



European
University
Institute

ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES

EUI Working Papers

RSCAS 2010/73

ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES
Mediterranean Programme

PARTITION OF PALESTINE AND POLITICAL STABILITY:
OTTOMAN LEGACY AND INTERNATIONAL INFLUENCES
(1922 – 1948)

Christian Rossi

EUROPEAN UNIVERSITY INSTITUTE, FLORENCE
ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES
MEDITERRANEAN PROGRAMME

*Partition of Palestine and Political Stability:
Ottoman Legacy and International Influences (1922 – 1948)*

CHRISTIAN ROSSI

EUI Working Paper **RSCAS** 2010/73

This text may be downloaded only for personal research purposes. Additional reproduction for other purposes, whether in hard copies or electronically, requires the consent of the author(s), editor(s). If cited or quoted, reference should be made to the full name of the author(s), editor(s), the title, the working paper, or other series, the year and the publisher.

ISSN 1028-3625

© 2010 Christian Rossi

Printed in Italy, September 2010
European University Institute
Badia Fiesolana
I – 50014 San Domenico di Fiesole (FI)
Italy
www.eui.eu/RSCAS/Publications/
www.eui.eu
cadmus.eui.eu

Robert Schuman Centre for Advanced Studies

The Robert Schuman Centre for Advanced Studies (RSCAS), directed by Stefano Bartolini since September 2006, is home to a large post-doctoral programme. Created in 1992, it aims to develop inter-disciplinary and comparative research and to promote work on the major issues facing the process of integration and European society.

The Centre hosts major research programmes and projects, and a range of working groups and ad hoc initiatives. The research agenda is organised around a set of core themes and is continuously evolving, reflecting the changing agenda of European integration and the expanding membership of the European Union.

Details of this and the other research of the Centre can be found on:

<http://www.eui.eu/RSCAS/Research/>

Research publications take the form of Working Papers, Policy Papers, Distinguished Lectures and books. Most of these are also available on the RSCAS website:

<http://www.eui.eu/RSCAS/Publications/>

The EUI and the RSCAS are not responsible for the opinion expressed by the author(s).

The Mediterranean Programme

The Mediterranean Programme was set up at the Robert Schuman Centre for Advanced Studies of the European University Institute in 1998. The Programme focuses on research that concerns the Euro-Mediterranean area, thus embracing Southern Europe, the Balkans, the Middle East and North Africa, including the countries involved in the Barcelona Process.

As a part of the Mediterranean Programme, the annual Mediterranean Research Meeting (MRM) brings together scholars from across the region. The MRM has been organised annually since March 2000. It has become one of the major gatherings in Europe of social and political scientists, economists, lawyers and historians working on topics related to the Middle East & North Africa, and recently also to Southern & South-Eastern Europe, their mutual relationships and their relations with Europe.

The Mediterranean Programme and its activities have been financed by: Banca d'Italia, Capitalia, Compagnia di San Paolo, Comune di Firenze, Eni S.p.A., European Investment Bank, Fondazione Monte dei Paschi di Siena, Ministero degli Affari Esteri, Ente Cassa di Risparmio di Firenze, the European Commission, and Regione Toscana.

For further information:

Mediterranean Programme

Robert Schuman Centre for Advanced Studies

European University Institute

Via delle Fontanelle, 19

50016 San Domenico di Fiesole (FI), Italy

E-mail: Academic.Medmeet@eui.eu

Fax: + 39 055 4685 770

<http://www.eui.eu/RSCAS/research/Mediterranean>

Abstract

Political stability in the Middle East seems an illusion, particularly in Palestine. This paper compares three variables (religious, political and international interests) that, through a four-period partition (the fall of the Ottoman Empire and the millet system, the British Mandate, the partition plans and the constitutional forms proposed, and the system adopted afterwards), led Palestine to the present situation. With the creation of the Mandate in 1922, the primary task of the British Government was to find a convenient solution to lead Palestine to independence with a constitutional structure and later with a convenient partition between Arabs and Jews. An impossible task due to the conflicting interests of the two communities, of the other international actors and to the outbreak of the Second World War.

Keywords

Palestine, International Relations, Middle East, British Politics, Holy See Politics

1. The Late Ottoman Years*

The Palestine Question received over the years constant attention with remarkable studies. This means that almost every aspect, directly or indirectly linked to it, has been considered. The recent opening of the Vatican Secret Archives relating to the period of Pope Pius XI (r. 1922 – 1939) have brought new documents that could be of some help in giving a different perspective to the position of the Catholic Church in Palestine during the British Mandate. The analysis of these documents together with those of the British National Archives, therefore, allows a more detailed comprehension of the attempts made by the British Government to build a new constitutional framework that could lead Palestine to independence. The efforts in building new constitutional structures clashed actually with the old structures left in the region by the Ottoman system and eventually overlapped them.

In order to study and understand the early stages of the Palestine Question with respect to the constitutional framework during the British Mandate, it is fundamental to go back to the late 1800s, precisely to 1882, a recognized starting point for any discussion of the question between Arabs and Jews. That date is important, because Jewish immigration (*Aliyah*) to the Ottoman Province in the Levant, known in abstract as Palestine, started again at that time receiving a strong opposition from the Sublime Porte¹. This date also marks a complex differentiation in the region, because the Jews living there prior to 1882 were used to a life surrounded by a predominant Muslim society, whilst the newcomers were not, or at least they were not willing to be. It is also important to note that while the “old immigration”, known as the Old Yishuv, was on good terms with the Arab population; it was not in the same terms with the new Jewish immigration. Moreover, the application of the rules of the newcomers led the new Jewish Yishuv to a virtual and later physical segregation from the rest of the population. In fact, they tried to create a new and more compact society with its own rules, economy, localized and concentrated place where to settle². The feeling that the Zionist Movement, that massively led the immigration towards Palestine, aimed at creating a separated community urged the Arabs to think that there were also hidden attempts to rebuild on a larger scale the ancient Kingdom of Israel, a fact that perhaps would have brought the Jewish and Arab communities to a final fight³. Additionally there were also similar feelings in the Catholic world. The Apostolic Delegate to Turkey Angelo Roncalli, afterwards Pope John XXIII (r. 1958-1963), declared to the Holy See all his doubts in conveying Jewish immigration towards Palestine thus letting the Jews hoping to re-establish their ancient Kingdom⁴, even if under the new form of a National Home. Arabs of Palestine themselves had not yet developed the concept of being a “nation” or even a homogeneous group, since they started to think about it only in the early twentieth century urged by the group of nationalists⁵.

It should be said that the new Jewish settlers did not directly create the tensions but they found a favourable background because since the end of the nineteenth century the leaders of the Arab-speaking provinces were trying to assure for themselves a greater autonomy, if not self-government,

* An earlier version of this paper was presented in Workshop 5: ‘Re-examining Federalism and Consociationalism as Constitutional and Political Arrangements for Community Conflicts in Post-Ottoman Lands’ at the Eleventh Mediterranean Research Meeting, Florence & Montecatini Terme, 24–27 March 2010, organised by the Mediterranean Programme of the Robert Schuman Centre for Advanced Studies at the European University Institute.

¹ Gideon Biger, *The Boundaries of Modern Palestine, 1840-1947*, Routledge Curzon, London and New York, 2004, pp. 13-15.

² Neil Caplan, *Futile Diplomacy, Volume One, Early Arab-Zionist Negotiation Attempts, 1913 – 1931*, Frank Cass, London, 1983, pp. 10-11.

³ Ibid., pp. 12-14.

⁴ Alessandro Duce, *La Santa Sede e la Questione Ebraica (1933 – 1945)*, Studium, Roma, 2006, p. 281.

⁵ Michael J. Cohen, *The Origin and Evolution of the Arab-Zionist Conflict*, University of California Press, Berkeley – Los Angeles – London, 1987, p. 3.

from the Sublime Porte. The plan clashed firstly with the willingness of the Sultan, and of the “Young Turks”, to resist the separatist movements and, secondly, with the tendency of the new Jewish immigration to create a separated society⁶. In particular Sultan Abdülhamid II (r. 1876-1909) tried to reinforce the integration of his Arab subjects in order to strengthen the Islamic foundations of the Empire⁷, and perhaps because he realized he was losing the loyalty from many groups within it⁸. As it is possible to note, at the beginning there were at least three conflicting tendencies: first, the Jewish dream of a separated society, second, the Arab pretension of a self government in the Arab-speaking regions of the Ottoman Empire and third, the Ottoman will not to give autonomy at all to anyone. Besides, the Ottoman Empire was declining and the Great Powers were already planning strategies for the future in the region.

The creation of separated communities was probably helped by the previous moves of the old Jewish immigration that, even if in good terms with the Arabs, did not renounce the privilege given to them by their foreign citizenship to seek protection from their “foreign” consul in Palestine, a patronage more respected and secure than the unpredictable protection of the Ottoman Empire whose force was more theoretical than real, particularly in Palestine⁹. The creation of separated communities also led them to create different administrations within the region. At the beginning of the First World War, Palestine showed the particular situation of being one region with different administrations, an insurmountable starting base from which taking a decision over the best future administration.

As it has been seen before, there would have been another reason, besides the Zionist ideology¹⁰ or the Russian Pogrom in the late 1800s and early 1900s¹¹, that led the Jews to create a separated community within the Palestinian Province, or that helped them in doing so, and it could be the millet system. Before studying the formation of a state identity in the region, it seems important to understand the functioning of that peculiar Ottoman system whose existence and functioning is disputed or contested by important authors¹². The millet system could have given a strong effect and could have influenced the process of nation formation within the Ottoman Empire. It emerged the creation of a dual concept: that of citizenship, resulting from the affiliation to a particular territory, and that of nationality linked to a common sense of ethnic-national identity easily findable and experienced in the Ottoman millet system. This could be an extended notion because the concept of citizenship in the Ottoman Empire was enhanced with the *Tanzimat Fermani* in the mid-1800s¹³. The crisis that affected the creation of nation-states in the Middle East since their emergence can be

⁶ Neil Caplan, *Futile Diplomacy*, pp. 14-15.

⁷ Engin D. Akarli, *Abdülhamid II's Attempt to Integrate Arabs into the Ottoman System*, in David Kushner (edited by), *Palestine in the Late Ottoman Period. Political Social and Economic Transformation*, Yah Izhak Ben-Zvi Press, Jerusalem, 1986, p. 74.

⁸ Ilan Pappé, *A History of Modern Palestine. One Land, Two People*, Cambridge University Press, Cambridge, 2006, pp. 43-45.

⁹ Isaiah Friedman, *The System of Capitulations and its Effects on Turko-Jewish Relations in Palestine, 1856 – 1897*, in *ibid.*, p. 280.

¹⁰ Walter Z. Laqueur, *A History of Zionism*, Holt, Rinehart and Winston, New York, Chicago, San Francisco, 1971, pp. 153 – 155.

¹¹ Walter Z. Laqueur, *The Soviet Union and the Middle East*, Routledge & Kegan Paul, London, 1959, pp. 32-35; Walter Z. Laqueur, *A History of Zionism*, pp. 58 – 61; Antonio Donno, *Gli Stati Uniti, il sionismo e Israele*, Bonacci Editore, Roma, 1992, pp. 14-21.

¹² Benjamin Braud, *Foundation Myths of the Millet System*, in Benjamin Braud and Bernard Lewis (Edited by), *Christians and Jews in the Ottoman Empire. The Functioning of a Plural Society*, 2 volumes, Homes and Meier, New York, 1982, vol. I, *The Central Lands*, pp. 69 – 88.

¹³ Carter V. Findley, *The Evolution of the System of Provincial Administration as Viewed from the Center*, in David Kushner (Edited by), *Palestine in the Late Ottoman Period. Political, Social and Economic Transformation*, Yad Izhak Ben-Zvi, Leiden, 1986, pp. 4-7; see also: Stephen Vertigans, *Islamic Roots and Resurgence in Turkey. Understanding and Explaining the Muslim Resurgence*, Praeger, Westport Connecticut – London, 2003, pp. 32-35.

imputed partially, if not wholly, to the incompatibility of the idea of State with the religious concept of the millet. It seems possible to state that in Palestine, as well as in other areas previously administered by the Ottoman Empire, the formation of the State identity, in which normally citizenship and nationality would have merged, experienced a sort dichotomy with the two terms conflicting each other. The Ottoman rulers, at one point, needed the creation of a system that could take into account the organization and culture of different religious-ethnic groups scattered within their territories. The millet system gave a sort of religious, cultural and ethnic independence, almost self government to different communities throughout the Empire and gave them the possibility of being subdued to Ottoman administrative, political and economic rules without feeling themselves too much constrained and oppressed. A process started in the Seventeenth and Eighteenth centuries¹⁴. The system was based, as already seen, on a framework of religious and ethnic components and administered through an authority, normally a patriarch, whose direct superior was the Sultan-Emperor. The millet was based on a community, a religious congregation, and a social and administrative unit organized in villages and towns. Beyond the patriarch, at a lower level, there were the municipal authorities. From a general point of view the millet system facilitated the unification of each community, seen as a growing family, and emphasized the universality of the faith avoiding clashes between ethnic and linguistic groups, thus without destroying them¹⁵.

In the Ottoman regions, where the millet system was deep-rooted, the formation of a national identity and the concept of nation-state was a direct consequence of social and economic transformations that affected the notion of authority. In addition, those transformations affected and diminished the authority of the clergy particularly in the non-Muslim communities. This fact, with the decision of the Ottoman government, in the late years of the Empire, to impose a unique Ottoman citizenship or nationality, rejecting at the same time the idea of a federal structure, complicated this unclear situation. The failure in recognizing a federal structure may have had important repercussions during the aftermath of the fall of the Empire itself and during the early years of British Mandate when the pressure of the Jewish determination in creating a National Home in Palestine became stronger than ever. The final decisions of the Empire suggested the idea that it was not possible to have a federal state or, at least, a dual state in Palestine. The existence of the millet system together with the late Ottoman rulers' rejection of the federal system created a non-homogeneous society and, at the beginning, gave the British Mandatory Power the input for future constitutional and territorial developments. A similar arrangement was done by the United Nations when they used the plans prepared during the Mandatory years. The Arabs, at this stage, strengthened their determination to have one land and one State instead of one land with two States or even a federal State. The rejection of a federal solution can be explained with the willingness of avoiding that the foreign countries, the United Kingdom particularly, could push the idea of a two-State system if there was the appearance of acceptance of similar solutions. Nonetheless it can be stated that in the millet system there were the roots of federalism, because it was allowed the idea of the possible existence of an inner community within a greater community. The Mandatory Power in fact found itself the existence a plurality of communities almost independent. The British Government had perhaps in mind the partition of Palestine into small pieces (eventually with a Jewish National Home) in order to rule over the region. The idea of such a division was simply facilitated by the existence of communities that felt themselves apart from each other. As we have seen, the establishment of different millets gave the various groups a sort of self independence and also gave them rules, privileges and rights that allowed them to create a kind of hierarchical scale¹⁶. Later in the centuries within some millet, like the Orthodox one, the

¹⁴ Victor Kattan, *From Coexistence to Conquest. International Law and the Origins of the Arab-Israeli Conflict, 1891-1949*, Pluto Press, London, 2009, pp. 258-259.

¹⁵ Kemal H. Karpat, *Millet and Nationality: the Roots of the Incongruity of Nation and State in the Post-Ottoman Era*, in Kemal H. Karpat, *Studies on Ottoman Social and Political History. Selected Articles and Essays*, Brill, Leiden-Boston-Koln, 2002, p. 611-13.

¹⁶ Victor Kattan, *From Coexistence to Conquest*, pp. 258-259.

division was made independently of any consideration of nationality or group affiliation. Generally the administrative system of the Ottoman State prevented the melting of different ethnic groups into larger political units because the administrative units were normally cut across ethnic boundaries and they were very large. It was then difficult for a specific linguistic or ethnic group to combine and taking control over a specific region. It was easy to find national and large millets with a unique religious vocation and local communities with different ethnic, linguistic and local peculiarities¹⁷. It is also clear that in such a system the balance of power and general peace relied on social and economic situation, and also on the strength of the central government. In such a situation conflicts were always at a close distance.

The constitutional framework of the Ottoman millet was based on the Muslim's rule that places the other Monotheistic religious faiths – the so called Peoples of the Book – under their protection as *dhimmi*¹⁸. Generally, the Ottomans did not consider the non-Muslim subjects as members of different communities of ethnic and linguistics uniformity but rather as a part of a uniform *dhimmi* group¹⁹. This was a paradox because the millet system brought the non-Muslim within a Muslim order, and accorded to them religious and cultural autonomy. The reform of the citizenship made in the mid-nineteenth century, furthermore, undermined the millet system, its autonomy in cultural and religious matters, thus isolating several communities that were different for ethnic, social and religious roots. This isolation, on the one hand, avoided clashes and armed confrontation, but on the other hand, served as protection from interference and oppression. The decay of the rules and separation granted by the millet system gave birth to the concept of minority and majority of religion or nationality that before was merged into the millet and was insubstantial. The emergence of a conflicting majority/minority in the Ottoman province of Palestine will result in a future prevailing of the first over the second, urging Muslims to identify themselves with the central Government to the detriment of the other minorities in the Empire. A process started before the formal reform of the millet system which occurred between 1860 and 1862²⁰. With these assumptions the future fights are understandable. The Arabs fiercely supported the idea of one state whilst the Jews were in favour of the idea of having an independent state, or at worst a self-governing region within a federal structure. As it is possible to imagine, the Mandatory Power could not create and set up new institutions, even following the path of the British colonial system, but on the contrary they had to shape new ideas on old structures.

The new century began for the Jews and the Arabs with the consciousness, if not the willingness, that they should have tried to talk and to come to an arrangement favourable to each other. The Zionists, in particular, were urged to this consideration knowing the feelings of the Arab population whose judgment was often influenced and enhanced by the press. The prominent Arabs, normally, were on commercial terms with the Jews due to the land deal. The Turkish as well were on friendly terms with them and even if urged by the Arabs to tight the immigration rules they eventually turned a blind eye on it. The attempt to find a peaceful arrangement, as it is well known, failed after a conference in 1914 due, among other considerations, partly to the unwillingness of the Zionist Movement to disappoint the Turks, official ruler in Palestine, and mainly to the conditions posed by the Arabs. The Jews should have given up their foreign citizenship (and special protection enjoyed under the Capitulations) to become full Ottoman subjects. An emblematic position because with the persistence of a separated citizenship the Jews were not bound to be integrated into the “Arab system” and they would have remained, virtually, a “different” community. The existence of the millet and

¹⁷ Ibid., pp. 614-19.

¹⁸ Ibid., pp. 620-21; Nicola Melis, *Lo statuto giuridico degli ebrei nell'Impero Ottomano*, in Martino Contu, Nicola Melis, Giovannino Pinna, *Ebraismo e rapporti con le culture del Mediterraneo nei secoli XVIII-XX*, Giuntina, Firenze, pp. 147-50.

¹⁹ Kemal H. Karpat, *Millet and Nationality*, pp. 621-25.

²⁰ Ibid., pp. 640-41.

capitulation systems, in fact, created a division among the communities. The Arabs urged the Jews asking them to guarantee that *fellahin* (villagers and farmers) would not be dispossessed of their land; Zionist schools must be open to Arab children, and Zionist funds and skills should be applied to the improvement of Arab education; Zionist efforts at the revival of Hebrew should not be so intensive as to detract from Arab efforts to revive Arabic as the national language of the future Arab state; Zionists must open their local economic institutions for Arab use and benefit; Zionists must find large capital sums to finance public works and other development projects in the Arab countries; Zionists must find large capital sums to finance public works and other development projects in the Arab countries; Zionists should use their political influence and press connections in the West in support of the Arab movement; and finally they should settle within all Arab countries, rather than concentrate themselves exclusively in Palestine²¹. This last request would eventually match with the old Ottoman policy of receiving Jews in any of the empire's other regions but Palestine²², and also with the idea of the British Government in 1943 to find a place for the Jews in Palestine or elsewhere, perhaps in the former Italian colonies²³. Their scattering throughout the Arab countries would have diminished their power. As an exchange for these requests the Arab would have offered nothing but benevolence towards Jewish immigration in what they considered, at the end of the day, their own land. The conditions were too rigid for such a poor offer, and a step too far ahead to be pursued by the Zionists at that moment²⁴.

2. New ideas on old structures

As it is known, after the Great War the League of Nations vested in the United Kingdom the Mandate for Palestine. Knowing the background in which the Mandatory Power found herself to operate, it is important to discover which proposal they made in order to solve the problem of the administration of Palestine and to what extent they were bound by the pre-existing structures such as the millet system. Well after the establishment of the Mandate the British Authorities thought it was time to set up permanent institutions in the region. In 1932 Sir Arthur Wauchope, High Commissioner for Palestine, requested instructions to the Colonial Office in order to create a Legislative Council. He actually admitted to know nothing about the matter wishing to have advices and ideas on it. London prepared a note in which officials of the Colonial Office tried to state arguments for and against possible courses. It was just a sum-up that could allow Sir Arthur to guide, with some sort of knowledge, the foreseeable political discussions of the near future. In order to avoid tying Sir Arthur's hands it was agreed that the note could be sent to him unofficially or semi-officially²⁵. In any case there was no need for the British Government to push the question before the Local Government Bill was out of the way²⁶. Sir Arthur Wauchope's request was justified because there was great anxiety among the Jews about the projected Legislative Council as they feared that the Arabs, majority in the land and probably majority in the council, would have prevailed over them. The Jewish representatives in Palestine did not want their people to be confined with just a crystallized minority status, even if protected, and they did not want to accept other than the terms of the Mandate and the development of the Jewish National Home. The Jewish representatives could not also accept the status of a minority protected by the Government because it would have meant that in a foreseeable future a not-favourable Government could decide otherwise. This was clearly unacceptable for them. The Jews made clear, in the early 1930s, that they

²¹ Neil Caplan, *Futile Diplomacy*, pp. 18-24.

²² Gideon Biger, *The Boundaries of Modern Palestine*, p. 15.

²³ Note by Winston S. Churchill, 27 April 1943, NA, CO 733/443/4, WP (43) 178.

²⁴ Neil Caplan, *Futile Diplomacy*, pp. 24-25.

²⁵ Minutes 21 November 1932 and 22 November 1932, The National Archives, London, Kew Gardens (NA), *Colonial Office, Palestine Original Correspondence, 1921-1949* (CO) 733/235/5.

²⁶ Extract from a Note of Mr. Brodetsky to Mr. Parkinson, 11 August, 1933, NA, CO 733/235/5.

had no desire to place any obstacle in the way of Arab national development because they had lived in peace for centuries with them and they were still participating in literary, philosophical and scientific activities together²⁷. The Jews were somehow asking the Mandatory Power to exercise the same authority that the Ottoman Empire had before when the millet system was in force.

The officials of the Middle East section at the Colonial Office, after the positive advice of the Colonial Secretary, decided to send to the High Commissioner a note with a summary that he could find of some help. The document denoted intense discussions within the Colonial Office itself, particularly about the presence of the so-called “unofficial members” and their method of appointment or election. The “unofficial members” were elected among the people in contrast to the official members appointed “ex officio”. When the discussions about this topic came to a deep-level there was, anyway, an undoubted point: the 1922 Constitutional Draft provided for election and there was also no doubt in the mind of British rulers that the principle would be adhered to. First of all, it would be difficult to go back to the past after more than ten years of government under the British rules; secondly, the neighbouring Arab or Muslim countries, like Iraq, Egypt and even Trans-Jordan, had their own elected assemblies, thirdly, in Palestine itself there was an ordinance that provided for municipal elections. The third point in particular created a precedent because it would have been difficult to deny this privilege for a higher assembly. The Colonial Office note also pointed out that when the 1922 Constitution was drafted the proposal of having some appointed member in the Legislative Council was abandoned in order to meet the pleasure of the Arabs²⁸. Arabs, in fact, knew to be a majority in the country and they feared that the British could artificially increase the Jewish presence in the Legislative Council by appointing extra representatives.

Under all the circumstances the principle of election should be adhered to but it would have been wise if, perhaps the High Commissioner would have retained the power of appointing a limited number of members of the Legislative Council in order to fulfil vacancies and guarantee the adequate representation of every sector of the population²⁹. If the “unofficial members” were to be elected the best way would have been to elect them with primary and secondary elections because the population was used to this system under the Ottoman regime and it would be foreseeable that it would have worked well³⁰, the proof was that a similar rule was in force in Trans-Jordan. Moreover, this system would also have allowed people of the same religion to vote together as it was done under the previous regime, thus avoiding serious troubles. On the contrary, the Colonial Office argued that as the Mandate was held in the name of the King of the United Kingdom it would have been better to follow British models rather than perpetuating Turkish system. It was utterly undesirable to organise elections on religious basis because, except when religious matters are concerned, the normal consideration in Palestine was race (an example for this being the fact that, when a consultation required, the Jewish Agency or the Arab Council were to be consulted by the Government and not the Jewish, Moslem or Christian communities)³¹. Moreover, as the Municipal Council was directly elected why should not be the same with the Legislative Council? For all the aforementioned reasons the Colonial Office would have advised the High Commissioner Wauchope that direct elections would have been preferable. The electoral rights, under the 1922 Constitution, should be given to every Palestinian male over 25 years of age, with some exception due to loss of voting rights, bankruptcy or interdiction. The voting right

²⁷ Extract from Daily News Bulletin, 10 January 1933, NA, CO 733/235/5; see also Benjamin Braud, and Bernard Lewis, *Introduction*, in Benjamin Braud and Bernard Lewis (Edited by), *Christians and Jews in the Ottoman Empire*, vol. I, p. 1.

²⁸ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

²⁹ *Ibid.*

³⁰ Jamaal Bey Hussein, *The Proposed Palestine Constitution*, in “Annals of the American Academy of Political and Social Sciences”, vol. 164, 1932, p. 23.

³¹ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

was so wide that the British Government was thinking of some limitation using the property or literacy qualification³². Palestinian citizenship could be useful in order to include the entire population of the region irrespective of their religion or community affiliation. This is another evidence of the persistence of the idea, inoculated by the millet system, of one region and many communities.

At the end of the day the Colonial Office thought it was better to introduce a disqualification or, in positive a qualification, when setting the electoral law up rather than to introduce them at a later date, because in this second case they would have been seen as restrictions whilst it would be seen as a positive sign of confidence if the Government would have amended the law at a later date in order to repeal the disqualifications. It would have proved to be difficult, anyway, to introduce disqualification due to literacy or property even adopting a new electoral law because, as the Colonial Office papers pointed out, the 1922 Constitution did not provide for them at all and the Arab counterpart would have hardly accepted any such change that, at the far or medium distance, would have disadvantaged their position³³. The British Government, however, was trying to increase education at all levels of the population within the Mandate³⁴, and it would have been difficult to justify a literacy disqualification. Even if the Government would have decided to push for disqualification criteria to be introduced in the electoral law there would have been two main obstacles: it would be difficult to ascertain the property rights, and property level should have been as low as possible in order to avoid a massive Arab disqualification. It is easy to understand that the introduction of a property qualification, that would turn out to be virtually meaningless, was politically unbearable because there would be a high political cost with void effects³⁵. Thus, the Colonial Office decided to advise the Government of Palestine in order to exclude any literacy or property qualification for voting. The main reason was that the 1922 Constitution did not provide such disqualification and last but not least education was a primary task for a modern Government and people should not be penalised for a fault of the Government. A main controversial point was that of giving voting rights to women. Women were not clearly disqualified under the Palestinian Constitution of 1922 but it should not mean that it was possible or wise to give them the voting rights. Within the Arabs the general feeling was opposite to this idea and it was at that historical moment quite impossible to allow their women to vote, not to mention standing for election, and in such a situation giving the voting rights to Jewish women would have meant to double their electors and there would have been for sure a strength opposition from the Arabs towards that option. In order to avoid the problem at all it was decided to retain the voting rights only for males. As there were little restrictions for voting there were also little restrictions to stand for councillor. The Constitution provided that a person in order to stand for member of Council should be of 30 years of age, he must not hold any office of profit under the Palestinian Government – a general rule in the United Kingdom where in order to stand as an MP it was forbidden to hold any office of profit under the Government or the Crown – and should not have any possible pecuniary interest, either direct or indirect, by virtue of his office. The Colonial Office decided anyway to recommend in case of membership qualification at least literacy in one, out of three, official languages of Palestine³⁶.

British authorities thought whether there should be an unofficial majority in the Palestinian Legislative Council or not. This was not an unreasonable question due to the different numbers of the population by race and faith in the region. The discussion at the Colonial Office was deep and rather complicated. It seemed wise to suggest an official majority hoping that the Jews would have accepted a reasonable ratio. On the contrary, the Government thought to be wiser an unofficial majority, that

³² Ibid.

³³ Ibid.

³⁴ Tom Segev, *One Palestine, complete. Jews and Arabs under the British Mandate*, Metropolitan Books, New York, 2000, p. 355.

³⁵ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

³⁶ Ibid.

would be just a virtual façade. The 1922 Constitution already provided for an unofficial majority, and even if that Constitution was not a binding charter it would have been difficult to defend any proposal which was less generous in that respect. Given the necessary safeguard, that would be the High Commissioner's veto and certification – a power quite difficult to exercise that always leads to a serious political crisis – and also Government's power to introduce financial resolutions and bills, the Government itself could ensure control whenever necessary. In general the main thought was that the official majority system was a vicious arrangement and it was strange for a constitution to be based on the idea of Government relying upon one section of the Council to keep the other in check. Thinking about the general situation the Jews would be feeling themselves safe and able to co-operate with the Arabs within the framework of an unofficial majority rather than to fight with them outside the council despite a secure majority over it. As for the Arabs the Colonial Office felt that they were not interested at all over the Legislative Council issue³⁷.

The composition of the Legislative Council was another matter of discussion between the High Commissioner and the Colonial Office, as it was between Arabs and Jews. The High Commissioner was in fact a pivotal figure to report to in order to find a solution or to whom lobbying. But Arthur Wauchope refused to be hurried³⁸. At the end of the day, however, it was concluded that, from the point of view of convenience, the smaller the number of Official Members, the better³⁹. As for the unofficial members the initial thought was to have twelve electoral colleges for a secondary election of whom not less than two for the Jews, two for Christians and the rest of them for Muslims. There was a clear mismatch though. The total population in 1923, for instance, was 757,182 of whom the electors were 166,124. Among the electors there were 135,425 Muslims, 16,703 Jews, 12,319 Christians and 1,677 Druzes⁴⁰. This meant that there would have been one member for approximately 14,000 of the total electorate and for approximately 63,000 of the total population. This would have also meant that Christian and Jews population would have been over-represented, with double member than they would have normally got, and the Druzes minority not represented at all. The Colonial Office did not seem to worry about this insufficient representation in the Electoral College as they stated that there could not be a fixed rule as the proportion of members to population or electorate. For the analysts of the British Government representation should be determined in the light of local conditions and requirements and this would have meant that in Palestine it should have been balanced in the light of the presence of different communities and their interests⁴¹. Amid the discussions about the popular representation in the Legislative Council there were also pressures with the Catholics, themselves a minority, particularly with the Apostolic Delegate in order to fight together with the Jews to obtain and defend their rights in the economic and social field, especially because it was assured, in private conversation, that the Church, in general, would not oppose the Jewish National Home⁴². A view that several members of the Catholic Church, as we have already seen, did not share at all, particularly the Patriarch of Jerusalem, Luigi Barlassina⁴³. This was quite important and meaningful because the Christians in general had their tribunals and their autonomy, though controlled by the Government

³⁷ Ibid.

³⁸ Christopher Sykes, *Crossroads to Israel, 1917 – 1948*, Indiana University Press, Bloomington-London, 1973, pp. 141-45.

³⁹ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

⁴⁰ Ibid. The same figures about the population in Palestine are indicated in a document of the Vatican Secret Archives where the number of Jews in 1918 is slightly greater than that indicated in the British document for the year 1923 see: The Arab Catholic Communities to Pius XI, letter of 25 June 1936, Vatican Secret Archives (VSA), Archives of the Papal Delegations (APD), Apostolic Delegation of Jerusalem and Palestine (ADJP), Envelope 2, folder 8.

⁴¹ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

⁴² Testa to Barlassina, letter of 22 January 1935, VSA, APD, ADJP, Envelope 1, folder 7.

⁴³ Barlassina to Testa, letter of 13 January 1935, *ibid*.

who asked them for periodical reports⁴⁴. The Catholic Church continued thus to exercise a different administration, having a virtual “millet”.

After extensive discussions about the composition of the Legislative Council of Palestine it was agreed by the Secretary of State for the Colonies Sir Philip Cunliffe-Lister and the High Commissioner that the Council would have been composed for the most part of unofficial members plus a minimum number of official members. Even if the first proposal was to elect members on religion basis, or by race as the Secretary of State for the Colonies asked, it was agreed to elect members on a territorial basis with a common roll for all races. The High Commissioner would have retained the power of veto. An unfortunate but inevitable solution; unfortunate because the High Commissioner could have found himself in the political arena and eventually accused of partisanship, inevitable because it would have been more acceptable to Arab opinion and it would be an equally indisputable security for the Jews⁴⁵.

In general there was a continuous debate on how to set a form of representation for the unofficial members and which form of election to adopt. Even if the differentiation by religions was to be abandoned the only replacement, due to the formal commitment of the British Government in favour of the Jewish National Home, was the race differentiation, this was to be an indefinite perpetuation of racial distinction in politics. A policy that was basing the solution on the existing background of Palestine in the strict division of different communities by race and by religion. It is undoubted that the Colonial Office seemed to favour the Jewish counterpart because they stated in 1933 that in case of adoption of the race system it would have been better to have six Arab representatives and four Jewish. They were anyway aware that the Arab Movement might not have agreed with this proposal that could have led to riots in Palestine. The High Commissioner, thus, should have been ready to accept a ratio of seven Arab representatives and three Jewish. It was also pointed out that there were suggestions in order to abolish the various electoral colleges in order to have just one national roll [college] with “reservation of seats” or having a common electoral college with no reservation allowing people of one race to try to fulfil aspiration of the other in order to gain election⁴⁶, perhaps a step too far ahead for politics in the mid-thirties Palestine. They did not speak at all about Christian representation in the Legislative Council, something that gave the way to the complaints of the Church that in general saw the matter as an attack to a recognized prerogative but they were also aware of the fact that there were many divisions between the Arabs and the Jews, and that the Jewish Agency would have opposed it fiercely⁴⁷.

The provisions made by the Colonial Office provided that any act or Constitutional document approved for the Mandate would have saved some safeguards of the Mandate itself. In particular it was important that the Legislative Council, under no circumstances, could pass any law or ordinance that would abolish the freedom of conscience or the free exercise of any form of worship, saving in so far as what was required for the maintenance of public order or morals; nor it would have been possible to enact provisions which tended to discriminate in any way the inhabitants of Palestine on the ground of race, religion or language. The analysis of the Colonial Office also suggested that the constitutional arrangements for Palestine should retain for the High Commissioner the use of the veto power in the event that it was chosen an unofficial majority system in the Legislative Council⁴⁸. This last suggestion was made in order to give the British rulers the last word on every matter. The British Empire, de facto, replaced the Ottoman Empire as warrantor authority. The attempts of the British

⁴⁴ Armenian Catholic Partiarcal Vicariate to Testa, letter of 23 December 1935, *ibid*.

⁴⁵ *Extract from a Note of Discussion between the High Commissioner and the Secretary of State for the Colonies*, 22 April 1933, NA, CO 733/235/5.

⁴⁶ *Ibid*.

⁴⁷ The Arab Catholic Communities to Pius XI, letter of 25 June 1936, VSA, APD, ADJP, Envelope 2, folder 8.

⁴⁸ *Notes for the Secretary of State for the Colonies on Palestine Constitution*, 7 January, 1933, in Parkinson to Wauchope, letter of 9 January 1933, NA, CO 733/235/5.

Government in creating a democratic system in Palestine showed the existence of an earlier structure that it was not possible to ignore. If they wanted to build a system that hoped to work they need to create a superstructure with a double core formed by Arabs and Jews, each one with their independence, rules and religion. After the long experience of the millet system it was impossible to draw back.

The creation of a Legislative Council in Palestine caused a lot of concern to the High Commissioner and he wanted to learn as much as possible about similar cases in other British Colonies. Arthur Charles Cosmo Parkinson of the Colonial Office decided to send to Sir Arthur Wauchope his comments and analysis on other places in order to compare solutions taken elsewhere with those in Palestine⁴⁹. It is clear that the Jewish propaganda was giving reason of anxiety to the High Commissioner as it showed to be very adverse to the institution of a Legislative Council that could destroy Jewish minority in Palestine. With the institution of this assembly the Jewish institutions were ready to boycott any technical progress in the region and they were also ready to stop any funding but, on the other hand, they were also ready to co-operate with and in favour of the Arabs if the establishment of the Legislative Council would have been dropped for the time being⁵⁰. The Jews were probably scared by the existence of a central Legislative Council that could not be in their entire control and that could approve unwelcomed policies.

In order to find a suitable solution for the creation of a Legislative Council, as well as solid institutions that could rule over Palestine, the High Commissioner tried to deal with the Arabs and explored their feelings. The Arab parties were not so much united in the early thirties and the High Commissioner did not fear any immediate change for the near future. There was thus little possibility that the Arabs could put in practice their threat refusing membership for Governmental posts, or resigning from them, or refusing to pay taxes. Sir Arthur Wauchope was steady in this opinion and it is emblematic the statement of a member of the Falaistin party: "For the most part those who advocate non-payment of taxes are not tax-payer; those who demands the resignation of officials are not office holders, nor are they likely to be; and those who insist on non-attendance of Government functions are never invited to such occasions"⁵¹. The High Commissioner noted that there was an escalation in Arab's demands and behaviour and he feared that this could lead to a clash between the two communities in the future. He was quite acrimonious in defining Arab's requests. He did not admire Arabs leaders and followers methods as they were persistent in requesting an end to Jewish immigration and sale of land. In Sir Arthur Wauchope's view it was a demand that gathered impetus from "the stupidities committed by both Abdullah and the members of the Jewish Agency who were concerned in the lease of land in Trans-Jordan"⁵². The creation of a Legislative Council was requested by the Arabs until they realized that this creation would not be able to prevent the strengthening of the Jewish National Home with no impact on the Government determinations. The High Commissioner tried to persuade Arab leaders to understand that their refusal to co-operate with the Government would have inevitably caused a worsening of their general condition and wealth because there would have been co-operation only with the Jews. The High Commissioner efforts looked to be unhelpful as the Arabs wanted to show to the world that they had always looked upon the establishment of a Jewish National Home in Palestine as a policy utterly unjust and contrary to the natural rights of the Arabs in Palestine. The Government of Palestine, despite Arab position and determination, were hopeful that in the years to come, if they would have proceeded steadily in their policy, with Jewish being wise in speech and actions, the Arab population would have been led to realise that the principle of the Balfour Declaration cannot be abandoned⁵³.

⁴⁹ Parkinson to Wauchope, letter of 22 March 1933, *ibid.*

⁵⁰ Note of Interview between Mr. Brodetsky and Mr. Williamson on 27 March 1933, *ibid.*

⁵¹ Wauchope to Cunliffe-Lister, letter of 1 April 1933, *ibid.*

⁵² *Ibid.*

⁵³ *Ibid.*

When the Secretary of State for the Colonies and Sir Arthur Wauchoppe reached an acceptable agreement the question of a Constitution for Palestine was brought before the Houses of Parliament in London where debate was particularly intense. During the discussion before the Commons emerged the possibility that women could be admitted to vote at least in the Municipal Elections, but the High Commissioner pointed out that it would be better and wiser to postpone to the future any decision about the women suffrage because he wanted to propose a common roll even in the Legislative Council elections in order to unify, or trying to unify Arabs and Jews⁵⁴. Anyway, it would have been difficult for Arabs and Jews to accept a common roll because it would have eliminated the possibility of having a self-governing if not an independent community.

3. Rumours of Direct Talks between Arabs and Jews

In the mid-1932s there were many rumours that Arab and Jews could gather in a round table to talk about the situation in Palestine and find a convenient solution to the impossibility to approve a constitution whilst Syria and other boundaries state succeeded with this task. The situation was so tighten that even the possibility of the existence of a document that could lead to such a round table was matter of discussion about its untruthfulness. The document's main perspective was that the two factions would have accepted the unity of Palestine with a strong central Government in the view that Arabs and Jews would like to live in peace, harmony and they would have worked for the good of the country as a whole. They should have arrived at a complete understanding on matters of mutual interest before they can co-operate in bringing about the revival of Palestine as and independent State. If any round table was to be held the discussion must have been on the unity of Palestine, the ideal of a National Home for the Jews and the preservation of the rights and privileges of Arabs who have been in possession of the country for several centuries. The National Home for the Jews needed a regulation in order to secure its existence.

In 1932 it was proposed to divide Palestine into administrative areas on a new basis, so that the interest of the Jews could be concentrated in one administration, which could be named National Home of the Jews. This district would have been part of the State of Palestine as a whole, but it would also have been under a particular constitution in order to secure the Jewish Community full autonomy for internal affairs, while at the same time it would have guaranteed them their due and proper share in the governance of the whole country. The statute of the Jewish district would have had the same binding force of the constitution of Palestine. In case of acceptance it would have been possible to divide the communities into provinces with a further statute for the respective minorities (Arabs in the Jewish province and vice versa) following the main principles accepted by the League of Nations for the treatment of minorities. The idea of the millet system transposed under new forms appeared again. The round table proposals seemed, for some Jews, as a conviction to another ghetto with no perspective of development in the future. At the end of the day this proposal of peace from the Arabs was seen by the Jews only as a deliberate plan and a conspiracy to confine and destroy them and for such a reason it was totally unacceptable⁵⁵.

The note on the Round Table talks, published by the Jewish Telegraphic Agency, draw the attention of Selig Brodetsky, Secretary of the Jewish Agency for Palestine who interviewed H. F. Downie of the Colonial Office in order to understand the position of the British Government with regard to the Arab proposal and probably to understand if there was any British suggestion underneath⁵⁶. The Colonial Office was in fact unaware about the origin of the proposal of the round

⁵⁴ Note of Discussion at the House of Commons on Wednesday 24 May 1933, *ibid*.

⁵⁵ Jewish Telegraphic Agency, Daily News Bulletin, 10 February 1932, vol. XIII, n° 38, NA, CO 733/219/2.

⁵⁶ Minute of H. F. Downie, 16 February 1932, *ibid*.

table and asked the High Commissioner to understand where it came from and to investigate whether there was the Mufti of Jerusalem's hint beneath⁵⁷.

The lack of news brought the Jewish movement into the deepest discouragement as they thought there was a British plan to hand Palestine over to the Arabs giving the Jews one or two cantons where to segregate them, forgetting the Balfour Declaration. It was quite hard for the British authorities to persuade the Jewish movement that they heard about the Round Table plan from them and from the press and that they had not received any official news⁵⁸. The assumption that the Colonial Office was the hide director of the Arab proposals came from an article published in a Paris newspaper where it was alleged that a document with similar proposal was circulating at the Colonial Office months before and even within the Government of Palestine. The article also alleged that there were plans to divide Palestine in order to select a small zone for the Jews where to confine them, thus accomplishing the Balfour Declaration. It was pointed out that the British Government committed itself in creating a "home" for the Jews within the Palestine region and not to make a "home" from Palestine as a whole⁵⁹, an assumption for which the Jewish Agency claimed an official denial⁶⁰, even if such an accusation had been already fiercely rejected by the Colonial Office⁶¹. At the end of the day the Jewish Agency thought to have prevented the British Government and the Arab Movement to set up a plan whose primary deliberate aim was to relegate Jews in a sort of ghetto avoiding any future development of a National Home⁶².

Anyway, as someone pointed out, the idea of cantonizing Palestine was not new and was generated by an idea of Itamar Ben Avi who suggested creating a system in Palestine similar to those existing in Switzerland⁶³. Even in the Jewish circles in the United Kingdom and in the United States many were aware of the unavoidability of a canton system in the future because both the Jews and the Arabs wanted to leave separately, with the Jews wanting this more than the Arabs. Moreover, the cantonization was already a fact with the Jews having Tel Aviv and other places whilst the Arabs having Tulkarem, Nablus and so on. The major issue for the Jews was the possibility of free immigration in the eventual Jewish cantons⁶⁴. A basic need as the immigration in any part of the region, legal or illegal, was becoming a matter of public order. The Arab and the Christian communities in fact were upset with the continue increasing of the Jews population that they saw as a threat⁶⁵. For this reason they were urging the British Government to freeze the Jewish immigration to Palestine.

4. International Influences for a Stable Solution

The episode of the round table had the consequence of reinforcing the will of the Jewish Agency to find a solution in order to secure the existence, the idea and the achievement of a Jewish National Home. One of its prominent members, Chaim Weizmann, decided to call upon the officials of the League of Nations and tried to persuade them of the inevitability and of the necessity of dividing up Palestine between Arabs and Jews. In his eyes there was no solution but to divide the territory. This

⁵⁷ Parkinson to Wauchope, letter of 19 February 1932, *ibid.*

⁵⁸ Extract of Conversation with Mr. Brodetsky of 7 March 1932, *ibid.*

⁵⁹ Extract from an Article in *Rasswiet* (Paris), 28 February 1932, *ibid.*

⁶⁰ Brodetsky to the Under-Secretary of State for the Colonies, letter of 7 March 1932, *ibid.*

⁶¹ Extract of Conversation with Mr. Brodetsky of 7 March 1932, *ibid.*

⁶² Jewish Telegraphic Agency, *Daily News Bulletin*, 8 March 1932, vol. XIII, n° 62, *ibid.*

⁶³ Penny Sinanoglou, *British Plans for the Partition of Palestine, 1929 – 1938*, in "The Historical Journal", 52, 1 (2009), Cambridge University Press, p. 136.

⁶⁴ Extract from the Hebrew, Arabic Press Summary, n° 12, 24 March 1932, NA, CO 733/219/2.

⁶⁵ The Arab Catholic Communities to Pius XI, letter of 25 June 1936, VSA, APD, ADJP, Envelope 2, folder 8.

belief was made stronger after a conversation with Benito Mussolini of Italy. Vito Catastini, an official of the League of Nations could not refrain to point out with Weizmann that the idea of partition urged by Mussolini was too much premature and any possible solution should have adhered to the interests of the British Empire and those of the Holy Places⁶⁶, for which there was also a strong interest of the Holy See. The Foreign Office was quite concerned about the news that Catastini did not discourage Weizmann about a territorial partition and they were even more concerned about the interest of Mussolini on the subject⁶⁷. It is true, anyway, that the personal feelings of Catastini were that Weizmann's idea of two parts or regions in Palestine would not have been possible because it would have led to the formation of two states⁶⁸. The Foreign Office, although disappointed for the Italian interference, that contravened the arrangements of the San Remo Conference of 1920, in lack of more details, decided to avoid any comment on the subject and so it would have done the British ambassador in Rome if questioned⁶⁹. The proposed cantonization, reported by the Jewish Telegraphic Agency, would have prevented the Arabs from buying land in the Jewish zone and vice versa. The Jews would have been banned from buying land in the Arab sector or it would have been done under the rule of the corresponding canton. There would have been a central government composed of Arabs and Jews according to their numerical representation in both zones, responsible for national legislation, currency and defence. Each zone would have enjoyed autonomy in education, health, local police and administration. The Arab zone, with the accession of Trans-Jordan, would have been called "Southern Syria", whilst the Jewish canton "Eretz-Israel"⁷⁰. A similar arrangement was to be proposed under the United Nations Partition Plan in 1947.

5. The Position of the Holy See

For a reason of completeness it is important to mention also the situation of the Catholic Church. With regard to the Catholic Communities, the least that can be said is that they felt their interests not safeguarded as the various privileges which they enjoyed under the Ottoman Empire were abolished. Their holy sanctuaries which were the subject of veneration by the Turks themselves were felt to be profaned. In general, at a political level, they felt their importance to be noticeably diminished over the years during the British Mandate. Over the Ottoman Empire they gained the privilege of having two representatives in the Municipal Council, a privilege maintained by the Mandatory Power only until 1927 when the representative was reduced to one member. Moreover, since the year 1935, in consequence of the promulgation of a new municipal Law which was so framed as not to safeguard the Catholic interests, the Catholics found it impossible to secure the election of even one representative in the Council. The protests and representations of the Catholic Communities either direct or through the Latin Patriarch to amend the Law remained without success. Even when a new Municipal Law was enacted conferring on the High Commissioner the power to appoint members on the Municipal Council they could not secure representation in the Council and the efforts of the Catholic community to obtain the appointment of one Catholic member remained fruitless. At the end of the day it appeared that the Catholics had no representations whatsoever in the Government⁷¹.

As it is well known, after the early proposal for a cantonization of Palestine, mentioned before as an example, the British Government decided later on to push with a partition idea and instructed a Royal Commission, headed by the Earl Peel, to visit Palestine in 1936 – 1937 in order to decide the best solution. The results, well known, and deeply studied are better known as the Royal Commission

⁶⁶ Minute of Vito Catastini, 13 November 1933, in Walters to Strang, letter of 18 November 1933 NA, CO 733/248/20.

⁶⁷ Rendel to Williams, letter of 1 December 1933, *ibid.*, E 7130/257/13.

⁶⁸ Drummond to Oliphant, letter of 29 December 1933, NA, CO 733/248/20, E 96/96/31.

⁶⁹ Williams to Rendel, letter of 12 December 1933, NA, CO 733/248/20.

⁷⁰ Extract from the Daily News Bulletin, issued by Jewish Telegraphic Agency, 3 January 1934, n° 3, *ibid.*

⁷¹ The Arab Catholic Communities to Pius XI, letter of 25 June 1936, VSA, APD, ADJP, Envelope 2, folder 8.

Report. The document suggested to abolish the British Mandate, except for the region of Jerusalem with a corridor towards the sea and to divide Palestine into two States, one Arab and one Jewish with an exchange of population accordingly. The reactions to this plan are also well known and even a Ministerial Commission a year later ruled the plan out as impracticable, but at that point a third component, the Holy See, that is important for future plans development came out with new complaints, new requests and new proposals. The Holy See, concerned about Jerusalem and the Holy Places, received direct information by the British Government about the decision to proceed to a partition solution under the plan drafted by the Royal Commission of 1937⁷². The Apostolic Delegate of Jerusalem, Gustavo Testa, confirmed to Cardinal Eugenio Pacelli, Secretary of State of His Holiness that the plan drafted by the Royal Commission provided for two States, one Jewish that would have included the region of Galilee, the plain of Esdraelon and all the wealthy colonies towards Gaza, whilst the rest together with Trans-Jordan, that the Papal Delegate considered as a “land of Bedouins”, would have formed the Arab State. The British would occupy the Holy Places and Jerusalem with the necessary military corridors⁷³.

The evaluation of the Apostolic Delegate is quite interesting as he referred to the Secretary of State that the British Royal Commission Plan should have been provided protection for minorities, financial compensation between the two States, and occupation by the British Armed Forces of some special strategic zones as well as a compulsory treaty with the Mandatory Power. The Apostolic Delegate remarked that the provisional presence of the British Forces meant at the end of the day a presence for good and that the treaty that the United Kingdom wanted to sign with both States would have been similar “to the protection given in Manzoni’s *The Betrothed* by Don Rodrigo to the young Lucia”⁷⁴. In practice the prelate was convinced that the Report was a shrewd and far-seeing document of colonial policy and a fierce hoax towards the Arabs because they would have given them the zones with deserts and mountains whilst the Jews would have received the wealthy zones. Moreover, as the Most Reverend Testa pointed out, the Plan would nullify the Arab’s effort in stopping Jewish immigration and influence and it would have let the Jews building flourishing colonies in the country thanks to the financial help coming from abroad. As for the Catholic interests and the Holy Places in Palestine the Apostolic Delegate analysis was quite clear. The Catholic Church was still guided in the region with statutes of the mid-eighteen century and it was time to repeal them in order to fight in more appropriate ways for its protection and rights. The Holy See should have been wiser in taking any position in order to avoid misunderstanding and misinterpretation of her international role. Any critics of the Partition Plan would have been seen as a critic for one or the other of the communities or both. The actions taken by the Royal Commission and the advices given by the Apostolic Delegate urged His Holiness’s State Secretariat to send a memorandum to the Foreign Office in London. The Holy See reminded to His Majesty’s Government “that Palestine had always been an indivisible land known as - The Holy Land - a land that witnessed the presence of the Lord”. The Partition Plan, proposing to maintain under the Mandate Jerusalem and Bethlehem, did not provide any solution for other places, equally holy and sacred to the Christians. It would be better they were also included under the British protection⁷⁵. A position already suggested by Pope Benedict XV (r. 1914-1922) during his speech to the cardinals of 10 March 1919⁷⁶. Other than for the Holy Places cardinal Eugenio Pacelli expressed his fear for Catholic minorities in the region because they would have found themselves scattered in the middle of stronger majorities, Arab or Jewish, and there would have been obvious concern about

⁷² Pizzardo to Testa, letter of 14 July 1937, n. 2653/37, *ibid*.

⁷³ Testa to Pacelli, letter of 23 July 1935, n. 583/P, *ibid*.

⁷⁴ *Ibid*.

⁷⁵ Pacelli to Testa, letter of 18 August 1937, n. 3169/37, *ibid*.; See also: draft note without date, VSA, Extraordinary Ecclesiastical Affairs (EEA), Turkey, Fourth Period, n. 22, folder 149.

⁷⁶ Address *Antequam ordinem* to the Cardinals during the Secret Consistory (March 10, 1919), pope Benedict XV, http://www.vatican.va/holy_father/benedict_xv/speeches/documents/hf_ben-xv_spe_19190310_antequam-ordinem_it.html

their pacific co-existence and their rights. The Cardinal urged the Foreign Office for a strong protection of the Catholic communities in order to allow them to a free exercise of their rights⁷⁷. The Holy See was in fact asking the international community and the British Government to let the Catholics enjoy in Palestine the old privileges and to organize it under a self-governing structure that would resemble to the old millet system enjoyed by the Catholics in the past. The Patriarch of Jerusalem Luigi Barlassina suggested involving Chaim Weizmann because he was quite powerful and influential in London and he wanted also to maintain good relationships with the Catholic Church. Moreover, the privileged accorded to Catholics would have not interfered with the Jewish regions⁷⁸.

6. From WWII to the Plan of the United Nations

Well after the Peel Commission many other proposals were set in order to find a convenient solution that would be convenient for Arabs and Jews.

Particularly interesting was the period during the Second World War, when despite the situation and the 1939 White Paper, there were many proposals. One, in particular, was quite interesting and came from Nuri Said, Prime Minister of Iraq, supported by Lord Moyne, Secretary of State for the Colonies. The proposal envisaged the creation of one State with Syria, Lebanon, Palestine and Trans-Jordan with a Jewish semi-independent State altogether federated with Iraq in an Arab League called Greater Syria. This was a new plan that resumed the old idea of an Arab State with a linked community with its rules, race and religion. Anyway, it seemed a proposal that would not have been followed by other neighbouring states like Saudi Arabia or Egypt. King Adbulaziz Ibn Saud, in particular, was quite distrustful about the possibility that the Hashemite Royal House could gain more power and more influence in the Arab world than that already gained⁷⁹. The proposal was turned down because also Syria and Lebanon were not interested in pursuing it and because the Colonial Office was not sure that the plan was really a good solution for the region. Since the approval of the White Paper, the British Government had reached the consideration that sooner or later it would have been of a strict necessity to decide for a partition of Palestine in order to solve the Question. Moreover, the British diplomats thought, at one point, that being unavoidable the creation of a Jewish State, it would be wise starting broad talks in order to limit the damage and possible riots. The Colonial Office suggested to create a Jewish State in the form of a token state, with the borders well reduced in comparison to those designed by the Peel Commission and to impose a limitation to Jewish immigration in the Arab State arranging this limitation with both the Jews and the Arabs. The eventual creation of a Jewish state-like entity should have been done with exact borders and with the constant foreign support. British officials were also wondering whether its creation would be a sufficient condition to give the other Jews around the world the Jewish citizenship. There is something to point out and to highlight because the creation of a Jewish State within Palestine, as little as it would be, should have brought to an end the Mandate, as fulfilment of the Jewish National Home, with the hand over of the remaining territory to the Arabs, including Trans-Jordan, and the creation of an international administration for Jerusalem and the Holy Places. The Colonial Office was almost sure that the Arabs would have protested against the existence of a Jewish token-state, but at the end of the day they would have accepted it, especially if its size was not exceeding those set up in the Report of the 1939 Partition Commission⁸⁰.

⁷⁷ Pacelli to Testa, letter of 18 August 1937, n. 3169/37, VSA, APD, ADJP, Envelope 2, folder 8; Draft of Aide Mémoire, 29 July 1937, VSA, EEA, Turkey, Fourth Period, n. 22, folder 150.

⁷⁸ Report on Palestine in Barlassina to Pizzardo, letter of 24 July 1937, n. 1050/37, *ibid.*, folder 151.

⁷⁹ Michael J. Cohen, *Palestine Retreat from the Mandate. The Making of British Policy, 1936-1945*, pp. 145-46; David Ben Gurion, *La Palestina nel mondo del dopoguerra*, Hechaluz Italia, Roma, 1944 pp. 37-38.

⁸⁰ *Note on Palestinian Question*, 1 November 1943, War Cabinet, Committee on Palestine, NA, CO 733/443/5, P. (M) (43) 16.

This was just a possibility because there were other plans and other settlements in mind of the various departmental minister of the British Government, especially after a push given to the matter by Sir Winston Churchill who thought the 1939 White Paper a gross breach of faith committed by Chamberlain's Government in respect of obligations to which he felt himself personally a party⁸¹. Among the partition scheme that the Government's departments had to examine there was one prepared by Sir Charles Leopold Amery, Secretary of State for India, that provided for the creation of a Jewish State on the scheme of the 1937 Royal Commission, plus an extra part composed by the entire shore near the Egyptian border, with the Negev and the Beersheba region, leaving the Galilee to the Arabs. As it is easy to understand this proposal was too favourable to the Jews, and the Arabs would have never accepted it⁸². At this point it was clear that the idea of a self-independent region, as well as of a small area, with the likeliness of a millet administration was over and this area could now enjoy the status of a State. The Amery Plan was also quite unbalanced from the point of view of the population. Within the same territory given to the Jews there would have been a population of about 387,000 Jews against about 512,000 Arabs, a fact that would have given the way to strong opposition and riots. Moreover, there would have been a substantial difference about the land owned by the two communities because the Arabs would have owned about six million deunum⁸³ whilst the Jews a bare million⁸⁴. The British figures did not match with those of the Jewish Agency according to which the Jewish population was about 500,000 people from the early 1940s⁸⁵. Apart for the discrepancies of the figures, after a negative feedback from the authorities in Jerusalem the Colonial Office, under the pressure of the then Secretary of State for the Colonies Oliver Stanley, decided to rule the Amery Plan out⁸⁶. A plan that seemed punitive for the Arabs and too much in favour of the Jews.

Stanley thought instead it was wiser to adopt the integrations suggested by the Woodhead Commission to the Peel Commission Plan. A workable plan that would have probably brought lesser riots and opposition than the Peel Plan itself, not to mention the Amery Plan. Under the Stanley proposal, that backed the Woodhead Plan, the Jews would have received the Huleh Salient, the Esdraelon Valley, Beisan, Haifa and its bay, plus a shore towards Gaza Strip and, obviously, the port of Jaffa. As for the weight of the population and the land ownership this plan was fairer than that of Amery, giving the Jewish administration the 81% of the population and the 88% of the Jewish land in Palestine. According to Stanley the land given to the Jews would have been able to accommodate many thousands of new arrival, and the only problem could have been the jobs for all these people⁸⁷. About this problem David Ben Gurion was quite positive and some studies seemed to state that he was right⁸⁸. Besides, the proposal made clear that there should be a special provision regarding the

⁸¹ Churchill to the Lord Privy Seal and to Stanley, letter of 18 April 1943, *ibid.*, M 291/3. See also 1922 Churchill Memorandum on Palestine in J. C. Hurewitz, J. C., *Diplomacy in the Near and Middle East. A Documentary Record*, 2 volumes, Van Nostrand Company Inc., Princeton, 1958 (First Edition 1956), vol. 2, 1914-1956, pp. 103-106. For different conclusions on 1922 Memorandum by Churchill see: Michel J. Cohen, *Palestine to Israel. From Mandate to Independence*, Frank Cass, London, 1988, pp. 2-15.

⁸² Memorandum of Oliver Stanley, November 1943, NA, CO 733/443/4, P (M) (43).

⁸³ The deunum, from the Ottoman Turkish dönme (turn upon), was originally the amount of land that a single man could plough in a day. It is an undefined unity that differs from one place to another. During the Ottoman Empire the deunum was about 919,3 Square meters, but under the British Mandate it was adopted the metrical deunum of 1000 Square meters still in use in Israel, Jordan, Lebanon, Palestinian National Authority and Turkey.

⁸⁴ Memorandum of Oliver Stanley, November 1943, NA, CO 733/443/4, P(M) (43); See also: The Arab Catholic Communities to Pius XI, letter of 25 June 1936, VSA, APD, ADJP, Envelope 2, folder 8.

⁸⁵ Weizmann to Maiskii, letter of 2 March 1942, *Documents on Israeli-Soviet Relations (DISR)*, 1941-1953, Frank Cass, London, part I, 1941- May 1949 (2000) pp. 25-28.

⁸⁶ Memorandum of Oliver Stanley, November 1943, NA, CO 733/443/4, P (M) (43).

⁸⁷ *Ibid.*

⁸⁸ Ben Gurion to Maiskii, letter of 8 August 1944, DISR, I, pp. 75-77; About the economic implications of Jewish immigration in Palestine: Nadav Halevi, *The Political Economy of Absorptive Capacity: Growth and Cycles in Jewish*

distribution of the population and the taxation system. As occurred in the previous recent plans also Stanley talked about “State” referring to the Jewish region, even if the conditions to accomplish this task were quite unlikely at that moment. The Secretary of State for the Colonies was absolutely sure that the Zionist would have accepted his proposal because, in this way, they would have gained the primary goals of Zionism – a Jewish Nation established in Palestine able to give its citizens the same rights the other nations of the world give to theirs⁸⁹. It is almost clear that the Jews were more conscious of their numerical consistency stronger in 1943 than ever before⁹⁰. This was not enough as the feeling of the Jewish Agency was that the Jewish immigration in Palestine should be increased. Jews were still a minority group and the Arabs still had an overall majority. A fact pointed out by Chaim Weizmann when he tried to urge the Labour Government in 1945 in allowing a greater Jewish immigration towards Palestine⁹¹ as well as the creation of a Jewish State, possibly with the money given, as reparation, by Germany. According to the British press the His Majesty’s Government was not fully realizing that this hesitating policy towards Palestine was undermining Arabs loyalty, exposed during the war to the Axis propaganda, as well as Jewish hopes. It would have been serious threat in the long term⁹². The new Labour Government in the meantime adopted the pre-war policy of the White Paper thus restraining the Jewish immigration towards Palestine⁹³.

The proposals for a definitive solution of the Palestine Question during the Second World War were so wide and various that there was also one that suggested the inclusion of the would-be Jewish State into the British Empire as a Dominion⁹⁴. A proposal made probably remembering that a similar thought was expressed during the Biltmore Conference in 1942 and that it would be perhaps very welcomed by the Jewish Agency⁹⁵. An idea, according to the new High Commissioner Harold MacMichael, a fierce opponent to this provision, that would have led at the moment virtually and later effectively, the Jewish “Dominion” to an independence under the Statute of Westminster⁹⁶.

At the end of the war diplomats and politicians around Europe knew that the public opinion was in favour of the establishment of a Jewish State in Palestine⁹⁷. The newly constituted United Nations adopted a resolution of the Security Council by which they recommended to the Mandatory Power for Palestine, the adoption of a plan of partition and of an economic union in the region ordering at the same time the ending of the Mandate not later than August 1st, 1948. The Resolution provided for the creation of a Jewish State, an Arab State and a Special International Regime for the City of Jerusalem. The Mandatory Power should have made its efforts in order to provide facilities to a part of territory of the Jewish State to increase the immigration. It was provided that two Provisional Councils of Government would have acted as transitional powers giving both States progressively full authority, organizing the central and local administration, a national militia as well as economic and financial structures. Each Council would have provided for calling general and democratic elections in each part of their territory, allowing voting citizens of the respective State and women. It is interesting to note that there would have been problems in fulfilling this provision because it would have been difficult to decide the democratic lines to adopt in order to allow a wider representation. This prediction is quite

(Contd.) _____

Palestine under the British Mandate, in “Middle Eastern Studies”, a. 19 (1983), n° 4, pp. 456-69; Chaim Weizmann, *Palestine’s Role in the Solution of the Jewish Problem*, in “Foreign Affairs”, a. 20 (1942), n. 2, pp. 329-31.

⁸⁹ Memorandum of Oliver Stanley, November 1943, NA, CO 733/443/4, P (M) (43).

⁹⁰ Memorandum of Conversation between Sultanov and Shertok, 21 December 1943, DISR, I, pp. 72-73. NOTA 63, P. 125

⁹¹ Note for the Undersecretary of State, 16 August 1945, Archives of the Italian Foreign Ministry, Rome, Political Affairs 1931–1945 (AMAE, AP), Palestine, folder 33.

⁹² Note for the Undersecretary of State, 25 August 1945, AMAE, AP, Palestine, folder 33.

⁹³ Note for the Undersecretary of State, 5 October 1945, *ibid.*

⁹⁴ Minute of Boyd, 30 December 1943, NA, CO 733/443/5.

⁹⁵ Martin Gilbert, *Israel. A History*, Turner Books, Toronto, 1998, p. 112.

⁹⁶ Minute of Boyd, 30 December 1943, NA, CO 733/443/5.

⁹⁷ Guaraschelli to De Gasperi, letter of 31 January 1945, AMAE, AP, Palestine, folder 33.

easy to be made because of the difficult talks occurred about the Legislative Council just a decade before. Each State should also have provided for guaranteeing to all equal and non-discriminatory rights in civil, political, religious and economic matters and the enjoying of Human Rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association. Both States should have committed themselves in keeping freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, except considerations of national security. The Commission would have appointed an economic commission with the task to make whatever arrangements were possible for economic cooperation with the view of establishing, as soon as practicable, an Economic Union and a Joint Economic Board. The Economic Union for Palestine should have include same customs, common currency, inter-State railways and common postal, telephone and telegraphic services, ports and airports involved in international commerce. There should have been special rights and exemption for the Holy Places and the City of Jerusalem. Other than the territory of the International City of Jerusalem and the Holy Places, the other part of the region would have been divided up into four parts of which two would have been part of the Arab State and the other two of the Jewish State⁹⁸. Beyond every consideration the United Nations resolution took up the old scheme of the Royal Commission Report and tried to create three independent provinces, a sort of new “millet”: one Arab, one Jewish and one International. There would have been in fact an international spiritual control over the three regions that would have been independent and sovereign on some issues but that would have been definitely linked to each other on foreign policy, financial and economic point of view.

After the establishment of the State of Israel in 1948 and aftermath every possible solution of the Palestine Question should take into account the political structures created in the region during the centuries and their legacy, but also the reasons that brought previous plans to a failure.

⁹⁸ Resolution Adopted on the Report of the Ad Hoc Committee on the Palestinian Question, 29 November 1947, A-RES-181 (II) <http://www.un.org/documents/ga/res/2/ares2.htm>.

Author contacts:

Christian Rossi

Viale San Ignazio, 78

09123 Cagliari

Italy

Email: chross@unica.it

