the law, an international law, approved by the League of Nations." Mr. Bevin says he cannot act contrary to the Mandate in this or that without the sanction of the League of Nations, yet this was done without the League of Nations.

*Viscount Hall*: On specific points.

*A Home for Jewish Survivors — in Palestine !*

*Viscount Samuel*: That is what I am saying. Let me turn to another aspect. We in this generation have been faced with what is unquestionably and literally the greatest crime in the whole history of the world. At the Nuremberg Trials Lord Justice Lawrence — now Lord Oaksey — in his judgment accepted the calculation that 6,000,000 human beings had been murdered by the Nazis in the concentration camps and in other ways. They were not all Jews, and undoubtedly vast numbers had nothing to do with the Jewish community but were Hitler's political opponents. All the great crimes in history, the massacres of Attila, of Jenghiz Khan, the St. Bartholomew Massacre, and the massacre of a large part of the Armenian nation, fall into almost insignificance compared with the scale of this latest crime committed in cold blood by the madman Adolf Hitler, who was on the throne of absolute power.

A few days ago it was announced in the Press that a man named Hoess, who was in charge of the Auschwitz concentration camp, had been hanged, having been shown guilty of the murder in gas chambers of 4,000,000 people in that camp. It was stated in the Press that he protested against this, and said there were not more than 2,000,000; but he confessed to 2,000,000. This fact was printed in small type in little paragraphs in the newspapers, and it attracted no particular attention that a man who was found guilty of having murdered 4,000,000 people had been hanged.

We are too close to these events to be able to see them in their true scale and to recognise them for the enormity that they present. There is no shock in our present-day civilisation — hardly a tremor. What people are chiefly concerned about is that, of the survivors who have escaped, as few as possible shall be admitted into this country, or the United States or into other lands. There have been some survivors, and I have met some of them, whose fathers, mothers, brothers and sisters — whole families — have been murdered in the gas chambers. They were collected from Belgium, Holland, Poland, Austria and elsewhere, and form part of the 6,000,000 who have been murdered. Some of those who survived went back to their homes and received no very warm welcome, because the property they owned and the industries they had built up had been seized and looted and sold to other people. These are very unwelcome ghosts who, not having been killed, have the impertinence to claim their own property.



As a result they wish to move away to start a new life and try to forget the awful horror of their past. They want to go to Palestine, where they can be sure they can be free and live according to their own ways and customs. A Committee of the House of Commons on National Expenditure reported the other day that the movement of Jews through Austria on their way to Palestine amounted to a second exodus. Whether it be a second exodus, or a tenth or a twentieth, these people are tired; they want to go and settle somewhere. And Palestine is a place where they would wish to go.

*A Noble Lord:* All of them?

*Viscount Samuel:* They go under conditions of the utmost hardship and in abominable circumstances, which have already been referred to by the noble lord who has just spoken. They have survived the massacre of their families, and have crowded in hundreds, even thousands into little ships, under conditions which the noble Lord, Lord Altrincham, rightly says recall the conditions of the slave trade. They have reached Palestine, which was to be the National Home of their race, only to find British destroyers patrolling off the coast. They are brought into harbour and then sent off to internment camps and called "illegal immigrants," while the British Army of 100,000 is holding down the Jewish population of Palestine, which is only too eager to welcome them. There is no question of their not being able to find accommodation. Accommodation could easily be found for 100,000 or more. It is not a question of being unable to find ships, because the United States have undertaken to provide all the means of transport that may be required. It is not a case of going there to crowd into some slum district. The Jewish National Home has been a brilliant success. The Anglo-American Commission reported that it was a miracle, both of physical achievement and spiritual endeavour, and the Peel Commission some years ago spoke in similar terms. Those are the facts of the case.

Noble lords will ask: "What is your solution?" To my mind the most urgent matter is to settle this question of immigration. The Government say they are no longer pursuing the White Paper policy. In defiance of the White Paper policy they have for some time past allowed 1,800 immigrants a month to go in.

*A Noble Lord:* 1,500.

*Viscount Samuel:* I thought it had been increased to 1,800; but let us say, 1,500 a month. That amounts to less than 20,000 a year — an exceedingly small total in view of conditions both in Europe and in Palestine. In my judgment, 40,000 to 50,000 a year could quite easily be absorbed by the country. There is a great shortage of labour in Palestine to-day; the amount of capital awaiting investment in industry and trade amounts to scores of millions of pounds, and it cannot be used. In addition, there is an immense demand for all kinds of commodities as well as for exports.

If I am asked what policy I would recommend, I would say that I would allow immigration of perhaps 50,000 a year, and date it back to the time when the Anglo-American Commission made their recommendations — that is, to April, 1946. From that number should be deducted those already admitted, and others should be allowed in to bring it up to that rate. The principle should be laid down that that should continue for so long as economic conditions permitted.

### *No Jewish State, No Arab State*

As to the future government of Palestine — this is the concluding portion of my observations — I do not agree with a common assertion that there are only three possible courses: A Jewish State, an Arab State or a geographical partition. I think all three are wrong. I can only repeat what I said previously. Neither a Jewish State nor an Arab State is practicable; nor is geographical partition. But there is a fourth course. I am not one of those who say that because three solutions are impracticable, therefore the whole question is insoluble. The Jewish State has been the aspiration of the Jewish people for centuries. It is an aspiration which at the present day cannot be realised. It is not contained in the Balfour Declaration. If the Balfour Declaration had intended that a Palestine State should be set up, it would have said so. What was said, and what was said in speeches by those who drew it up, was that it might be that future conditions would be such that there would be a Jewish majority there; and there might be a Jewish State. There was no promise of a Jewish State. What was promised was that the British Government would favour the creation of a Jewish National Home — the term was most carefully chosen — in Palestine. The Declaration did not say that Palestine should be the Jewish National Home, but that it favoured a Jewish National Home in Palestine, without prejudice to the civil and religious rights of the Arab population.

In 1922, in the White Paper quoted, the British Government of the day reaffirmed that Declaration. In view of the Jews' historic connection with Palestine the White Paper said they should be regarded as going there as of right, and not by sufferance. That does not justify the Zionists or the Jewish population in Palestine saying that the Arabs are there on sufferance and not as of right. Arabs who have been there for thousands of years also have definite rights in Palestine; that must be admitted and acknowledged, and that is clearly admitted in the above Declaration. The Declaration in 1917 with regard to the Jewish National Home, the Balfour Declaration, and the White Paper of 1922, issued when Mr. Churchill was Colonial Secretary, were accepted by the Zionist Organisation — the first one with expressions of warm gratitude which were published at the time. The second was met by a formal declaration of the Zionist Organisation saying that they accepted the policy of the White Paper and that their own policy would be made to conform with it. The country was at peace for years afterwards. It is untrue to say that it is impossible for Jews and Arabs to live together. There was a disturbance in Jaffa

In 1921, when I was High Commissioner, but after that, although there was political tension during the remainder of my term until 1925, for eight years the country was at peace. There were no disturbances, no assassinations, not a blow struck between the two nations. And all that time the question of a Jewish State was never brought into the foreground. It was never mentioned. No claim was pressed.

Unhappily, during the war, the American Zionists thought it desirable to bring it to the front. By a resolution called the Biltmore Resolution, from the place where it was passed, they demanded that Palestine as a whole should be declared to be a Jewish Commonwealth or State — either word was used on different occasions. They declared also that all the inhabitants should have equal political rights from the outset. These resolutions were endorsed by the World Zionist Organisation in August, 1945.

I have always regarded that as a disastrous political blunder. It was an aim quite impossible of fulfilment, and indeed was meaningless as propounded, for in Palestine to-day Arabs are two to one as compared to the Jews. And if you were to make a declaration that it is a Jewish State, it would not in fact be a Jewish State. If the Jews were equal in numbers to the Arabs it would not be a Jewish State — it would be half Jewish and half Arab. Even if the Jews were twice as many as the Arabs in the future, it would still not be a Jewish State. You might declare that it was, but, as a matter of fact, it would be a mixed State. Therefore, this declaration of the American Zionists, endorsed by the World Zionist Organisation, merely had the effect of arousing the maximum opposition from the Arabs and everyone else and achieving the minimum of results.

An Arab State in Palestine, in my view, is also impracticable in view of the Balfour Declaration. As the noble Lord, Lord Altrincham, has quite frankly pointed out, what this country has said it must stand to. Therefore there must be a Jewish National Home in Palestine, and an Arab State would very gravely shake the stability of anything that could really be called a Jewish National Home. The good faith of this country must be maintained. On the strength of the Balfour Declaration 500,000 people have gone there, and they have started to build up a marvellous community. Putting it on a merely monetary basis, hundreds of millions of pounds have been invested and spent there. In recent years, since the war of 1914-18, the Arabs have enjoyed advantages far in excess of any possible expectations of theirs at that time. An immense stretch of the world's surface has now, in a single generation, been erected into a series of independent Arab States — Saudi Arabia, a kingdom, Transjordan, an independent kingdom, Iraq, a third kingdom, Syria, an independent republic, Lebanon, an independent republic. All these, together with Egypt also, have formed themselves into a powerful league. It would surely be no very great hardship if this one little bit in Palestine were declared to be a mixed State, and not purely a State under an Arab sovereign or republic. To my mind that is the right solution.



### *Partition Is No Solution*

I do not support partition, because knowing the country as I do it seems to me to be geographically impossible. It would create as many problems as it would solve. Instead of one minority problem as there is now, we should have two. Mr. Bevin said that the best scheme of partition which he had seen would create a Jewish State which would have a population of 450,000 Jews and 360,000 Arabs. That would be nearly half and half. That was to be called a Jewish State. There would be a minority there in that community, and there would be about 150,000 Jews left outside. You would have to impose a frontier between the two without any natural boundaries, and this would give rise to all sorts of difficulties. Criminals could step with ease from one side of the boundary to the other. You could never have anything in the nature of a tariff. Immigration could not be confined to one part. It could easily seep through into the other part. When the Peel Commission reported in favour of partition, an expert Commission was appointed to draw up a boundary, and declared that it was not possible to do so.

The problem which presents itself is unique in the world. We are so accustomed, in this country and in the United States, to look upon democracy as Government by a representative body which is elected by geographical constituencies that we always think there must be some areas which will elect members by a majority, and that the minority will acquiesce in the decisions of the majority. A democracy of this kind cannot be maintained in countries where you have — as there are in Palestine — two communities, each imbued with a passionate feeling of the justice of their several causes. You must provide not on a basis of geography but on a basis of communities, unless (as in Ireland) you can draw a line and make two sides of a frontier between them. In any case, that gives rise to all sorts of difficulties, and it cannot be done in Palestine.

When I was High Commissioner I tried to build up two organisations on a communal basis. The present representative Council of the Jewish community — the Va'ad Leumi — was set up by ordinance, looking after their own finances, their schools, and their own concerns in general, while keeping in direct touch with the Executive. I was intending to do the same for the Arabs, but they were too divided. However, we passed an ordinance and established a Moslem Council, elected by Moslems to look after endowments and their ecclesiastical courts. We should have been ready to do the same for the Christian community if they had wished it, but they were politically identified with the Moslem Arabs.

The constitution which I envisage — this is not new, for I have been saying this for years, in this House and elsewhere — is the kind of constitution that the Anglo-American Committee unanimously recommended. The recommendation has been ignored. The British Mandate should remain for a series of years, until the country is more settled.



It should be accountable to the Trusteeship Committee of the United Nations.

There should not be a British Dominion. I do not agree with the noble Lord, Lord Strabolgi, in advocating a British Dominion. We have declared loudly, again and again, that there are to be no annexations by any of the great Powers. To attach Palestine to the British Empire under the name of a Dominion would give rise to the strongest protests in various directions. We should be accused of Imperialism, in addition to which, so far as I can see, the Dominion policy would dispose of none of our present problems — immigration, the tension between the two communities, and majorities and minorities. All these would remain equally if it were called a British Dominion as if it were called a British Mandate.

#### *A Constitution — Based on Equal Communities*

Therefore in my view, there ought to be constituted two communities — a Jewish community as it now exists, with its own representative body, and an Arab community, with a third Christian community if it were desired, though I do not think it would be. They would manage their own schools, hospitals and social services. They would have their own finances, and would be in direct and constant touch with the Executive. It might be hoped that in course of time these two would grow together. At first, no doubt, they would be separate, and would communicate separately with the British Administration. But after a time they might grow more together. Their first joint effort under the pressure of practical need might be to form joint committees dealing with particular subjects; and then they might gradually combine, until perhaps in a few years' time they could form a Joint Council, which, in turn, would become a proper system of government for the country as a whole regardless of majorities, regardless of minorities, and regardless of geographical distribution based upon the system of communities.

Local government, dealing with the question of roads, drains, lighting, and the like, would be effected, as now, by a local government body which in Tel-Aviv is Jewish, in Nablus is mostly Moslem, while as in Haifa, they now have mixed municipalities working happily together, except that in Jerusalem it has been temporarily suspended. Immigration must be decided on the authority of the United Nations before the new Constitution has been brought into being, and numbers should be decided which would hold good over a series of years, subject to modification by the Executive only on grounds of economic conditions. That is the plan that I have previously advanced in this House and in my evidence before the Anglo-American Commission. Doctor Magnes in Palestine has formed a party advocating much the same proposals. The Anglo-American Commission's Report has been very much on the same lines — no Jewish State, no Arab State, and no partition.

We all knew that the Conference in London would be perfectly futile. Everybody knew from the beginning that to bring Jews and

Arabs together in London to decide these matters would lead to no result whatsoever. It was merely regarded as an effort by the British Government to effect delay because it did not know what to do.

This very solution could probably be accepted by the Arab League. They have all this vast territory under their own control. It would be an act of magnanimity and of good grace to consent to a mixed Constitution of this kind, and it would be greatly to the advantage of the Arab population of Palestine, who have flourished under the mandate. They have not been oppressed, they have not been driven out, their population has increased by as many as the Jewish population has increased, and they have reached a state of economic prosperity greater than they have ever known.

People say, "Well, they all want a final settlement — to have something settled now which will last in perpetuity." It cannot be done. They must consent to have a mixed Constitution for the time being that will grow into something better, and a system of immigration that may be subject to review in later years as conditions alter. Both this Government and the United States Government might accept a scheme of that kind if it could be based upon a unanimous report of the Joint Committee appointed by both of them.

*Viscount Hall:* The British Government did accept that scheme, and endeavoured to get the Jews, the Arabs, and the Government of the United States of America to agree.

*Viscount Samuel:* I am delighted to hear it, but what has been suggested is still on a geographical basis, with provincial governments. Drawing lines on maps to form provinces which should have quasi-governmental powers is not the same thing. You must get away from that idea of drawing lines on a map; it will not do. The provincial lines that were drawn in these proposals are exactly the matters that gave rise to the intense controversy, and it is not a similar plan to the one I have suggested. It is a geographical plan, and the frontiers of the provinces, and the powers within the provinces which are to be Arab or Jewish, is partition in a different form. You should abandon that and get a really admirable scheme. The Government came closer than ever to a wise scheme, but must cling on to the idea of constituencies and of separate authorities, each having quasi-governmental powers.

If such a plan as I suggest were now to be adopted, frankly and definitely, by the Government, if it were backed by the American Government, and, above all, if it came forward with the immense authority of the United Nations, representing the opinion of the vast majority of mankind, then it might well be accepted by the Arab League and by the Jewish community in Palestine. The people of Palestine want peace. They want peace now. It is only a minority of extremists on each side that keep the country in turmoil. Put forward a comprehensive and definite scheme of that kind and then the controversy might perhaps be ended; and at last the warfare of Zion would be accomplished and Jerusalem be comforted.

# APPENDIX

## I.

### EXTRACTS FROM THE BRITISH PROPOSALS

*of February 7, 1947 (Cmd. 7044, pp. 11—14)*

6. The essential features of the proposed Trusteeship Agreement are outlined in the succeeding paragraphs.

#### *Local Government*

7. Areas of local administration would be delimited in such a way as to include in each a substantial majority either of Arabs or of Jews. To the local Administrations the Central Government would devolve a wide range of powers, legislative, administrative and financial, including some share in responsibility for the police. As the local administrative boundaries would not have the character of State frontiers, it would not necessarily follow that all the Arab or all the Jewish territory need be contiguous.

8. Safeguards would be provided for the rights of the Jewish population in Arab areas and of the Arab population in Jewish areas. The rights of these minorities would include:—

- (a) Adequate representation in local legislatures;
- (b) A reasonable proportion of posts in the local Administration;
- (c) Freedom of religious practice in accordance with the *status quo*, including the maintenance of separate religious courts for matters of personal status;
- (d) The right to maintain their own educational institutions;
- (e) The right to use their own language in their communications with the Administration and in the Courts of Law.

It would be a special responsibility of the High Commissioner to ensure the maintenance of these rights.

#### *Immigration*

9. The British Delegation cannot accept the contention of the representatives of the Jewish Agency that the rate of Jewish immigration into Palestine as a whole should be determined by the Jews alone. Nor can they accept the demand of the Arab Delegations that all Jewish immigration into Palestine should cease forthwith. They do not contemplate either a settlement which would bring to an end the development of the Jewish National Home, or the admission of Jewish immigrants without reference to the effect of their entry on the rights and position of the population of the country. Any provision made for future Jewish immigration must rest upon consideration for the well-being of Palestine as a whole.

10. With this end in view the Trusteeship Agreement would provide for Jewish immigration, at a rate of 4,000 monthly, for a period of two years. This would guarantee the entry of approximately 100,000 additional Jewish immigrants. During the remainder of the period of Trusteeship, the continuance of immigration and the rate of entry would be determined, with due regard to the principle of economic absorptive



capacity, by the High Commissioner in consultation with his Advisory Council; and in the event of disagreement the final decision would rest with an arbitration tribunal appointed by the United Nations.

#### *Land Transfer*

11. Control over transfer of land, including the power to amend the existing Land Transfer Regulations, would be conferred on the local authorities.

#### *Central Government*

12. The High Commissioner would continue to exercise supreme legislative and executive authority. He would, however, endeavour to form an Advisory Council so composed as to include representatives, not only of the Arab and Jewish local Administrations, but also of labour and other organised interests. Despite this composition, it is probable that voting in the Advisory Council would tend at first to follow communal lines. Since, however, the functions of the Council would be advisory and not legislative, the High Commissioner would be required to give due attention to the views of minorities. On the conclusion of the Trusteeship Agreement, the Jewish members of the Advisory Council would supersede the Jewish Agency for Palestine as the official channel of communication between the Jewish community and the High Commissioner.

13. During the period of trusteeship, the High Commissioner would introduce Palestinians into his Executive Council, and would progressively increase the proportion of Palestinian members in that Council.

14. It would be the duty of the central Government to stimulate the economic development of the country through the Agency of Development Boards including both Arab and Jewish members.

15. The central Government would be responsible for ensuring that adequate provision was made by the local Administrations for the enforcement of minimum wage rates and conditions of labour.

#### *Termination of Trusteeship Agreement*

16. At the end of four years a Constituent Assembly would be elected. If agreement was reached between a majority of the Jewish representatives and a majority of the Arab representatives in the Constituent Assembly, the High Commissioner would proceed forthwith to take whatever steps were necessary to establish the institutions of the independent State.

17. In the event of disagreement in the Constituent Assembly, the various drafts prepared for its consideration and the record of its debates would be submitted to the Trusteeship Council which would be asked to advise upon future procedure.



## II.

### EXTRACTS FROM THE SPEECH OF MR. A. GROMYKO *at the Special Session on Palestine of the General Assembly of the United Nations (May 1947) \**

M. A. Gromyko, in the course of his speech, after pointing to the fact that the Mandate system had failed and that Palestine has become a kind of semi-military and police state, said:—

#### *The Plight of the Jewish People*

"During the last war the Jewish people experienced exceptional calamities and sufferings which defy description. It is difficult to obtain an idea of them merely from rows of figures about losses inflicted by the Fascist invaders on the Jewish people. In the territories where the Hitlerites ruled, the Jews were almost completely exterminated. The total of the Jewish population annihilated by the Fascist executioners is approximately 6,000,000. Only about one and a half million Jews in Western Europe survived the war. These figures convey an idea of the losses inflicted on the Jewish people by the Fascist aggressors, but they give no idea of the grave conditions in which the masses of the Jewish population found themselves after the war. The bulk of the surviving Jewish population of Europe has been deprived of its homelands, shelter and means of subsistence. Hundreds of thousands of Jews are wandering in various countries of Europe in search of means of subsistence and shelter. Many of them are kept in camps for displaced persons and continue to endure great hardships.

"It is permissible to ask whether, considering this grave situation of hundreds of thousands of the surviving Jewish population, the United Nations can show no interest in these people torn away from their countries and homes. U.N.O. cannot regard this situation with indifference, as that would be incompatible with the lofty principles proclaimed in its Charter, which provide for the defence of the rights of man, regardless of race, religious convictions or sex. It is time to render assistance to these people, not by words but by actual deeds. It is necessary to show concern about the urgent needs of a people that experienced grave sufferings as a result of the war started by Hitler Germany. This is the duty of the United Nations...

"Past experience, especially that of the Second World War, has shown that no single state in Western Europe proved capable of rendering the Jewish people the necessary assistance in defending its rights and its very existence against violation on the part of the Hitlerites and their allies. This is a grave fact, but it should be admitted as all facts should. The fact that no single Western European state proved capable of ensuring the defence of the elementary rights of the Jewish people, and of protecting it against violence on the part of Fascist hangmen, provides an explanation of the Jewish aspiration to create their own state. It would be unfair to refuse to reckon with it, or to deny the right of the Jewish people to satisfaction of this aspiration.

"A denial of this right of the Jewish people cannot be justified, especially in view of everything it experienced during the Second World

\* See p. 40.

War. Consequently the study of this aspect of the problem, and the preparation of appropriate proposals, should also form an important task of the Committee."

### *Palestine — A Homeland of Two Peoples*

After analysing the various projects on the future of Palestine, Mr. Gromyko said:

"One should consider, in the first place, the specific nature of this problem. One should bear in mind the indisputable fact that Palestine is inhabited by two peoples — Arabs and Jews — each of which has historical roots in Palestine. Palestine has become the homeland of both these peoples, each of whom occupies a prominent place in the economic and cultural life of the country.

"Neither the history nor the present conditions in Palestine can justify any one-sided solution of the Palestine problem, either in favour of the creation of an independent Arab state, ignoring the lawful rights of the Jewish people, or in favour of the creation of an independent Jewish state, ignoring the lawful rights of the Arab population. Neither of these extreme solutions would bring about a just settlement of this complex problem, first and foremost since they both fail to guarantee the regulations of the relations between Arabs and Jews, which is the most important task of all. A just settlement can be found only if account is taken in sufficient degree of the lawful interests of both peoples.

### *Equality and Cooperation in One Dual State*

"This leads the Soviet delegation to draw the conclusion that the legitimate interests of both the Jewish and Arab peoples in Palestine can be properly protected only by the creation of one dual independent democratic Arab-Jewish State. Such a state should be based on equal rights for the Jewish and Arab populations, and this would lay the foundation for the co-operation of these two peoples in their common interests and for their mutual benefit.

"Is it not clear that in solving the question of Palestine it would be very useful to take into account the experience gained through such friendly co-existence and friendly community of life between different nationalities within the framework of a single state?

"Thus the creation of a single Arab-Jewish State, with equal rights for Jews and Arabs, can be regarded as one of the possible ways for settling this complicated problem and one deserving the greatest attention. This decision could provide a sound foundation for the peaceful co-existence and co-operation of the Arab and Jewish populations of Palestine, in the interests of both these peoples, and for the good of the whole population of Palestine and of peace and security in the Near East.

### *Partition only if Co-existence Proved Impossible*

"If this solution were to prove impracticable, in view of the bad relations between Jews and Arabs — and it is highly important that we have the opinion of the Committee on this question — then it would be necessary to consider a second project also current in Palestine, which provides for the division of Palestine into two independent states — Jewish and Arab.

"I repeat that this solution would only be justified in the event of it being proved that relations between the Jewish and Arab populations were actually so bad that they could not be improved upon and their peaceful co-existence could not be ensured."













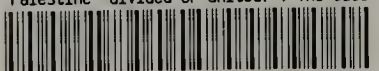






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