



## Secret Diplomacy and Rebellion in Palestine, 1936-1939

Michael J. Cohen

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*Michael J. Cohen*

## SECRET DIPLOMACY AND REBELLION IN PALESTINE, 1936-1939

The Arab Rebellion in Palestine began with sporadic outbursts of terrorism on April 19, 1936. The ensuing disorders and the Arab general strike that followed were in retaliation against the British refusal to grant three demands first put by the Arab leadership of Palestine to the Mandatory in November, 1935. The three demands were: (a) total cessation of Jewish immigration into Palestine; (b) prohibition of all sales of Arab land to Jews; and (c) the granting of independence to Palestine and the ending of the Mandate.

Some leading Zionists admitted readily that these demands represented genuine and comprehensible Arab apprehensions of the increasing Jewish presence in Palestine:

I am convinced that the mass of Arabs has a fear of the expansion of the Jews and their domination of the Arab population in Palestine . . . they [the Royal Commission] will say to us that the Arab people do not want us, and what should we answer? That they have no right to make such demands and that we demand Palestine for ourselves? They will say: but the Arabs fear for their future—and what should we reply, don't pay any attention? It is not sufficient that we point to the facts, that there is no expropriation, and that no Arabs are leaving Palestine . . . we will not be able to ignore the Arab problem in all its forms and we will have to give an answer. We shall be obliged to give guarantees against non-domination over the Arabs and against their expropriation from the Land.<sup>1</sup>

Yet by 1936 it was already doubtful whether the Zionists could have assuaged Arab fears without radical changes in their own declared policy. It is perhaps curious that the speaker should have been concerned to give the Arabs guarantees against domination by the Jews, when the Jewish population of Palestine at that time was some 400,000, approximately half that of the Arab population. This attitude reflects the determination of the Zionists to bring as many Jews into Palestine as could be absorbed without displacing Arab interests, a policy that was summed up in the 1922 White Paper formula as "economic absorptive capacity." The Zionists were convinced that industrial development would expand Palestine's capacity sufficiently to meet the foreseeable dimensions of Jewish immigration, and calculated that the British formula could be the means by which they might ultimately become the majority in Palestine.

<sup>1</sup> Speech of Moshe Shertok, Head of Political Department of Jewish Agency, to Political Committee of Mapai, July 28, 1936, *Political Diary for 1936* (Tel Aviv, 1968), pp. 248-249.

This was the essence of the problem. The Zionists saw themselves as the guardians of the fate of the Jewish people and asserted their right to bring Jews to Palestine under an "economic" formula, whatever the political consequences. But the formula had been devised in 1922, when Jewish immigration had been but a few thousand annually.<sup>2</sup> With Jewish immigration reaching a peak of 62,000 in 1935, and showing every sign of increasing, economic considerations were being overshadowed by the political friction between rival nationalisms.

In 1935, the Jews refused to sit as a minority on the Legislative Council proposed by the Mandatory—even though, together with the British officials on the Council, they would have been able to outvote the Arab delegates. At the same time, they expected the Arabs to agree to their own mass immigration and to rely on Zionist guarantees that when they, the Jews, become a majority, they would not seek political domination.

With such a chasm dividing the two sides, the unofficial negotiations that did take place between 1936 and 1938 were more the result of tactical approaches made under pressure than genuine efforts at compromise. There were figures on the fringes of both sides who sought a genuine rapprochement through mutual cooperation, but the political leaders fully appreciated that they were fighting for nothing less than future control over Palestine.

Nevertheless, the records of various meetings that did take place are of value for the historian of the Arab-Jewish conflict. They illustrate the advanced stage reached by each side in its political ideology. They show the often cynical motives behind attempted political *détentes*, and they are also significant in that the various schemes discussed were in fact the antecedents of the British White Paper of 1939, a document that laid down British policy in Palestine on the eve of World War II.

In April, 1936, Judas Magnes arranged a series of meetings between Ben-Gurion and George Antonius.<sup>3</sup> Magnes tried to set the tone of the proceedings by asking that discussion be based on the assumption that those Jews and Arabs already present in Palestine were there as of right and not by privilege; he believed that both sides had an interest in cooperation and therefore it was regrettable that the Jews had opposed the Legislative Council.<sup>4</sup>

<sup>2</sup> The Balfour Declaration (1917) favored the establishment of a "Jewish National Home" in Palestine. But Jewish immigration into Palestine assumed large proportions only in 1925, as a result of the economic crisis in Poland in that year. Immigration reached 14,000 in 1925, but in 1926 there was a net emigration of 2,000 from Palestine. Immigration from then on did not exceed 10,000 annually until 1932, when the persecution of the Jews of Poland and Germany began to make an impact.

<sup>3</sup> Judah Magnes: President of the Hebrew University, Jerusalem, 1922-1948. David Ben-Gurion: Chairman of the Executive of the Jewish Agency. George Antonius: A Christian Arab and Secretary of the Supreme Moslem Council in Palestine.

<sup>4</sup> For minutes of the first meeting on April 17, 1936, see Central Zionist Archives (CZA) S25/10.093. The establishment of a Legislative Council was first proposed by Lord Samuel, the first High Commissioner of Palestine, in 1922. The proposal, then rejected by the Arabs, was revived by Sir Arthur Wauchope (High Commissioner, 1931-1938) in 1935. According to

Antonius took up this point and referred to the rejection of the Legislative Council scheme by the British Parliament a month earlier—"the Jews had mobilized the whole world against the Council." The first step toward an understanding had to be taken by the Jews, because they were the "aggressors." He himself understood their point of view, but the Arabs had no choice but to fight against the flooding of the country by the Jews, which would put the very existence of the Arab nation in question. The Arabs had to recognize the fact of the Jewish presence in Palestine and to limit their aspirations, because "on the basis of the fulfillment of Jewish and Arab aspirations there was no possibility of understanding, since their aspirations contradicted each other and could never be accommodated."

Ben-Gurion naturally disagreed. In his opinion, they had to begin with the basic assumption that the question was one that concerned not only those already in Palestine, but the Jews as a global entity and the Arabs as a global unit, "for we are only interested in this country, whereas the Arabs are not—from the Arab point of view, Palestine is only a small part of Arab territory."

This argument, which negated the validity of Palestinian Arab nationalism, was perhaps consistent with the fact that for many Arabs, Palestine was still regarded as the southern province of Greater Syria. For Ben-Gurion there was no apparent inconsistency in asserting the rights of a re-emerging nation in its ancient homeland, while at the same time denying the validity of the political claims of a people whose national instincts had been awakened by contact with Western ideas and by the clash with Zionism itself. He refused to name any figure for future Jewish immigration.

Antonius replied that a Jewish State was contrary to the aspirations of the Arabs. His, and the general Arab, conception of a Jewish State made it evident why: "All Palestine would be handed over to a Jewish regime and the Arabs would be there merely on sufferance, and the State would be sovereign and separate and for the Arabs in general there would be no part in it." Ben-Gurion replied that if that was the sole definition of Jewish aspirations, and those aspirations prevented any possibility of understanding, he was ready to consider a change in the definition. Antonius thought this was an important announcement.

It is questionable whether Ben-Gurion was sincere or merely trying to assuage Arab apprehensions. Was he really prepared to make concessions on the vital question of Jewish immigration? To his own colleagues he repeatedly advanced the maximalist doctrine of Zionism—"sufficient immigration to assure the Jews political hegemony over Palestine." The second depended on the first:

Peace for us is a means and not an end. The goal is realisation of Zionism, full and complete . . . only after complete disillusion on the part of the Arabs, despair will come not only from failure

the latter's proposal, the Jews would be in a minority to the Arabs on the Council, but together with the "official" British members of the Council, they would be able to outvote the Arab members. Furthermore, there were to be "reserved" subjects—the Council would not be allowed to question the validity of the Mandate; the High Commissioner would retain the right to legislate by Ordinance in certain cases, and to determine the level of immigration.

of the riots and the attempted rebellion, but despair which will follow our growth in the country, will it be possible for the Arabs to accept a Hebrew Palestine.<sup>5</sup>

This theme was repeated by Ben-Gurion in the private discussions within the Jewish delegation to the St. James's Conference of 1939:

What the Arabs were fighting for was an Arab Government, and they would continue to do so, so long as they believed that an Arab State in Palestine was a possibility, Jews or no Jews, immigration or no immigration . . . but once a really large immigration set in again, the Arabs would become convinced that the idea of an Arab State in the country must be given up. Actually, it was already an impossibility, but the Arabs had not yet realised it. Once they did, they would have to come to terms with the Jews.<sup>6</sup>

At the next meeting with Ben-Gurion,<sup>7</sup> Antonius distinguished among three types of Zionist: first, those who wanted a purely spiritual center—without doubt it was possible to reach agreement with them; second, those who wanted a binational state, with an Arab and a Jewish national entity; third, those—an ever-increasing majority—who wanted to bring as many Jews as possible into Palestine without taking the Arabs into consideration. The last group consisted not only of Zionists but also of non-Zionists, some of whom had formerly opposed Zionism and had taken into account the Arab factor. But since the troubles in Germany they had come to the conclusion that there was no other absorption center but Palestine. With this last group there was no possibility of agreement. They wanted a “100 percent Jewish State,” with the Arabs remaining in the shade.

Ben-Gurion quickly disabused Antonius of the idea that there was any connection between political Zionism and those who saw Palestine as a spiritual center for world Jewry: “I never believed and do not believe now in a spiritual centre and if I thought that that was all it was possible to achieve in Palestine, I would not advise even one Jew to come here.” He did not consider himself as belonging to any of the three groups outlined by Antonius. Having ruled out the first, he went on to assert that the binational state did not solve the Jewish problem, while he rejected the concept of domination implied in the third category, though, of course, he did not rule out the possibility of a Jewish majority.

Antonius revived the conception of a Greater Syria, “from the Taurus mountains to the Sinai Peninsula,” which had been the goal of Arab nationalism during World War I. Within those boundaries, there would be room for the Jews. Ben-Gurion pointed out that for the Jews, Palestine began on the southern border of Syria, which was a foreign country to them, like America or any other land. He asked Antonius how Syria and Palestine could be united without a world war in which France, or England, or both would be the losers, and stressed that “the Jews are tied to England, and would do nothing against England or without her consent.”

Antonius replied that if the Arabs and the Jews united, with the agreement of the

<sup>5</sup> Speech to Jewish Agency Executive, June 9, 1936, Weizmann Archives (W.A.).

<sup>6</sup> Minutes of Jewish Delegation's Discussion Committee, February 12, 1939, CZA Z4/10.092.

<sup>7</sup> Meeting of April 22, 1936, CZA S25/10.093.

British, then England would be able to force the French out of Syria. To Ben-Gurion's question about the role of the Jews in a United Syria, he replied that there would have to be "a limit to numbers and territory." If the Jews agreed to these, the Arabs would agree to the establishment of a Jewish Home in that part of Syria now called Palestine. Ben-Gurion agreed to a limitation of territory but would not agree to any predetermined limit on numbers. The economic criterion was the only acceptable formula.

Talk then turned to the borders of the proposed Jewish home. Ben-Gurion cited the biblical borders "the land between the Mediterranean on the West and the desert in the East, between Sinai in the South and the source of the Jordan in the North." Antonius asked in astonishment if he also included Transjordan? Ben-Gurion replied in the affirmative: "Is the Jordan the border of Palestine? It is the river of Palestine." Antonius, evidently taken aback, asked if he wanted more than the Mandatory area given by the British. Ben-Gurion replied that the Mandatory area fixed for Palestine had nothing to do with it, "the partition [of 1922] was artificial, and we are not talking on that basis . . . do you imagine that Transjordan will be forbidden us, and in the United Syria that is supposed to arise we will have a Pale of Settlement, as in Russia? Was it possible that Jews would not be allowed to settle in certain parts of the country in which they were citizens?" Syria, Antonius said, would be a sovereign state, and its government—in which the Jews would also participate—would decide this question. Ben-Gurion agreed that the Arab majority in Syria should possess sovereign power, but denied the extension of that sovereignty to Palestine: "We were in Palestine before you, and we are returning to our own country."

The meeting closed on a sterile "historical" discussion. Magnes determined to salvage something from the exchange of ideas. At their next meeting, arranged for the following week, he produced a draft proposal for a settlement.<sup>8</sup> This took as its basis the foundation of a Greater Syria, which would comprise what was then Syria, Lebanon, Palestine, and Transjordan. Greater Syria would have a central Parliament, but each of its provinces would be autonomous. In Palestine, now to be called "the Land of Israel," the Jewish people would have special national status. Its frontiers would be fixed by negotiation, while immigration would be determined not by political considerations but according to economic absorptive capacity.

Ben-Gurion was embarrassed by Magnes's initiative, which went beyond anything that had been discussed at their previous meetings and was in fact closer to the views of Antonius than to those of the Zionist leader, for Ben-Gurion had specifically demanded the inclusion of Transjordan within the borders of Palestine. Magnes said that Transjordan was neither included nor excluded, as the borders of Palestine remained to be determined.

Antonius himself envisaged "a Land of Israel [Eretz Yisrael] in which the majority would be Jewish, and a second part which would be called 'Palestine,' in which the majority would be Arab." Eretz Yisrael would stretch from Haifa to

<sup>8</sup> Minutes of third and last meeting, April 29, 1936, CZA S25/10.093.

Gaza and would include the Emek plain. Palestine would run from Hebron to Nablus.

This scheme was in fact the precursor, if not the inspiration, for the partition plan proposed the following year by the Peel Commission. The areas proposed for the Jewish state were approximately those where Jewish settlements then existed in the fertile coastal plain and in the Emek valley east of Haifa. The projected plan for an Arab Palestine took in the hilly areas from Hebron in the South to Nablus in the North, in which the Arab villages nestled. (Antonius did not mention Arab-populated Galilee in the north of Palestine, which was presumably to be incorporated within Syria.)

Those proposals made no provision for future Zionist development. Ben-Gurion himself, a late convert to partition a year later, never accepted the idea of a Jewish state in such a confined area, and now told Antonius "it is no use talking about such an idea. If we are talking about a Greater Syria which would include Palestine, there is no point talking about a part of Palestine."

No better progress was made on the question of immigration. Ben-Gurion refused to commit himself to any figures, perhaps believing that "economic absorptive capacity" was limitless for the immediate future. His portrayal of modern Zionism, eloquent as it was, made it clear that this formula was intended to justify mass immigration, rather than to serve as a scientific measure of what was economically possible. To Magnes's suggestion that they fix the number of Jewish immigrants arbitrarily at one million, he replied: "One million does not solve the Jewish question in the Diaspora, and does not give national satisfaction to Palestine. And why a million—why not half a million, or two million?" Only if the agreement answered the historic needs of the two peoples did Ben-Gurion think that it would be kept.

With hindsight, we can only admire the prophetic vision of Ben-Gurion, but he can have had few illusions about reaching an agreement with the Arabs on his terms. Was it possible to turn Palestine into a land with a Jewish majority, while at the same time "answering the historic needs" of the Arabs of Palestine?

Not surprisingly, the two men never met again. Neither the Zionist Archives nor Ben-Gurion's own account of his contacts with Arab leaders records any further personal contact between him and prominent Palestinian Arabs. Ben-Gurion was to spend much of the remaining time before the issue of the 1939 White Paper in London, where he attempted to put the Zionist case to the British Government. While certain Arabs did meet members of the Jewish Agency Executive in Palestine, further "negotiations" on specific proposals were conducted mainly via the mediation of intellectuals on each side who were not actively engaged in the political struggle.

By May 1936, there could no longer be any illusions that the Arab riots were brief and isolated incidents as they had proved to be on previous occasions. The widespread general strike which accompanied the disorders was proof of Arab determination to gain their demands. The Jewish Agency, while not waiving its

asserted rights for the long term, began to contemplate concessions to gain an interim agreement for a period of years as the price for ending the disorders and restoring the conditions necessary for mass immigration.

At the end of May, Dr. Joseph (legal adviser to the Jewish Agency) called on Musa Alami, a man in close touch with the Mufti and the Arab leadership in Palestine.<sup>9</sup>

Joseph proposed that negotiations should take place "on purely practical questions" without raising ultimate aims: "If the Jewish leaders insisted, before entering into negotiations, that the Arabs formally acknowledge the rights of the Jews under the Balfour Declaration, I could see little hope of the Arabs being persuaded to do so . . . similarly, if the Arab leaders insisted on Jewish agreement to the cessation of immigration as a pre-requisite of negotiations, there would be no point in going on, as the Jews would never agree to that." But he believed that

it might be possible to put forward a proposal whereby the Jews, in the light of Jewish immigration and land purchases in the past, would, as a matter of economic expediency and in order to give the country time in which there should be established permanent relations between Jews and Arabs, agree that during a specific number of years, perhaps five, to bring into the country a certain number of immigrants per annum, and not to purchase in all more than a certain number of *dunams* per annum, on condition that this arrangement should not prejudice in any way their rights under the Mandate and the Balfour Declaration.

Alami did not believe the Arab leaders could terminate the strike merely in return for negotiations with the Jews. They would be discredited by such an act. If he could persuade Jewish leaders to agree to negotiate on the basis of absolute limitation by numbers, Joseph asked whether this would not be sufficient justification for the Arab leaders to call off the strike and to enter negotiations. Alami was not sure, but in any case he doubted whether Jewish leaders would be prepared to negotiate on such a basis.

Following the failure of his efforts to get talks going between Ben-Gurion and Antonius, Magnes enlisted four other prominent Palestinian Jews, who were not members of the Jewish Agency Executive, in an attempt to formulate proposals accepted to the Arabs which might then be presented to the Jewish Agency Executive. These met with Musa Alami, in what became known as "the negotiations of the five."<sup>10</sup>

The two sides apparently reached agreement quite quickly and "the five" reported back to Shertok.<sup>11</sup> The agreed formula rested on the following premises:

<sup>9</sup> Musa Alami: formerly private secretary to the high commissioner, and later senior assistant to the attorney general, Palestine. He joined the Mufti when the latter fled from Palestine in 1937. He helped prepare the Arab case at the St. James's Conference in 1939, where he appeared as the personal representative of the Mufti. For minutes of meeting of May 28, 1936, CZA, S25/10.093.

<sup>10</sup> The five were Magnes and Smilansky, Novomayesky (founder of the Phosphates plant at the Dead Sea), Frumkin (a native of Jerusalem, the only Jewish High Court Judge during the period of the Mandate), and Rutenberg (who received the British concession for all the electric works in Palestine).

<sup>11</sup> Shertok report to Jewish Agency Executive, June 2, 1936, *Political Diary*, pp. 142-147.

negotiations between the two sides were desirable and should begin immediately; they should be between the Jews and the Arabs only—British agreement should only be sought once the two sides had themselves reached agreement; all agreed that it was desirable to end the strike in order that negotiations could be conducted in a suitable atmosphere—if the British would put it down by force, that would make matters difficult for the Arab leaders and perhaps rule out any possibility of negotiations; therefore—and this was the key clause—it would be desirable for the Jews to make a concession on the main Arab demand and forego taking up those immigration certificates they had already received for the period during which the negotiations took place.

Draft terms for the opening of negotiations were also agreed. First, the level of Jewish immigration over the next ten years should be fixed at 30,000 per annum; after ten years, this number, together with the Jews' own natural increase, was calculated to bring the Jewish population from the current 400,000 to 800,000, whereas the Arab population would rise during the same period by natural increase, from 900,000 to 1,200,000. Thus, the Jewish community would be kept to 40 percent of the total, or two-thirds of the Arab population. Second, the Jews would agree to limit their land purchases and cooperate with the Arabs in the government's plan for a Legislative Council; Ministers of one race would in all cases choose a deputy of the other.

On receiving a report from Magnes, Shertok told him that he had made a grave mistake in discussing detailed terms and in agreeing to suspend immigration. But the Jewish Agency faced crisis conditions—with the British forces seemingly helpless to quell the Arab riots or even to defend Zionist rural settlements, leaving the latter to fend for themselves—and it came round to the idea of an interim agreement to end the current disorders, on condition that any curb on immigration did not bring the figure for immigration below that reached in the peak year 1935.

At a further meeting, this time with all five in the Jewish negotiating team,<sup>12</sup> Shertok, having consulted his colleagues on the Agency Executive, elaborated the terms on which they would be willing to negotiate:

If there were a chance of a real agreement, which would mean ending the political warfare, peace with the neighboring countries, ending the poisoning of relations and heinous propaganda and life without disturbances, then I would be ready for negotiations . . . an agreement for five years rather than ten. . . . It is obvious that we would not consider an immigration of 30,000 when we already have double that. I would keep this figure, 60,000, though I would be prepared to come down to 50,000 during the coming five years . . . even without any connection with an agreement, we cannot take on an immigration of more than 40,000 per annum—one year's immigration of 60,000 does not mean an absorption of 60,000, and it is important that such an immigration should come in peace and secure conditions.

Jewish Agency motives speak for themselves. The juggling with figures combines a keen bargaining sense with a blithe indifference to the realms of possibility which have marked the Zionist movement since its inception. Apart from the essential advantages to the Jews of an agreement, there were, as always, tactical considera-

<sup>12</sup> Minutes of meeting of June 1, 1936, in *ibid.*

tions which were wont to take precedence. Details of the negotiations between Magnes and Alami became known to the Arab leaders and to the High Commissioner. The Agency Executive feared that any rumor of their willingness to make concessions would both strengthen the Arabs' resolve to continue their rebellion and weaken the government's resolve to use force against the rebels.

Nevertheless, the rebellion in Palestine was acting as a catalyst to rapprochement. Rutenberg was concerned lest the events in Palestine lead to an alliance of the entire Near East against the Europeans in that area, among whom the Jews would be included.<sup>13</sup> He emphasized the urgent need of an agreement, even if it meant a temporary suspension of immigration. From London, Ben-Gurion placed his veto on any such idea, or on any limitation below the 1935 level. He assessed the relative feasibility of a long-term agreement on fundamental issues and an interim agreement of convenience to end the strike and the disorders:

It might be that the whole matter of an agreement is not within the realms of possibility. Not only because of the bitterness and the enmity engendered during the riots, but due to the basic political contradictions between us and the Arabs . . . an agreement with the Arabs is needed by us not in order to get peace in the country . . . peace for us is a means and not an end. The goal is realisation of Zionism . . . only for that do we need an agreement.<sup>14</sup>

Ben-Gurion thought a comprehensive settlement would come only when the Arabs became convinced they could not prevent Jewish immigration and development but that time had not yet arrived. Meanwhile, he believed a temporary agreement might be reached. He thought the Arabs themselves might possibly be interested in coming to an agreement with the Jews, believing that Jewish influence in the world was too powerful to overcome. He pointed out that "the legend of Jewish domination . . . is for them a fact," and it was unimportant whether their belief was ridiculous from the factual point of view, because it was still likely to serve as "a motive and lever towards an agreement."

More important, however, was the possibility that the current crisis would lead to a reexamination by Britain of her priorities in the Middle East:

The decisive external factor for us is England . . . this England has certain characteristics which we have to take into account, and this England has certain interests which we cannot ignore . . . England is basically not contented with what we are doing, as we would like her to be . . . she wants not only the friendship of the Jewish people, but also the friendship of the Moslem and Arab world. She wants that both should be dependent upon her and not the opposite. The difficulties which are not capable of deterring us are easily able to frighten her . . . if we are able to disperse the growing difficulty of the Arab opposition we would strengthen our political position vis-à-vis England immeasurably.

Finally, Ben-Gurion saw that the Zionists would have to develop an advanced, industrialised economy in Palestine in order to absorb the large numbers of immigrants expected. Such an economy would need Arab markets, and these would be available only in conditions of peace. Whereas the backward, agrarian

<sup>13</sup> See text of Rutenberg telegram to Ben-Gurion of June 5, 1936, in Ben-Gurion, Jewish Agency Executive of June 9, 1936, W.A.

<sup>14</sup> *Ibid.*

economies of the Arabs could continue without the Jewish market, the Zionists needed the markets of Syria, Egypt, and so on. Thus, normal relations with the Arab countries surrounding Palestine were not merely a moral and political need, but also an economic necessity. Nevertheless, there was a limit to the "concessions" contemplated by Ben-Gurion—"we have no right at all to undertake now to remain a minority of only 40% after ten years." He readily conceded that immigration figures might not even reach that proportion, but he was on no account ready to guarantee that this would not be the case. He therefore supported the Executive's condition that any agreement would have to be based on at least the 1935 figures.

On June 16, Shertok informed Novomayesky that the majority of the Agency Executive had decided that any limit to immigration would have to be in terms of the 1935 figures, and that the Political Department of the Agency would be the sole body authorized to negotiate. Novomayesky was apparently supposed to convey this offer to Musa Alami. A week passed without reply, and Shertok himself took the initiative, telephoned Alami, and arranged a meeting.<sup>15</sup>

In regard to the prospect of negotiations between Alami's friends and the Jewish Agency, Alami said that he himself had begun to give up hope. His suspicion that the Jews were relying on British strength to force a solution had been strengthened by the discontinuance of the approaches that had been made by the five. These negotiations had apparently faltered when the Agency's counterproposal on immigration had been conveyed. Alami confessed that "with all the respect and admiration he felt for Ben-Gurion he could not help concluding that he was intransigent. He always had the impression that the latter, while most sincerely anxious to come to an agreement with the Arabs, wanted them in actual fact to accept the 100 per cent of his full Zionist program."

But, Alami did realize that he would have to work out any formula with the Agency Executive. He admitted that he had been surprised when Judge Frumkin had said that he could obtain credentials from the Agency when necessary. As for Dr. Magnes, he not only respected him deeply, but had "real affection" for him. He did not think that even among his closest Arab friends could he find a man who was so much after his own heart. Yet he knew very well that Dr. Magnes was not a representative and that any agreement with him "was of no practical value since he would not be able to get the Jews to endorse his point of view."

Three days later, Shertok, this time accompanied by Dr. Joseph, again met Alami.<sup>16</sup> Their discussion on tactics before the meeting provides an insight into the genuineness of their desire for agreement in 1936.

There had been strong opposition within the Agency Executive to any negotiation on fixed dimensions of immigration. Shertock now suggested that they should explain to Alami how difficult it was to specify any total figure, as there were categories of immigrants (capitalists) not subject to Zionist control. He proposed,

<sup>15</sup> Minutes of meeting of June 21, 1936, CZA S25/3435.

<sup>16</sup> For following, see minutes of meeting of June 24, CZA S25/10.093.

therefore, that they first discuss questions of land and constitution, leaving immigration for the time being. Dr. Joseph was in favor of delaying tactics. Instead of discussing issues of principle, they should first tackle the question of procedure. He thought they should take the line that it was not fair of Alami to expect them to put forward concrete proposals until they knew whether Arab leaders would agree to meet them, or until Alami had clarified his own status and specified whether he would be able to obtain support from Arab leaders for his own views and efforts. This approach was agreed upon.

At the meeting, Shertok opened the conversation by inquiring whether Alami was satisfied that he would be able to obtain support from the recognized leaders of the Arabs for any proposal that he himself might consider reasonable as the basis for a settlement. He mentioned the disunity among Arab leaders and emphasized that a sufficient number of them must be ready to take part in negotiations.

Alami replied that it was remarkable how the Jews and the Arabs agreed in mistrusting each other, but added that if an acceptable program of cooperation were put forward, the responsible leaders would accept it, despite their differences. He had not been in touch with Arab leaders, however, and had not told them that he was having discussions. He had thought it wiser to wait until he had a definite proposal which he considered acceptable. He considered himself to be more moderate than the others, so it would be a fair test to see whether any terms were first acceptable to him because, if they were not, they would certainly not be to the Arab leaders.

Shertok reemphasized that it was important for Alami to obtain some authority to act as a plenipotentiary; "much as we might like to talk to him in a friendly spirit, we could not now afford the time to hold conversations with someone who might turn out to be the equivalent among the Arabs of Dr. Magnes among the Jews—a very charming person eager to see Arab-Jewish differences settled but representing no one." Though Alami was supposed to have the confidence of the Mufti and of Jamal Husseini (head of the dominant Palestine Arab Party), would that be sufficient? He had to arm himself with authority from the Arab leaders.

Alami agreed to speak with certain Arab leaders, but he concluded, it was important to convince them that the Jews were ready to make some sacrifice for the sake of peace, because "they all felt the Jews were intransigent like Ben-Gurion."

Thus the meeting ended without any mention of the real issues. It was agreed that Alami would let the Zionists know within a few days what progress he had made. One can only guess the nature of Alami's reception by the Arab leaders, for he never replied to the Zionists.

Further contacts during the summer of 1936 were ruled out by the crisis proportions the rebellion had reached and by Jewish Agency knowledge of the unofficial consideration then being given by London to appeals by the Arab states that immigration be suspended. The Zionists devoted all their efforts to averting a surrender to violence, while the Arabs became increasingly confident that the British would suspend immigration once the correct formula was found.

In any event, the Zionists sabotaged these unofficial Arab-British negotiations by giving them premature publicity and the British, believing that the Arabs had violated the spirit of their negotiations, decided in September to despatch an extra army division to Palestine and to declare martial law.<sup>17</sup>

The Arabs were persuaded to call off the rebellion of their own accord, and the winter of 1936–37 was taken up with the visit of a Royal Commission to Palestine, which was charged with investigating the root causes of the summer's disturbances. The Commission judged the rebellion to have been caused by an irreconcilable conflict of opposing nationalisms, and recommended the partition of Palestine into two separate states, with the British presence maintained in strategic areas under Mandated enclaves.<sup>18</sup> This "Solomon's Judgment" was reluctantly accepted by the Zionist movement, but vigorously rejected by the Arab leadership in Palestine.

Consequently, when further negotiations were initiated in 1937—this time by two of Magnes's contacts in London—the Zionists suspected, with good reason, that Arab interest in an agreement was purely tactical, and was intended to avert the greater disaster of partition.

The first indication of Arab willingness to come to terms with the Zionists came from a prominent English Jew, Norman Bentwich.<sup>19</sup> In July, 1937, Bentwich discussed the Palestine issue with Jamal Husseini in London.<sup>20</sup> The latter laid down four principles as guidelines to an agreement: (1) both Jews and Arabs were in Palestine as of right; (2) both communities were opposed to partition of their common home; (3) the Arabs recognized the moral right of Jews to immigrate to Palestine from other countries, it being understood that Jewish immigration would, for a period of years, until the relations of the two communities had been adjusted, be limited by some relation to the existing population and the *difference between the natural increase in Arab and Jewish populations . . .* (my emphasis).<sup>21</sup>

Lastly, the British Mandate should come to an end after a few years if, in the opinion of the League of Nations Council, the peoples of Palestine showed their fitness to govern themselves. In the intervening period there should be an autonomous government of Jews and Arabs, possibly on a cantonal basis. Bentwich advised Jamal that the proposal to limit immigration to the difference in the natural increase would be unacceptable, and Jamal offered to set a definite time limit on this condition.

If the Jews had refused to consider an immigration of 30,000 annually in 1936, at the height of the riots, they were hardly likely to take seriously Jamal's proposals now, at a time when they still fully expected to obtain their own sovereign state

<sup>17</sup> M. J. Cohen, "Politics and Policies in Palestine," unpublished Ph.D. diss. (London, 1971), Chapter 2.

<sup>18</sup> Peel Commission Report, Foreign Office Papers, Cmd. 5479, of July 7, 1937.

<sup>19</sup> Norman Bentwich (1883–1971), attorney-general to Palestine government, 1920–1931, and professor of international relations at the Hebrew University, Jerusalem, 1932–1951.

<sup>20</sup> Report in Bentwich-Lourie, July 22, 1937, CZA S25/2960.

<sup>21</sup> Ibid.

within a very short period. The very disparity between the proposals of 1936 and 1937 suggested to them that the Arabs were not sincere in their approaches. Nevertheless, Jamal Husseini, a member of the Arab Higher Committee, was the first active Arab politician with influence to voice willingness to come to terms with the Jews. His views were obviously close to those of the Mufti who, not long before, in his evidence to the Royal Commission, had insisted on the complete cessation of immigration.<sup>22</sup>

In Palestine, the representative of a leading London newspaper suggested to the Jewish Agency that Shertok should meet Moghannam, a lawyer, and a leader of the Defence Party in opposition to the Mufti. Moghannam had expressed willingness, but the Agency had its doubts:

It was possible that the desire to meet us in conversations now was not genuinely intended with a view to seeking to reach an understanding, but merely as a tactical move on the part of the Arabs to hold up any decision of the Permanent Mandates Commission. . . . If they could say to the P.M.C. that negotiations were pending between Jews and Arabs with a view to reaching an amicable settlement, they could very well ask the P.M.C. to take no decision in the matter of making any recommendation on the Royal Commission's Report at present.<sup>23</sup>

A further approach was made, apparently in the name of the Mufti and the Supreme Moslem Council, by Rashid Haj Ibrahim, a prominent Arab politician, this time to Kalvarisky, a former head of the Agency's Arab Affairs Department.<sup>24</sup>

The first meeting between the two took place on July 23, 1937, at the Citadel Hotel in the Old City of Jerusalem. Rashid opened the conversation: "We have despaired of the English . . . each new solution they propose is worse than the previous. The time has come when we should take matters into hand, sit down at one table and try to find together a way out of this impasse." He went on to propose, apparently in the name of the Mufti, that each side choose seven men as a negotiating team, two in each team to be chosen by the other side. Kalvarisky promised to put the idea to responsible Zionist bodies.

Following communication with London, Shertok informed Kalvarisky on July 26 that the Agency Executive agreed to the proposal, but only on certain conditions: The Executive would only meet with an authorized Arab delegation; before making its final decision to enter negotiations, the Executive would have to know the composition of the Arab delegation, and which parties the delegates represented; the Executive reserved to itself the sole right to choose its own delegates, and would not accept suggestions from outside; in the event that a meeting was agreed upon, the two sides could meet in Switzerland, where the Zionist Congress was being held, or in Palestine, immediately after the Congress delegates returned.

Kalvarisky conveyed the message to Rashid Ibrahim at Haifa, but the latter's

<sup>22</sup> Minutes of Mufti's evidence to Peel Commission, January 12, 1937. CZA S25/4590.

<sup>23</sup> Memorandum by Dr. B. Joseph, July 25, 1937. CZA S25/3052.

<sup>24</sup> Memorandum of July, 1937, CZA A113/14. Kalvarisky had evidently left the Jewish Agency Executive owing to a difference in approach on the Arab question. In October, 1939, he was to found the League for Affinity and Jewish-Arab cooperation.

reply from the Arab side was delayed, owing to his own protracted illness, Kalvarisky now reported back to the Agency.

Dr. Joseph, whose opinion of the current Arab initiatives has already been noted, strongly condemned Kalvarisky for approaching the Arabs, maintaining that their proposals were merely a ruse to gain time: "we must not enter negotiations with them at this time . . . I think this is all a bluff." Joseph asked him to break off all talks for two or three weeks. Though Kalvarisky thought it strange that Joseph should react so differently from Shertok (for whom he was acting as deputy) he broke off his talks.

Joseph later explained<sup>25</sup> that before the departure of Shertok for the Zionist Congress at Geneva, they had both agreed that "the whole affair was no more than a political ploy on the part of the Arabs directed at the pending meeting of the Permanent Mandates Commission." He added that the Agency had also received information from the Arab camp confirming that their apparent readiness to meet the Jews was in fact nothing but a maneuver to deceive the British and the Jews.

In September, 1937, the Mandates Commission approved the concept of partition in principle. Antony Eden, the British Foreign Secretary, announced his government's intention to implement partition, once a new technical commission had visited Palestine to work out the details.

In November, 1937, while the British Cabinet was still debating the terms of reference for the commission, a new formula for an agreement between the Jews and the Arabs was sent simultaneously to the Zionists and to the Colonial Office in London. Its sponsors, after whom it was named, were Albert Hyamson, and Colonel S. Newcombe.<sup>26</sup>

The new scheme, which was sent to Weizmann on November 4, 1937, took its inspiration from the negotiations conducted by Magnes and his associates in 1936, and was itself the result of further unofficial meetings during the summer of 1937. It provided for the creation of a sovereign state in Palestine after a certain period, in which the Jewish community would have its civil and religious rights guaranteed. The immigration question was dealt with by a formula which stated that the Jewish population would not exceed 50 percent of the total population, for the duration of the agreement.<sup>27</sup>

In Weizmann's absence, Lourie replied to Hyamson that there was only a remote chance of the Zionists accepting permanent minority status. But, before he

<sup>25</sup> Joseph's speech to Mapai Central Committee, September 18, 1937, CZA S25/10.475.

<sup>26</sup> Albert Hyamson was Jewish head of Palestine Immigration Department, 1920-1925. Col. S. F. Newcombe served in the Egyptian Army from 1901 to 1911, and during World War II he was involved in Arab Revolt in the Hijaz. Later he was one of the founders of the Palestine Information Bureau in London, an accredited representative of the Arab Higher Committee.

<sup>27</sup> For the following, see Ben-Gurion, Speech to the Jewish Agency Executive, W.A., pp. 152-159. The Hyamson-Newcombe scheme, and the negotiations surrounding it, are dealt with briefly in, Esco Foundation for Palestine, *Palestine: A Study of Jewish, Arab, and British Policies* (New Haven: Yale University Press, 1947), 2 vols., and more thoroughly in

forwarded the proposals, he asked for the names of those Arabs willing to discuss them. The answer to this question came in a letter from Hyamson of 8 November, to Neville Laski.<sup>28</sup>

The agreement was to be for a limited period, during which there was in any case no chance that Jewish immigration would equal the Arab population of Palestine and Transjordan; therefore Lourie's reference to permanent minority status was of no actual relevance. As to persons, Hyamson had in mind the members of the now disbanded Arab Higher Committee, including the Mufti himself.

Lourie now forwarded the scheme to Palestine, where it was subjected to a critical analysis by the legal mind of Dr. Joseph.<sup>29</sup> In his view the underlying conception was clearly that of "an Arab state containing a Jewish entity permanently fixed at minority level." The Palestinian state that was to be established within the period of the agreement, with its Arab majority, would undoubtedly ensure the permanency of the Jewish minority, even after the term of the said agreement had expired.

Magnes was conducting parallel talks in Palestine with prominent Arabs while on a liaison mission with Hyamson. He welcomed the Hyamson-Newcombe scheme, which meant that Jewish immigration might continue until the Jews became 49 percent of the population.

The Agency Executive in Jerusalem was divided on the question of allowing Magnes to continue with further exploratory talks along these lines. The division coincided with those for and against partition. Ussishkin, who opposed any partition of the Jews' ancient homeland, was in favor of the negotiations. He argued that the Arab population of Palestine and Transjordan, then 1,200,000, would become 1,600,000 by natural increase over the next ten years. For the Jews to reach 40 percent of this figure would mean an annual immigration of some 40,000.

Ben-Gurion was suspicious of the origins of the plan. He feared the whole matter was "an Anglo-Jewish conspiracy to sabotage partition." He wanted to know, first, who the negotiators were, second, he agreed with Joseph that the formula concealed the intention to form an Arab state in which there would be a Jewish minority. While provision was explicitly made for a Jewish national home, but not for a Jewish state, there was no provision ruling out an Arab state. Above all, he suspected the motives of those promoting the plan: "the whole affair is merely an effort to sabotage the British proposal of partition . . . after the plan for the Jewish State fails, I am sure that the same Arabs who put to us these proposals—if it is indeed true that Hyamson speaks to us in the name of Arabs—will speak in another fashion completely."

In London, Colonel Newcombe presented his plan to the head of the Middle

Herbert Parzen, "A Chapter in Arab-Jewish Relations during the Mandate Era," *Jewish Social Studies*, 29 (Oct., 1967), 203-233, which treats the subject from Magnes's viewpoint. The various drafts of the Hyamson-Newcombe scheme can be found in Esco, pp. 882-884.

<sup>28</sup> President of the Board of Deputies of British Jews.

<sup>29</sup> Joseph to Lourie, November 26, 1937, CZA 525/2960.

Eastern Department of the Colonial Office.<sup>30</sup> Parkinson also formed the impression that Newcombe's object was specifically to avoid partition, and, to that end, he was trying to rally what he called the "moderate" Arabs and Jews to preserve an undivided Palestine in which both would live "without fear of Jewish domination." Newcombe claimed to have already secured the consent of the Arab Higher Committee, provided all question of "Jewish sovereignty" were put aside. This would mean limiting Jewish numbers to a certain proportion of the Arab population in Palestine. Newcombe made no secret of the fact that he based his hopes for the scheme on its acceptance by non-Zionist Jews.

Colonial Office minutes confirm Zionist suspicions of the motives of those proposing the scheme. They also demonstrate that the British Government appreciated, even if Hyamson and Newcombe did not, that no agreement could be reached on Palestine without the active backing of the Zionist movement and the Jewish Agency. Newcombe was not aware perhaps that his visit to the Colonial Office came at a most inopportune moment, at the very time when Colonial Office officials were engaged in defending the partition plan against a Foreign Office campaign to kill it. Colonial Office sponsorship could not be expected therefore, unless an agreement was actually signed between Jews and Arabs.

By mid-December, 1937, the Jewish Agency had been informed of the Foreign Office attack, which had reached Cabinet level. It was appreciated that Arab opposition to partition during the summer and autumn of 1937 was responsible for the Foreign Office change of heart. The Zionist Congress of August, 1937, had authorized the Jewish Agency Executive to work for an amelioration of the Peel partition plan, but any further hesitation or faltering in Zionist enthusiasm for partition would obviously strengthen the case of the opponents of partition in the British Cabinet and in Parliament. The Agency therefore saw it as their duty not only to discourage the Hyamson-Newcombe initiative, but also to publicly discount all rumors of Arab-Jewish negotiations.

Ben-Gurion therefore called a special press-conference at Jerusalem,<sup>31</sup> at which, in effect, he ended all hopes of direct Arab-Jewish negotiations by placing a firm veto on Jewish acceptance of minority status. "We never placed any pre-conditions on negotiations and we are ready to hear any proposal that has a chance of agreement based on the comprehension of the interests of both peoples . . . but any arrangement or proposal which is founded on the numerical limitation of Jewish growth in Palestine will be unable to serve as a basis for negotiations in which Jews will take part." Ben-Gurion commented on the wide publicity given the current initiative in the Arab press, and in his opinion, the reason for this was "to spread confusion among the Jews, Arabs, and English and to delay the implementation of the plan to found a Jewish state in Palestine according to the White Paper of July 1937." Ben-Gurion disabused those who thought they would obtain

<sup>30</sup> See Newcombe's interview with Sir Cosmo Parkinson on November 12, 1937, C.O. 733/333, 75156/33, Public Records Office.

<sup>31</sup> Minutes of Press Conference of December 21, 1937, CZA S25/2960.

support from those Zionists who opposed partition, asserting that they were not so much against a Jewish state, but against a small fragmental state. Rumors that the Zionists would accept minority status, he asserted, could only harm the cause of Arab-Jewish agreement in that they gave the Arab public the false impression that there were prospects for an agreement when there were in fact none.

So forthright a statement undoubtedly demonstrated, as it was intended to do, the dedication of the Zionist leadership to partition. In Palestine it brought home to the Arabs the fact that the Hyamson-Newcombe formula was a non-starter. According to Magnes, the Arab leadership at Beirut was so incensed at what they referred to as an "ultimatum," that they withdrew their agreement to the original Hyamson-Newcombe draft as a basis for discussion.<sup>32</sup>

Palestinian politics became characterized by negotiations conducted through intermediaries, ostensibly on behalf of their respective Arab or Jewish leaders. Many schemes were thus aired, few of which ever went beyond the stage of rough drafts. The scheme most seriously considered, and amended by Arab and Jewish leaders, the "Hyamson-Newcombe" plan, itself floundered on the question of sovereignty. The significance of this plan, and of the negotiations surrounding it, lay not only in the extent to which it revealed the attitudes of both sides, but also in the degree to which it served as a basis for later British policy.

At a meeting of the Jewish Agency Executive, in January, 1938, Shertok analyzed the two men's initiative.<sup>33</sup>

There were two elements: the element of known sincerity, and the tactical—the latter was prevalent and decisive. They said to themselves . . . we have to create the impression that an Arab-Jewish agreement is possible, for the basis of the Royal Commission proposal to partition the country was the supposition that a political peace between Arabs and Jews is impossible. If we can shake that basic supposition, then we will also be able to cast doubts on the conclusions and the solution by way of partition will become unnecessary.

The scheme had three "missing links": on what date would the State be created; for how many years would the agreement be made; and what proportion of the population would be allotted to the Jewish community (the optimists had thought that 40 percent might be possible)?

As Shertok pointed out, it was possibly intended that the State should be erected before the end of the period of the agreement. If that were the case, then even if the Jewish community reached 49 percent of the total population, there could be no guarantee for the future. The factor that would determine immigration would be the Palestine state, which would arise when the Jews were still in a minority. That paragraph, which provided that the interests of the various communities would remain under the aegis of England after the foundation of the state, was evidently proposed to assuage Zionist fears. There was no guarantee that an Arab state would not arise, but it was emphasized that there would not be a Jewish state.

It was impossible to give a negative answer to such a proposal—to the offer of

<sup>32</sup> See Parzen, "Arab-Jewish Relations," p. 219.

<sup>33</sup> Shertok to Jewish Agency Executive, January 11, 1938, CZA S25/1831.

negotiations, the possibility of uniting Palestine with Transjordan and the possibility, as it were, of immigration up to 49 percent. But a number of questions for clarification had been asked. Was the proposal made by Arabs, and if so, who were they? Were they willing to guarantee that Palestine would not be an Arab state? Was the clause dealing with the maximum number of Jews intended for the duration of the agreement only, or forever?

They had received answers, but according to the speed with which they had arrived, and according to their content, it was clear they were the answers of the mediators and not of the Arabs. The answer was that the intention was to set up a binational state, though there was no specific guarantee against the rise of an Arab state. The limitation on immigration was supposed to be for the duration of the agreement only. It was added that London "had been informed" that the Arab Higher Committee would agree to these terms.

The mediators were told by the Agency that it was of no use to continue the negotiations, because it had no confidence that the answers were given in the name of, or obligated, the Arabs. The Jewish Agency remained ready however to meet any Arabs if they were of suitable status.

Zionist suspicions had been confirmed by the views of Musa Husseini, who was a man of radical views, a relative of the Mufti, who had met with Bakstansky, secretary of the English Zionist Federation.<sup>34</sup> Husseini was apparently aware of the original proposals and the correspondence consequent to them. He had been one of the "pipelines" between the London group and the Palestine exiles in Syria. According to him, the Arabs had agreed that the London group should put their proposals to the Zionists, while not committing themselves for the time being. Musa claimed there never had been any chance that the Arabs would agree to the phrase "less than 50 percent of the population," or to any negotiation intended to propose a figure of 35 percent and demand that Palestine become part of an Arab alliance. Husseini himself had been given the impression by the London group that the Jewish Agency executive had accepted the latter proposal, and that they would be ready to negotiate on this basis.

In January, 1938, the initiative passed from London to Jerusalem, where the negative responses of Arab and Zionist leaders evidently failed to dampen the enthusiasm of Magnes.

On January 11, Shertok met with Magnes,<sup>35</sup> who reported his own contacts with the Arab political center at Beirut, and with certain Jerusalem Arabs who were in touch with Beirut. The last of these meetings had taken place after some delay, as the Arabs had wanted to await the publication of the new White Paper.<sup>36</sup>

It had become clear to Magnes that the information he had heard previously from

<sup>34</sup> Meeting of December 14, 1937, CZA S25/1831.

<sup>35</sup> Report in Shertok-Brodetsky, January 28, 1938, CZA S25/891.

<sup>36</sup> The British White Paper, published on January 5, 1938, announced the terms of reference and the members of the new Partition Commission. The Paper laid great stress on the length of time which must elapse before a final decision could be taken, and was generally thought to reflect British hesitancy and "second thoughts" about Partition.

Hyamson had been inaccurate. Colonel Newcombe had apparently gone beyond the authority he had received from the Arabs and had inserted points to which the Arabs now claimed they had never agreed.

The latest amendments now introduced by Beirut compromised the original scheme fundamentally by removing those positive elements that evidenced an important advance in the Arab attitude: recognition of the Jewish National Home was now deleted; consent to the extension of Jewish immigration into and settlement in Transjordan was deleted; and the clause allowing Jewish immigration up to a figure something below 50 percent of the population was replaced by one stating that "the maximum of the Jewish population of Palestine shall be the present Jewish population." Finally, the clause providing that the agreement would last for a specific number of years, and would thereafter be renewable, had been scrapped completely.

Magnes admitted that his attempt to arrive at a compromise figure for immigration, which would be between the figure of 50 percent and the 30 percent that the Jewish population already constituted, had met with a negative response. Magnes himself had told the Arabs that he saw no prospect of agreement on such a basis. The Arabs still remained adamant when Magnes conveyed to them Shertok's negative response of January 11.

Nevertheless, Magnes tried to persuade the Jewish Agency to meet the Arabs on the basis of the Hyamson-Newcombe scheme. Shertok expressed surprise at Magnes's persistence in view of the fact that the Arabs had made it abundantly clear that they did not contemplate agreement save on a basis providing for a virtual stoppage of Jewish immigration.

Added to this were the tactical considerations: "Even if we fenced up our expression of willingness to meet them with all kinds of provisos and reservations, the Arabs would be able to make it public or tell the British Government that the Jewish Agency had agreed to meet them after they had stated their terms to be the crystallization of the Jewish National Home at its present size. . . ." Shertok did not see why the Jewish Agency should adopt the "fatherless child" because the Hyamson-Newcombe proposals had been rejected once by the Arabs:

That document could be of interest to us only in the event of its indicating the degree to which Arab leaders had progressed in their readiness to discuss peace with us. The moment it became clear that it had no Arab support behind it, the document ceased to have any value for us from the political standpoint. The mere fact that two private gentlemen in London, of whom one was a Jew and the other an Englishman, and a certain Jewish gentleman in Jerusalem, however much respected, had embodied their ideas on Arab-Jewish understanding in a written document, was not a sufficient reason for the Jewish Agency to take any notice of it.<sup>37</sup>

The whole affair had meanwhile been complicated by the intervention of two important non-Palestinian Arabs, of international stature, General Nuri Said, and Dr. Shahbandar of Syria. Both men had come on the stage of Arab nationalism in the days of the Ottomans, when Arab aspirations were confined to autonomy within

<sup>37</sup> Shertok-Brodetsky, January 28, 1938, CZA S25/891.

the Ottoman Empire. Nuri Said, former Foreign Minister of Iraq, was for the moment out of office. Shahbandar was in exile because he opposed the Syrian politicians' collaboration with the French. Neither of them had power and neither was a minister. Both aspired to a career under an Arab confederation. This gave them a broader and perhaps a more constructive attitude toward the Jews than the Arab leadership in Palestine. But neither was prepared to give up Palestine as an Arab country within an Arab federation. They both saw the benefits to be gained from an alliance with the Jews and were willing to talk about expanding the framework of Jewish immigration and settlement as well as the opening of Arab countries outside Palestine to Jewish immigration. But they made these proposals by way of compensation, in return for which the Jews would have to forego their aspirations to become a majority in Palestine itself.

Their plan envisaged the formation of an Arab government in all Palestine with the guarantee of minority rights to Jews, and the opening of all neighboring countries to limited Jewish immigration. Their proposals diverged at one point, however, because Shahbandar wanted the foundation of a greater Syria, that is, mandated Syria together with Transjordan and Palestine. Nuri's Pan-Arab dreams centered, as always, on Iraqi leadership.

Shahbandar negotiated with the Mandatory powers in London and Paris in December, 1937, while Nuri talked with the French High Commissioner in Syria, and met with the Palestinian refugees there. In January, 1938, Nuri consulted with Foreign Office officials in London.<sup>38</sup>

Prior to his departure for London Nuri met with four members of the former Arab Higher Committee, including Jamal Husseini, warning them that if his and Shahbandar's initiative failed, the British Government intended to impose partition with a strong hand.<sup>39</sup> He claimed that the British Government, while not hopeful that their initiative would meet with much success, was willing to let them try. Nuri advocated that the Mufti stop the terror, let Shahbandar and himself speak in their name in London, and appear on their behalf before the Woodhead Commission. Thus, "they would prove to all that it was possible to rely on an Arab government." Nuri claimed to have already obtained the agreement of the Iraqi and the Syrian governments to a limited Jewish immigration, and he hoped to meet with and influence the Woodhead Commission before it left London.

But the Mufti refused to end the terror before reaching an agreement in principle on the Arab demands with the British Government. He likewise refused to appear in front of the Woodhead Commission before it declared that partition was not part of its policy and before the Palestinian exiles were allowed to return to Palestine. The Mufti concluded: "The terror of 1936 buried the Mandate and it was to be hoped that the terror of 1937 would bury the partition plan."

<sup>38</sup> For further details of Nuri Said's activities at this juncture, see Parzen, "Arab-Jewish Relations," and F.R.U.S. for 1938, Vol. II (Washington, 1955), pp. 903-925.

<sup>39</sup> For this and following, see E. Sasson (Arab affairs department of the Jewish Agency); Shertok, December 19, 1937, CZA S25/2966.

But other, external factors interfered with the initiative of the two Arab leaders. Dr. Shahbandar's position as a political exile in Cairo became precarious following a change of Egyptian government. And Nuri Said, on a visit to London in January, 1938, was made aware by senior government officials that Arab fears concerning the possible partition of Palestine were exaggerated.

Nuri reported back to the Mufti on his return from London.<sup>40</sup> It became evident from his report that the British government was at the very least fluctuating in its determination to implement partition. If this was the case, the *raison d'être* behind Arab willingness to meet with the Jews at the end of 1937 would have disappeared.

Nuri told the Mufti that "hope for the abandonment of partition is not yet lost." He based this opinion on the assertion of the Undersecretary of State at the Foreign Office.<sup>41</sup> Cranborne had explained to him:

His Majesty's Government had adopted partition for the reason that, after careful study, no better policy had presented itself. They fully realised however, that it was not a perfect solution and that its practicability still needed to be investigated . . . if, however, the Commission . . . were to decide that partition was not practicable, then of course, His Majesty's Government might find themselves obliged to start afresh on some other lines.

Nuri concluded from his visit that London was "prepared to strike a friendship with the Arabs and that the international situation had greatly weakened the forces on which the Jews counted so much."<sup>42</sup> In reply to the Mufti's question whether the British reckoned with the Arab factor in Palestine, Nuri answered: "They reckon too much with it, for if it were not so they would never have hesitated in executing the partition scheme; nor would they appeal to us to assist them in stabilising the situation in the Near East; nor would they instruct their representatives in the Arab States to explain to their governments how difficult was Britain's position in view of the double obligation."

Thus, quite apart from the gulf which remained between the bargaining positions of the Jews and the Arabs, two events had transformed the political scene to the Arabs' advantage.

First, the White Paper of January, 1938, announced the terms of reference of the new Commission for Palestine, and emphasized that the implementation of partition would be a long, drawn-out process and that partition would not be imposed by force, that is, against the objections of either party. This announcement was in direct contrast to the White Paper of July, 1937, which endorsed the findings of the Peel Commission. Then, the government had made it clear—in the aftermath of the Arab riots of the previous year—that the noncooperation of either community would not deter the British government from its policy, which would be implemented by force, if necessary.

<sup>40</sup> Secret report of Nuri Said-Mufti meeting of February 4, 1938, CZA Z4/17.312.

<sup>41</sup> For the following, see Nuri Said-Cranborne interview of January 21, 1938, Foreign Office 800/296, Public Records Office.

<sup>42</sup> Minutes of Nuri Said-Mufti interview, February 4, 1938, CZA Z4/17.312.

Second, while the Arabs were possibly unaware of the Foreign Office attack on partition at cabinet level, during the winter of 1937–38, the Undersecretary of State of that department had seen to it that the Arabs became conversant with Foreign Office views.

All real chance of successful negotiations—if there ever had been any—was compromised finally in January, 1938, when it became apparent to the Zionists that Hyamson and Newcombe had offered more in their own proposals than either side had been willing to contemplate.

Magnes now attempted to bypass the propartitionists on the Agency Executive. On February 9, 1938, he approached Ussishkin, whom he knew to be against partition.<sup>43</sup> Magnes had also met with Nuri Said at Beirut on the latter's return from England. The basis of their discussion had been a temporary agreement for five to ten years, during which the Jews would remain a minority in Palestine. Nuri had wanted to fix the proportion of Jews to the rest of the population, but Magnes had informed him that the Jews would not agree to specific numbers or percentages.

But, as had happened before, Nuri's version of the talks was different from that brought back by the Jewish representative. In Baghdad, Nuri told the British attaché that Magnes had expressed the hope he would be able to obtain Jewish Agency authorization to negotiate along the above lines, and if the Executive did not agree, he (Magnes) hoped that "English, American, and a number of Palestinian Jews would split from the Executive and enter negotiations directly with the Arabs."

Magnes later wrote to Ben-Gurion<sup>44</sup> that he had not undertaken to convince the Jewish Agency or any other group of Jews to accept permanent minority status. But he had asserted, and still did assert, that if the Arabs would agree to a proposal for ten years, at the end of which the Jews would form some 40 percent of the population, there were Jews in America, England, and Palestine who would endeavor to get this proposal accepted by the Jewish Agency.

The Agency was alive to the dangers of being compromised by powerful Jewish bodies outside Palestine. In February, 1938, the political secretary of the Jewish Agency<sup>45</sup> found it necessary to warn the chief rabbi of England of the dangers of Jewish internal dissension over partition.<sup>46</sup>

The Government is told that the Arabs do not want it [partition] and that the Jews—to judge from the utterances of Anglo-Jewish leaders, prominent American Zionists, the Anglo-Jewish Press, and even some outstanding Palestinian Jews—also do not want it . . . the recent state-

<sup>43</sup> See Ben-Gurion, *op. cit.*, p. 176, which cites Shertok to Jewish Agency Executive of February 20, 1938.

<sup>44</sup> Magnes-Ben-Gurion, March 3, 1938, CZA S25/2960.

<sup>45</sup> Leo Kohn (1894–1961), Political Secretary to the Jewish Agency, 1935–1948: Political Secretary at the Israeli Foreign Office during the 1950s, and also Professor of International Relations at the Hebrew University.

<sup>46</sup> For the following, see Kohn-Rev. Dr. Hertz, of February 10, 1938, Israel State Archives (ISA) L.K. 21.

ment of the Secretary of State addressed to the High Commissioner has clearly shown on what thin ice our super-clever Jews have been skating these six months. They have provided most welcome ammunition to our enemies . . . we definitely know that the Arab politicians are building great hopes on the dissension in the Jewish camp. They believe that if the present phase of negotiations can be dragged out and partition comes to grief as a result of Arab intransigence and Jewish internal dissensions, everybody will be so tired of the whole business as to swallow their "solution" of an independent Arab State with a permanent Jewish minority. . . . I do wish our Jews in England and in America would realise what dangers are lurking in their path and ours in consequence of their short-sighted obstructionism.

Magnes was still working toward a temporary agreement which would leave the Jews in a minority for a limited period, but a minority large enough to accommodate all conceivable immigration during that period. But Magnes's solitary excursions into the field of Arab-Jewish negotiations had not only been fruitless, they had even proved detrimental to the cause he presumably espoused. Magnes was the origin of erroneous rumors in 1936 to the effect that the Jews might voluntarily suspend immigration. In 1937-38, reports of his initiatives were passed on to the Foreign Office by Arabs interested in doing so. Consequently, the Foreign Office heard that the head of the Hebrew University at Jerusalem spoke seriously about the Jews of England, America, Germany, and Palestine splitting off from the Jewish Agency Executive in order to make peace with the Arabs.

Magnes was less concerned with the specific terms to be used as bargaining counters than with the desirability of face-to-face meetings. In his opinion, the search for a formula was important only in as much as it would provide the basis for the all important first meeting. Once that meeting took place, agreement would apparently come of its own accord. There was a certain naïveté in this approach, especially after the abortive Antonius-Ben-Gurion meetings in 1936.

In April, 1938, Magnes had one final meeting with the Executive of the Jewish Agency, at which he was called upon to clarify the origins and the essence of the whole Hyamson-Newcombe initiative.<sup>47</sup>

Magnes explained that discussion had been held during 1937 in America, England, and Geneva. In America, Dr. Tannous and Amin el-Attouna had taken part on the Arab side.<sup>48</sup> Some non-Zionists and certain members of the Jewish-American Committee had taken part on the Jewish side. These talks had taken place in May-June, 1937. Further talks took place in England during June-August, 1937, at which were present, Dr. Tannous, Jamal Husseini, and Shakib Arslan<sup>49</sup> for the Arabs, with Newcombe, Hyamson, and certain English members of Parliament on the English side. Hyamson had reported on these talks to Neville Laski, the President of the Board of Deputies of British Jews, and to Lord Samuel. At Geneva, meetings took place between Auni Abdul Hadi, the Istiqlal leader, Tan-

<sup>47</sup> For the following, see note of Magnes meeting with Jewish Agency Executive on April 24, 1938, in Ben-Gurion, *op. cit.*, p. 210.

<sup>48</sup> Dr. Tannous: a close friend of the Mufti, head of the Arab Political Office in London. Amin el-Attouna: Head of the Arab Political Organization in America.

<sup>49</sup> Shakib Arslan: a Druze from the Lebanon; Deputy in the Ottoman Parliament, 1913-1918; lived in Switzerland, 1918-1946, and received money from the Italians, whose expansion in the Middle East he vocally supported.

nous, and two Palestinian Jews, Becker, and Orlinsky, who had reported back to Magnes.

The talks in America, London, and Geneva had been interconnected and as a result of them, Magnes had received the so-called Hyamson-Newcombe proposals direct from Hyamson. It became apparent during the cross-examination of Magnes that he had been deceived on the question of the Mufti's willingness for an Arab-Jewish agreement; that Newcombe had not been authorized by Jamal Husseini to insert the clause contemplating Jewish immigration to a figure less than 50 percent; that Jamal Husseini had gone back on his expressed desire to meet with the representatives of the Jewish Agency—either because of Ben-Gurion's press release of December, 1937, or, what was more likely, due to the evidence in the White Paper of January, 1938, in which the British Government was no longer so adamant or so urgent with its plans for the creation of a Jewish State. Magnes himself rebuked Nuri for misrepresenting him on the vital question of minority status.<sup>50</sup>

A fitting postscript is provided by the Minutes of an interview later given to Hyamson by the head of the Middle Eastern Department of the Colonial Office.<sup>51</sup>

Hyamson was still attempting to promote his own scheme as it had been amended by Nuri Pasha at Beirut. Hyamson saw no appreciable difference between his own original scheme and that of Nuri. He claimed he had assurances that the Mufti would accept Nuri's compromise if the pressure of the Arab kings were applied. He had also been assured by Neville Laski that the Nuri Pasha scheme was acceptable to most, if not all, the prominent non-Zionists of England, America, and Western Europe. Hyamson did not believe the question of a Jewish majority to be one of practical politics; "the attempt to turn the country from a Jewish National Home to a land of refuge was to his mind one of the major misfortunes that had beset the land."

But the Colonial Office was not surprised that Hyamson had failed to obtain Zionist approval, either for the original scheme or that amended by Nuri Said. Its verdict was that "under either, the Jewish community would be in a permanent minority . . . in spite of Hyamson's vague talk of a 'bi-national' State, a Palestinian State in which the Arabs are a permanent majority will have an Arab government, and that government will control finance, defence, foreign affairs, etc., and the Jewish minority (subject to British intervention) will be at its mercy."<sup>52</sup>

In a memorandum left at the Foreign Office,<sup>53</sup> Newcombe gave vent to his views in the light of the failure of the initiative: "We must clearly state that there will be *no Jewish State or majority*. Drop Zionism and Zionist influence, but help

<sup>50</sup> See, for instance, F.R.U.S. 906.

<sup>51</sup> See Hyamson-Parkinson interview of August 8, 1938, C.O. 733/369, 75156/33, P.R.O.

<sup>52</sup> Minutes by Downie (First Secretary in the Middle Eastern Department of the Colonial Office), August 15, *ibid*.

<sup>53</sup> See memorandum, which was forwarded to the Colonial Office on October 28, 1938, *ibid*. Newcombe's emphasis.

Jews on practical lines to develop our Empire in other countries. Order will not be restored without the above declaration."

Such views were voiced either at interviews or in memoranda which were circulated around those Departments concerned with Palestine, and undoubtedly had their influence on British policy. Newcombe's memorandum arrived at the Colonial Office after the British Government had announced it was dropping the idea of partition, while it was still formulating its strategy and policy for the Round Table Conference to be held in London. Commenting on the memorandum, the Colonial Secretary agreed that the government would "undoubtedly have to give the Arabs assurances to remove their major fears."<sup>54</sup>

The new political map of the Middle East which emerged after World War I, the Mandatory system which had (at times artificially) split the Arab world into separate States, and perhaps above all the impact of Zionism on the Arab population of Palestine—all these factors had by 1935 fostered a rampant, if politically immature, Palestinian Arab nationalism. Being under Western aegis, the Arabs of Palestine naturally demanded the trappings of Western democracy—independence, proportional representation, and universal suffrage.

The Zionists, who were supposedly the harbingers of Western democratic values into Palestine, could not admit the implementation of such principles there in the existing circumstances. To have done so, as the Colonial Office realized, would have left the Zionists "at the mercy" of their Arab antagonists. The consequences would probably have been the closing of Palestine to all further Jewish immigration, and the perpetuation of the Jewish minority within Palestine as a ghetto within their own "ancient homeland."

The intellectuals on both sides outpaced their own leaders. There were the proponents of a binational state, progressives and socialists who believed that nationalist conflicts would evaporate before the class struggle. There were those pragmatists on the Jewish side who did not believe in the practicability of a mass Jewish immigration anyway. There were also sections of Jewry apprehensive lest Zionist extremism disturb their own status and comfort in the Diaspora.

But the political leaders on both sides wanted no less than political hegemony in Palestine. The physical reality of the Jewish people in Europe in the 1930s was dictating the pace of Zionist policy in Palestine. Talk of suspending or restricting immigration to levels acceptable to the Arabs was a luxury in which only the intellectuals could afford to indulge. Any serious talk on the Arab side of creating a Jewish entity in a part of Palestine was hedged with restrictions on its size and its sovereignty. The constant theme running through negotiations from 1936 to 1938 was the idea of restricting the Jews to a minority of around 40 percent of the total population for a period of five to ten years. This principle provided the basis for the 1939 White Paper. But the Mufti, who refused to "accept" the latter document, would not agree to one more Jew entering Palestine.

<sup>54</sup> Macdonald-Foreign Office of November 1, 1938, *ibid.*

The feelers put out by Zionist and Arab leaders during this period were in the main political subterfuge, designed either to gain political advantage or to avert political disadvantage. In 1936, it was in the Jewish interest to bring the Arab disorders to a quick conclusion. During the winter of 1937-38, it was to the Arab advantage to prove the Peel Commission verdict on "conflicting nationalisms" wrong, and avert the partition of Palestine.

Although Arab and Jew met at the height of the Arab riots, although various proposals for the future of Palestine were actively considered, it must be concluded that neither the Zionist nor the Palestinian Arab leaders were at that time prepared, or able to make the sacrifices which alone might have led to peaceful co-existence between the two peoples. Nevertheless, the fact that such negotiations took place at all, during such a period of strife and terror, may give some grounds for hope to observers of the Middle East scene today.

*Bar-Ilan University  
Ramat-Gan, Israel*