CHAPTER I

INTRODUCTION

Religious Communities of West Asia – A Historical Background

The Jews or the Hebrews lived without a territory for several hundreds of years. The Jewish sway over the land of Judea or Israel was only for a period of 1400 years when the names of Abraham, Isaac Jacob, David and Solomon are heard. During the beginning of the Christian era, the Jewish lands were part of the Roman empire. After the Octavian era, the Roman rulers became less tolerant and the Jewish temple of Jerusalem was destroyed while the city was ransacked. The destruction of the temple of Jerusalem heralded a second exodus of the Jews to other parts of the world, including the Kerala coast in India. The legendary harbour of Cranganore (Muziris) near Cochin provided asylum to the fleeing Jews. The Jewish Synagogue at Cochin and the surrounding township bears testimony to this¹.

It is stated that the Jews carried in to exile a spiritual father land, wherever they went. It became a fundamental part of their religious beliefs that they would return to their father land. Israel was a nation dwelling by itself, not counted


The Cochin Jews possess copper plate grants issued by the King Bhashkara Ravi Varma to Joseph Rabban, a leader of the Jewish community in Anjuvannam near Cochin.
among the peoples\textsuperscript{2}. The Jewish prayers and ceremonies have the theme ‘returning to the promised land’ as their driving force. There is not a religious service or occasion on which the prayer is not uttered, morning and evening, working days and during sabbath, fast and feast at marriage and death, in the home and in the Synagogue. From time to time, a leader claiming to be the Messiah would arise and proclaim that he would lead the people back\textsuperscript{3} to the promised land. The Jews, wherever they went, considered themselves to be members of a distinct nationality. Judaism, the religion, was thus firmly bound up with the nationality question.

The Jewish population of Palestine during the 19\textsuperscript{th} century rose gradually from about 10,000 to 60,000 and by the close of the nineteenth century, it stood at 70,000. The largest part resided in the four holy towns, and in Jaffa, which was the centre of commerce and Jerusalem. Small groups were also in other port towns such as Gaza in the South near the frontier of Egypt and Haifa which was also a commercial town and terminal of the railway to Damascus and the historic port of Akka (Acre)\textsuperscript{4}.

Before the outbreak of the first world war, which was to change the destiny of the Jews and their land, there were forty Jewish villages in all parts of Israel. They were inspired by the idea of auto-emancipation and self-government in a Jewish home. The early settlers were scholarly and pious people, who had

\textsuperscript{3}ibid.
\textsuperscript{4}Christianity believed that Jesus was the Messiah. But the conservative Jews did not agree to that because Christ was talking about the spiritual kingdom.
mostly graduated from the Talmudic college, Yeshivah and they were well-versed in Jewish law. The Russian Jewish philosopher Asher Ginsberg taught that the essential task of the national home was to revive Judaism rather than save homeless persecuted Jews. Hence, Zionism could not be a secular national movement, but based on Jewish culture.

There were positive elements within the Ottoman empire for the survival of these religious communities. Most of the religious community settlements could enjoy defacto self-government. The non-Muslim community was considered to be a millet, that is a recognized religious society with jurisdiction over its own members in to matters of personal status such as marriage, succession divorce etc. It gave the Jews to the right to establish their own schools in the Hebrew language. The millet also had the power to organize itself for religious worship and religious practices, including the celebration of pass over. All disputes among the settlers were normally submitted to the Rabbi, the religious head or to a committee which was a voluntary peace tribunal mishpat Shalon for adjudication according to the Jewish law. Thus, they normally avoided going to courts set up by the Ottoman rulers.

In the 6th Century, West Asia and the Mediterranean area were divided into two great empires, the Byzantine or the later Roman Empire on the western side and the Sassanian Empire in the east. There was also existed the kingdoms of Himyur in southern Arabia and Auxum in Africa. The Byzantine-

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6 The Ottoman empire included not only Muslim dominated territories, but also predominantly Christian regions like Greece and the Balkan states. Hence, recognition of the religious groups was essential for the empire itself.
Sassanian rivalry was a continuation of the rivalry between Rome and Persia, that had lasted for more than 500 years. The two empires not only raised competing claims to world dominion, they also represented different cultural tradition.

The Byzantines espoused Roman and Hellenistic culture, while the Sassanians adhered to ancient Iranian and Semitic cultural traditions and rejected hellenism as alien. This cultural difference also contributed to religious rivalry. In the 3rd and the 4th centuries, the Byzantine emperors declared themselves to be the champions of Christianity. Similarly the Sassanian kings espoused the cause of the Zoroastrian religion. On the eve of the rise of Islam, both Christian and Zoroastrian religions had acquired political character in the rivalry.

In spite of the fact that both the Byzantine and Sassanian empires espoused their respective religious causes, neither empire had a religiously homogenous population. Large population of the Jews were scattered throughout the near east. The Jewish population was substantially large in Alexandria, Antioch Jerusalem, Hamdam and Constantinople, the Byzantine capital. The Jews were also settled in Iberia, Palestine and southern Mesopotamia.

In these centres, the Jewish academics continued to exist with their tradition of learning and religious education. Christian were also considerable,

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8 Ibid.
perhaps majority of the West Asian population in the 6\textsuperscript{th} century. The Christians were divided into different sects that differed on the points of theology. Each sect viewed itself as the true or the orthodox (right confessing) Christianity\textsuperscript{9} and dismissed the other as heterodox.

The Byzantine or the Greek orthodox faith, the official church of the Byzantine empire was widely established in Greece, Balkans and among the Greek speaking population of Anatolia (West Asia) in Syria, Palestine and Egypt, however the Byzantine church was limited to the towns. Byzantine Christians also lived in Mesopotamia and Iran.

Christians following the teachings of Bishop of Nestorius, which was called Nestorianism, had been forced to leave the Byzantine Empire\textsuperscript{10} after he was deposed for heresy by the Council of Ephesus in 431 AD. The Nestorians had to take refuge in the Sassanian empire. They were scattered in Mesopotamia, Iran and on the fringes of central Asia. Another Christian sect Monophysites had been declared a heresy by the Council of Chalcedon in 451 AD. However, Monophysitism was the creed of indigenous Christians of Auxum, Egypt Syria, palestine, Mesopotamia, Armenia and Iran. Zoroastrians were found mainly in Iran and southern Mesopotamia. Outside the Sassanian empire also the Zoroastrians were found. The communities of all three religions (Christianity, Judaism and Zoroastrianism) which were called the scriptural religions because

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\textsuperscript{9} By 6\textsuperscript{th} century, the Christians were already divided into different sects. See B.J. Kidd, \textit{A History of the Church}, 3 Vols. (Oxford) 1921.

\textsuperscript{10} Ibid.
they shared the idea of a divinely inspired, revealed scripture were also found in Arabia.

The Byzantines and Sassanians fought many wars between the fourth\textsuperscript{11} and sixth centuries in an effort to secure and extend their own territories. They competed with particular intensity for key border zones such as upper Mesopotamia and Armenia. They also tried to seize key towns from one another to gain control over, as well to tax, lucrative oriental trade. This commerce brought southern Arabian incense, Chinese silk, Indian pepper and cotton, spices and other goods from the Indian Ocean region to the cities of the Mediterranean region.

The Byzantines and the Sassanians also attempted to gain the advantage\textsuperscript{12} by establishing alliance with lesser states in the region. The most important of these client states was the Christian kingdom of Auxum, with which the Byzantines established an unholy alliance. Both Byzantines and Sassanians also formed alliances with tribal groups who lived on the Arabian fringes of their territories.

THE POSITION OF ARABIA

Arabia occupied a strategic position in relation to the oriental trade, a fact that led both empires to intervene. During the 6\textsuperscript{th} century, Arabia was exposed to such intervention by the persians and the Byzantines. In 525 AD, the Byzantines encouraged the kingdom of Auxum to invade and occupy the kingdom of Himyur

\textsuperscript{11} Ibid.
\textsuperscript{12} Ibid.
in Yemen and its important trading ports, thus bringing\textsuperscript{13} the Red sea trade to the Indian ocean securely within the Byzantine orbit. In 575 A.D, the Sassanians sent an expedition against the Axumites from Yemen, which for several decades was a Sassanians province ruled by a governor appointed by the Sassanians king.

Sometime later, the Sassanians inaugurated the last and greatest of the Sassanian Byzantine wars by launching a series of assaults Byzantine territories farther north.

Between 611 and 620 Ad, the Sassanians seized most of Anatolia the entire Syria, Palestine and Egypt from the Byzantines\textsuperscript{14}. But in the next decade, the Byzantine emperor Heraclius regained these territories. In 628 AD he was able to conquer the Sassanian territory of Mesopotamia. These political developments formed the background of the career of Prophet Muhammed in Mecca and Medina of Arabia.

\section*{RELIGIONS}

Although away from the main centres of civilization in the Near East, Arabia was not isolated. The Arabians were aware of the political, economic, cultural developments of their surrounding of West Asia and Southern Europe. Trends in religion in particular resonated in various parts of Arabia. Many religions had established themselves in Arabia on the eve of the coming of Islam.

\textsuperscript{14} Ibid.
Christianity was well established in parts of Eastern Arabia along the Persian gulf coast and in Oman as well as in Yemen. The Yemen city of Najran in particular became famous because of the martyrdom of Christians there during the 6th century. Christianity had also spread among some pastoral nomadic tribes that occupied the northern fringes of the peninsula, where it bordered on Syria and Mesopotamia.

Judaism was also similarly widespread. Important Jewish communities in the string of oasis towns stretching southward along the northern Red sea coast of Arabia, including the towns of Khaybar and Yatrib (later called Median). Jews were also found in Eastern Arabia and especially Yemen. Zoroastrianism was not widespread in Arabia compared to either Christianity or Judaism. However, a small following existed.

Arabian communities who belonged to the scriptural religions of Christianity, Judaism and Zoroastianism sometime maintained contact with their co-religionists from other areas where these religions were firmly established.

For example, Bishops from lower Mesopotamia were sent to Yemen and the Arabian Jews might have had some contact with the great academics of Jewish learning in Mesopotamia. In addition to the scriptural religions, Arabia also was a home of several local nature cults, which attributed divine power to natural objects—the sun, the moon venus, certain sacred rocks and trees and so on. These cults, seem to have been late vestiges of the animistic religions once

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16 Ibid.
17 Ibid.
wide spread among the people of the ancient West Asia, such as the Babylonians and the Cananites. Although animism still existed in Arabia in 6th century, it was being supplanted by the scriptural religions in many areas. The remaining strongholds of these animistic cult were in central and western Arabia\textsuperscript{18}.

After the Assyrians and Babylonians, the country was occupied in turn by the Persians (whose king allowed in 538 B.C. the return of the Jewish exiles), the Greeks and the Romans. Following the Jewish rebellion against the Romans, Titus destroyed Jerusalem in 70 A.D and Hadrian quelled the last revolt in 132 A.D. In Judea proper the Jews seem to have been virtually exterminated, but they survived in Galilee.

From the 4th until the 7th century A.D Palestine came under Christian influence. Emperor Constantine I built the Church of the Holy Sepulchre. His mother Helena built two other Churches, the Church of the Nativity at Bethlehem and the Church of the Ascension at Jerusalem. Palestine began to attract Christian pilgrims and also became a centre of hermitic life\textsuperscript{19}; men flocked from all quarters to become hermits and the country was soon dotted with a number of monasteries.

In 637 A.D occurred the Moslem Arab conquest of Palestine\textsuperscript{20}, many of the indigenous inhabitants were converted to Islam and, as a result, the

\textsuperscript{18} Ibid.
\textsuperscript{20} Ibid.
predominantly Christian population became predominantly Muslim. However, a
Christian minority remained in Palestine after the Arab conquest.

There was a Christian resurgence during the Crusade, particularly as a
result of the establishment of the Latin Kingdom of Jerusalem in A.D. 1100.
Upon Saladin’s victory over the Crusaders in A.D. 1187 and his recovery of
Palestine, the indigenous Christians continued to live in Palestine side by side
with Moslems.

In A.D 1518, the Turks conquered Palestine and remained in occupation
until 1917. This conquest, however, did not involve any colonization nor did it,
cause any change in the composition of the population. The Turkish conquest\(^\text{21}\) did not in any way alter or affect the basically Arab character of the country. Its
inhabitants, language, customs and culture remained Arab.

**SERIES OF WARS AND INVASIONS**

The long and bloodstained story of wars and invasions\(^\text{22}\) which have
affected the Holy Land is reflected by the picture of the successive powers, which
have held Jerusalem from 1050 B.C. until 1950. These, as given by Reverend
Charles T. Bridgeman, were:

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<td>Israelis</td>
<td>Davidic Kingdom to Fall of Jerusalem 1050-586 B.C</td>
<td>464</td>
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<td>Babylonians</td>
<td>Fall of Jerusalem to the Babylonians 586/538 B.C</td>
<td>50</td>
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<td>Persians</td>
<td>Cyrus to Macedonian conquest of Persia 538-332 B.C</td>
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\(^{22}\) Ibid.
But notwithstanding the bewildering succession of wars, invasions, and conquests in Palestine, the original indigenous elements of the population – to the exclusion of the Israelites who were themselves invaders and were subsequently killed or deported had until almost the middle of the 20th century remained basically unchanged. There exists a common misconception
deliberately created that the Palestine Arabs were invaders of Palestine during the Moslem Arab invasion of Palestine in the 7th century. This is not historically correct. The Palestine Arabs are the original inhabitants of Palestine. The Moslem Arab conquest of Palestine in A.D. 637 was not the starting point of their occupation of the country. The Arabs are a pre-Islamic23 people. They lived in Palestine and other parts of the Middle East before the advent of Islam. In fact, the number of the invaders at the time of the Moslem Arab conquest of Palestine in the 7th century was small and they were assimilated by the indigenous inhabitants. Professor Maxime Rodinson points out that the Arab population of Palestine was native in all the senses of that word and were Arabized as a result of the Arab conquest in the 7th century. The Palestinians of today are the descendants of the Philistines, the Canaanites and the other early tribes. They are the earliest and original inhabitants of the country. They have lived continuously and without interruption in their country since the dawn of history. Their settlement in Palestine can be traced back to at least forty centuries. There were infusions of other racial elements into the Palestinians stock, mainly from the Greeks, the Romans, the Moslem Arabs and the Crusaders. But this Palestinian stock, which comprises both Moslems and Christians, continued to constitute the main element of the population until the majority of the original inhabitants were displaced by the Israelis in 1948 in circumstances to be hereinafter described.

Apart from the Moslems and Christians there existed other small communities which lived in the midst of the people of Palestine. These included Jews, Armenians, Assyrians and Kurds.

The Jews did not integrate into the ethnic stock formed by the original people of Palestine. They represented a small community. From the 1st century of our era until the 20th century, the Jews had almost ceased to exist in Palestine. Even as the main element in the population the Jews largely disappeared after the wars of A.D. 70 and A.D. 135. Benjamin of Tudela, a Jewish pilgrim who visited the Holy Land about A.D. 1170-1171 found but 1,440 Jews in all Palestine and Nahman Gerondi, in A.D. 1267, found only two Jewish families in Jerusalem. Up to the 19th century the Jewish population of Palestine had increased very little. At the beginning of the 19th century, the Jews in Palestine numbered 8,000; in 1845, they were 11,000 and in 1880 their number did not exceed 20,000. In 1918 the Jews numbered 56,000. At the time of the Balfour Declaration (1917) the Jews represented less than 10 per cent of the total population of Palestine. After the end of the First World War and following the Balfour Declaration, there was a wave of Zionist Jewish immigration into Palestine. The Palestine census in 1922 gave their number as 83,794 out of a total population of 7,57,1820.

During the Turkish period, i.e., from 1518 until 1917, Palestine was an administrative division of the Turkish Empire. In accordance with the

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administrative organization which took place in 1887-1888, Palestine was divided into the administrative units of Acre Nablus and Jerusalem. However, Jerusalem and its surrounding area enjoyed an autonomous status and instead of being dependent upon the governor\textsuperscript{26} of the province were, linked directly to Constantinople, the capital of the Empire.

The various citizens of the Turkish Empire, Turks, Moslem Arabs, Christian Arabs, Kuds, Greeks, Armenians and Jews, all enjoyed equal civil rights, regardless of race, creed or religion. The principle of equality of rights, which existed, in fact, was reaffirmed by the Turkish Constitution of December 23, 1876. The Constitution provided for a cabinet, an elected parliament and proportional representation of all nationalities. Parliament was elected and met in March 1877 but Sultan Abdul Hamid adjourned it and ignored\textsuperscript{27} the Constitution. On July 24, 1908, as a result of the Young Turk Revolution, Sultan Abdul Hamid restored the Constitution and ordered the holding of elections. On December 17, 1908 parliament met. The deputies consisted of 142 Turks, 60 Arabs, 25 Albanians, 23 Greeks, 12 Armenians, 5 Jews, 4 Bulgarians, 3 Serbs and 1 Vlach. New parliamentary elections were held in 1912. It should be remarked that the inhabitants of Palestine participated in all parliamentary elections and elected their deputies. Article 48 of the Turkish Constitution recognized the right of every person of Ottoman nationality to elect and be elected for national representation.


\textsuperscript{27} Ibid.
Not only did Arab citizens, among them the Palestinians, enjoyed equal rights with the Turks with regard to national representation, they also participated in the general administration of the country. Many rose to high executive, legislative and administrative positions and several occupied important ministerial and palace posts. As one writer has observed\(^{28}\).

The Turks were a racial minority in their empire, and made no attempt at the general colonization of the conquered provinces. The empire was conceived on no narrow Turkish-national basis, but was a comprehensive empire like the Abbasid or the Roman. Whatever a man’s race or birthplace, he was eligible for government service and could attain the highest office. While the bulk of senior officials were Turks, Syrian and Palestinian townsmen gained by their innate keenness of intellect an appreciable number of senior posts.

It is of extreme importance to emphasize the legal and political status which the Palestinian Arabs enjoyed during the Turkish regime, because\(^{29}\) subsequent events, particularly the imposition of the British mandate over Palestine, have somewhat obscured two basic facts. First, the Palestinians, whether Moslems, Christians or members of other communities, enjoyed with the Turks complete political independence and equality, exercised their full civil rights and shared with the Turks the rights of sovereignty over the various territories comprised within the Turkish Empire. The separation of sovereignty between


\(^{29}\) Ibid.
Arabs and Turks occurred only upon the detaching of the Arab provinces from the Turkish Empire after the First World War. Secondly, the Palestinians had attained before the First World War a level of cultural development and political maturity which could well have exempted them from being assisted by a mandatory power. Referring to the establishment of mandates over Palestine, Syria and Lebanon after the First World War, Mr. Duncan Hall remarks:

"These were cradles of western civilization and of great religions of Europe and Asia; and their peoples were capable of becoming independent states within a short period of time if they could in fact devise constitutions based on the consent of the main elements of the population."

Notwithstanding their enjoyment of full political rights, the Arabs wished to establish a purely Arab state independent of the Turkish Empire. There were already several undercurrents at the end of the 19th century that aimed at the achievement of this objective. These undercurrents rose to the surface and gained strength during the First World War. The Allied Governments encouraged the struggle of the Arabs for their independence, or more correctly their succession from Turkey, since this fitted into their plans for a victorious termination of the conflict. In particular, the United Kingdom and its allies made several pledges for the recognition and establishment of Arab independence.

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31 Ibid.
These pledges and assurances included:\(^{32}\):

i. The correspondence in 1915-1916 between King Hussein of the Hedjaz, then Sharif of Mecca, and Sir Henry McMahon, British High Commissioner in Egypt, which embodied a pledge by the Government of Great Britain that (with the exception of portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo) it was prepared to recognize and uphold the independence of the Arabs within the frontiers proposed by the Sharif of Mecca.

ii. The Hogarth message addressed by the British Government to the Sharif of Mecca in January 1918 in order to allay Arab fears about the Balfour Declaration, the issue of which had then come to the knowledge of the Arabs and had alarmed them about the sincerity of British intents concerning the future of Palestine.

iii. The Declaration to the Seven of June 16, 1918, which assured the inhabitants of territories occupied by the Allied armies that the future government of these territories would be based upon the consent of the governed.

iv. The Anglo-French Declaration of November 7, 1918, which stated that the goal envisaged by France and Great Britain in prosecuting the war was the complete and final liberation of the peoples who had so long been oppressed by the Turks, and the setting up of national governments and administrations that should derive their authority

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\(^{32}\) Ibid.
from the free exercise of the initiative and choice of the indigenous populations.

These pledges encouraged the Arab movement for secession from the Turkish Empire. The Arabs revolted against the Turks in many part of the country and in fact made a substantial contribution to the allied victory in the First World War. King Hussein of the Hedjaz joined the Allied armies, and Arabs from Syria, Lebanon and Palestine answered his call for revolt, joined the ranks of the Allies and fought with them against the Turks.

WESTERN ROLE:

It has been established that the Arabs were betrayed not only because these promises were not kept but also because Great Britain, after its promise to the Arabs, made an incompatible promise to the Zionist Jews concerning the establishment of a Jewish national home in Palestine. For many years before the Balfour Declaration was made, the Zionist Jews had entertained ambitions over Palestine. Jewish Zionism owed its origin to the desire of the Jews of Eastern Europe to escape the discrimination, and at times the persecution, from which they suffered in Eastern European countries. Theodor Herzl (1860-1904) became the strongest exponent of Zionism. In 1896 he wrote a pamphlet. The Jewish State, in which he advocated the establishment of British sponsored Jewish colonization in Argentina or Palestine with a view to the eventual creation

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of a Jewish state. Herzl's concern was a solution to the problem of anti-Semitism, not the fulfillment of the prophecies of traditional Judaism. In 1897, he convened the first Zionist Congress in Basle, at which the aim of Zionism\(^{34}\) to create a ‘home’ for the Jewish people in Palestine was proclaimed. Herzl tried to persuade the Turkish authorities to facilitate Jewish immigration to Palestine and grant them a certain degree of autonomy, but he was unsuccessful.

The Zionist objective of creating a Jewish state in Palestine\(^{35}\) was the root of the trouble and the source of the Palestine tragedy. It ignored the fact that Jewish presence in Palestine had almost ceased as from the 1\(^{st}\) century A.D. It was also in obvious conflict with the rights of the people of Palestine who had inhabited the country since time immemorial. Historically speaking, the Jews were neither the earliest inhabitants nor the owners of the land in Palestine. The Jewish occupation of Palestine in biblical times was simply an episode in the long history of the country. The modern Zionist Jews, the great majority of whom can hardly claim to be descendants of the ancient Hebrews, seized upon this biblical episode in order to stake a political claim more than twenty centuries later upon the territory of Palestine. The fact that such a claim was incompatible with the facts of history, with justice and with the rights of the real owners of the country was ignored\(^{36}\).

The Zionist Jews seized the occasion of the First World War to represent to the British Government the advantage of winning Jewish support by helping


\(^{35}\) *Ibid.*

\(^{36}\) *Ibid.*
Zionist ambitions. These efforts succeeded. Accordingly, on November 2, 1917 the British Foreign Minister Arthur James Balfour, in a written communication to Lord Rothschild, declared that the British Government viewed with favour the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of ‘existing non-Jewish communities’ in Palestine, or the rights and political status enjoyed by Jews in any other country.

It is significant that the Balfour Declaration was made notwithstanding Jewish opposition in some quarters to the concept of a Jewish national home. Jewish criticism which was made at the time proved to be prophetic. Mr.C.G. Montefior, who was one of the Jewish leaders consulted about the Declaration before it was made, has said:

The Balfour Declaration was described as a document in which ‘one nation solemnly promised to a second nation the country of a third... It is true that the Arabs in Palestine lived under Turkish over lordship; but they have been living there for centuries, and the country was no doubt “theirs” in the generally accepted sense of the word’\(^{37}\).

Mr. Michael Adams, an English journalist, has analysed the Balfour Declaration and the circumstances in which it was made, and emphasized its


The only good result of the fighting that took place in June is that it has forced the world to reconsider the realities of the Palestine question. What is astonishing is that these realities have been so successfully disguised and misrepresented in so short a space of time. The 50th anniversary of the Balfour Declaration provides an opportunity to restate them as matters of historical fact\(^\text{38}\).

Fifty years ago there was no Palestine ‘problem’. There was only Palestine itself, at that time a province of the Ottoman Empire, but a part of the Arab homeland like any other, occupied without interruption by Arabs for more than 1,300 years, and sharing the expectations of the rest of the Arab world. These expectations centered around the promise of immediate independence made to the Arabs by the British Government in 1916, in return for which the Arabs had risen in revolt against their Turkish masters, to play\(^\text{39}\) a significant part in the final defeat of the Ottoman Empire.

But before this promise to restore Arab independence could be kept, the British Government had entered into another, much less precise, undertaking to the Jewish people, then scattered throughout the world. This later undertaking, which we know as the Balfour Declaration, conflicted with the earlier promise to the Arab; indeed, it could only be fulfilled at the expense of the Arabs and in this contradiction lies the essence of the Palestine problem.


\(^{39}\) Ibid.
At the time that the British Government made the Balfour Declaration, it possessed no sovereignty, dominion or other title in Palestine which empowered it to recognize any rights in favour of the Jews in Palestine. After remarking that the Balfour Declaration had no substance or validity in terms of international law, Mr. Adams observes:

There are two points to consider about the phrasing of the Balfour Declaration. The words ‘a national home’ had obviously been chosen with care. What was intended was some form of refuge, a sanctuary where Jews could escape from the restrictions and sometimes the persecutions to which they were subject in other parts of the world.\(^40\)

Plainly, the concept which the British Government had in mind was not a Jewish State in Palestine, or it would have said so. In any case, only a year earlier Britain had promised that Palestine would form part of an independent Arab State; and even if this promise were to be forgotten or disregarded, it would be patently impossible to create a Jewish State in Palestine without prejudicing ‘the evil and religious rights of existing non-Jewish communities’ in the country.

This phrase provides the other curiosity about the Balfour Declaration. It could only suggest, to someone who was unfamiliar with Palestine in 1917, that its population was predominantly Jewish, with some other, and possibly substantial, minorities. If this was deliberate, it was a piece of carefully calculated misrepresentation, for it expressed the precise opposite of the truth.

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On the day when Mr. Balfour signed his letter to Lord Rothschild, Jews constituted between 7 and 8 per cent of the population of Palestine\textsuperscript{41}. That deceptive phrase ‘existing non-Jewish communities’ meant, in effect, the Arabs, the people whose ancestors had been in uninterrupted occupation of Palestine for 1,300 years and who, in 1917, constituted more than 90 per cent of the population and owned 97.5 per cent of the land. These were the unfortunates whose ‘civil and religious rights’ the British Government pledged itself to protect by the terms of the Balfour Declaration.

It is their children and grandchildren who now live in refugee camps or under Israeli occupation in the disputed remnants of their homeland.

The Balfour Declaration was issued without the knowledge or the consent of the Arabs. When the Arabs learned of it, they were seized with consternation and protested to the British Government. The Latter immediately dispatched commander Hogarth to Jeddah early in 1918 to assure King Hussein of Hedjaz that the British Government favoured the return of Jews to Palestine only in so far as would be compatible with the political and economic freedom of the existing population.

However, this and other assurances given to the Arabs by\textsuperscript{42} the British Government that the Balfour Declaration would not affect their civil and religious rights or their political freedom were neither kept for intended to be kept. Here again one might leave the word to Mr. Michael Adams:

\textsuperscript{41} Ibid.
\textsuperscript{42} Ibid.
In a memorandum to the British Government dated August 11, 1919 (Documents on British Foreign Policy 1919-1939, 1st Series, Vol. IV, HMSO) Mr. Balfour wrote⁴³:

‘In Palestine we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country... The four great Powers are committed to Zionism. And Aionism, be it right or wrong, good or bad, is rooted in age long traditions, in present needs, in future hope, of far profounder import than the desires and prejudices of the 700,000 Arabs who now inhabit that ancient land’.

On that point, understandably, the Arabs disagree. I find it hard to see how any dispassionate observer can fail to sympathise with them. What Mr.Balfour was saying in that remarkably blunt and revealing memorandum to his colleagues was that there was no longer any intention to keep the promise to protect ‘the civil and religious rights of the existing non-Jewish communities in Palestine’.

Should the Arabs accept without question the consequences of a decision made 50 years ago by a small group of middle-aged Englishmen, and based on some ill-defined preference for the ‘age long tradition’ of international Jewry over the ‘desires and prejudices’ of the Arab inhabitants of Palestine. It is difficult to see what line of reasoning, what emotion, what sense of self-respect or of respect for the rights of humanity as a whole could induce them to do so.

⁴³ Ibid.
As far as Britain and its reputation are concerned, the Balfour Declaration is the seemingly innocuous tip of an iceberg of deception. That is something which every Englishman ought to remember when he considers the present situation in the Middle East, to whose complexities the Balfour Declaration has so powerfully contributed.

As far as Israel is concerned, the Balfour Declaration is the original foundation stone of the Jewish State now constituted in Palestine. This, too, is something for all Zionists to bear in mind if they are concerned to understand and to come to terms with the attitudes of their Arab neighbors.

The question of the future of Palestine and the other Arab countries occupied by the Allied forces during the First World War was the subject of discussions at the Paris Peace Conference in 1919. Two main forces then came into play to shape the future of Palestine at the peace Conference.

On the one hand, the ideas which President Wilson had propounded towards the end of the First World War – namely, the rejection of any territorial acquisition by conquest and the recognition of the right of self-determination of peoples-came to be generally accepted and were incorporated in 1919 in Article 22 of the Covenant of the League of Nations. The Covenant laid down that, to the people inhabiting territories which have ceased to be under the sovereignty of the State which formerly governed them, there should be applied ‘the principle that their well-being and development form a sacred trust of civilization’. Moreover, and specifically with regard to the communities detached from the

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Turkish Empire, namely, the people of Palestine, Syria, Lebanon and Iraq, Article 22 laid down that ‘... their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone’.

The Peace Conference and Its Aftermath:

On the other hand, the Zionists exerted all their efforts to secure endorsement of the Balfour Declaration by the Peace Conference. Already Zionist efforts had won over France, Italy and the United States to an acceptance of the concept of a Jewish national home in Palestine. Representatives of the Zionist Organization appeared before the supreme Council of the Allied Powers at the Peace Conference in February 1919 and presented the Zionist programme for the future of Palestine. This programme, as explained and modified in subsequent proposals, included the establishment in Palestine of a Jewish national home to be developed into an autonomous commonwealth. The Zionist representatives even submitted proposals concerning the terms to be embodied in the proposed mandate which was to be granted over Palestine. The text of the Palestine mandate was the subject of negotiation between the British delegation at Peace Conference in Paris and the Zionist Organization “The Zionists obtained nearly all they desired; but there is no record of any consultation with the Arabs whose vital interest were at stake. The Arabs, and, in particular, the people most directly concerned. The Palestinians, were neither

46 Ibid.
represented at the Peace Conference nor consulted about the future of Palestine or the terms of the proposed mandate. On March 20, 1919 President Wilson proposed to the Supreme Council of the Allied Powers at the Paris Peace Conference that an Inter-Allied Commission should visit Syria and Palestine to elucidate the state of opinion regarding the mode of settlement of their future. The Supreme Council adopted President Wilson’s suggestion. However, fearing the result of such a consultation, the French refused to appoint their representative and the British representative withdrew. The two American members of the Commission, Henry C. King and Charles R. Crane, proceeded to the Middle East and conducted their investigation. Their report, though made in 1919, is still of intense topical interest. It permits an understanding of the Palestine issue and the present Arab-Israeli conflict. Paragraph 5 of the King-Crane Commission’s report stated inter alia:

If however, the strict terms of the Balfour Statement are adhered to favouring ‘the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine’ – it can hardly be doubted that the extreme Zionist program must be greatly modified. For ‘a national home for the Jewish people’ is not equivalent to making Palestine into a Jewish State; nor can the erection of such a Jewish State be accomplished without the gravest trespass upon the ‘civil and religious rights of existing non-Jewish communities in Palestine’. The fact came out repeatedly

in the Commission’s conference with Jewish representatives, that the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine, by various forms of purchase.

In his address of July 4, 1918 President Wilson laid down the following principle as one of the four great ‘ends for which the associated peoples of the world were fighting’: ‘The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement of the sake of its own exterior influence or mastery’. If that principle is to rule, and so the wishes of Palestine’s population are to be decisive as to what is to be done with Palestine, then it is to be remembered that the non-Jewish population of Palestine—nearly nine-tenths of the whole— are emphatically against the entire Zionist program. The tables show that there was no one thing upon which the population of Palestine were more agreed than upon this. To subject a people so minded to unlimited Jewish immigration, and to steady financial and social pressure to surrender the land, would be a gross violation of the principle just quoted, and of the people’s rights, though it kept within the forms of law.

The King-Crane Commission emphasized the serious injustice involved in the implementation of the Balfour Declaration as well as the absence of any

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49 Ibid.
basis for the Zionist claim to Palestine. It stated that the Zionist programme could not be carried out except by force of arms, and observed:

That of itself is evidence of a strong sense of the injustice of the Zionist program, on the part of the non-Jewish populations of Palestine and Syria. Decisions, requiring armies to carry out, are sometimes necessary, but they are surely not gratuitously to be taken in the interests of a serious injustice. For the initial claim, often submitted by Zionist representatives, that they have a ‘right’ to Palestine, based on an occupation of two thousand years ago, can hardly be seriously considered.

Unfortunately for the future of Palestine and the peace of the Middle East, the recommendations of the King-Crane Commission were discreetly buried and even concealed. Although the Supreme Council of the Allied Powers did not espouse the proposal sponsored by the Zionists which envisaged the establishment of a Jewish commonwealth in Palestine, the Balfour declaration itself was incorporated in the mandate over Palestine. The incorporation of the Balfour Declaration in the Palestine mandate was a denial of Justice to the people of Palestine. The mandate system was conceived\textsuperscript{50} by Article 22 of the Covenant of the League of Nations as a means to implement the principle of self-determination of peoples. As a result of Zionist influence this objective was defeated in the case of the Palestine mandate. As professor Keith has observed, the adoption of the principle of a Jewish national home ran counter to the doctrine of the right of each people so self-determination. On April 25, 1920 the

Supreme Council of the Principal and Allied Powers sitting at San Remo agreed to give the mandate over Palestine to the British Government, and on July 24, 1922 the Council of the League of Nations entrusted the mandate to the British Government. The mandate, however, did not formally come into operation, because Turkey had not yet accepted the separation of the Arab provinces. By the Treaty of Severs of August 10, 1920 Turkey agreed to accept the separation of the Arab provinces as well as the Balfour Declaration. The Treaty of Sevres, however, was not ratified by the Turkish National Assembly, which rejected some of its provisions, including the Balfour Declaration. It was only three years later that the detachment of the Arab provinces from Turkey became legally effective in accordance with the Treaty of Leusanne which Turkey signed on July 24, 1923. It is significant, however, that the latter Treaty did not embody Turkish acceptance of the Balfour Declaration.

PALESTINE DURING THE BRITISH MANDATE

The Palestine mandate embodied two main objectives.

On the one hand, as stated in its preamble, the mandate was given ‘for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations’. Two of those provisions were of consequence. First, the provision that the well-being and development of the people of the mandated territory ‘from a sacred trust of civilization’ secondly, the provision that the
existence of the people of Palestine ‘as an independent nation was provisionally\(^\text{51}\) recognized’.

On the other hand, the Palestine mandate also required that the Mandatory should be responsible for putting into effect the declaration originally made on November 2, 1917 by the British Government in favour of the establishment in Palestine of a national home for the Jewish people, ‘it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country’.

These various objectives were merged into Article 2 of the Palestine mandate which was worded as follows:

Art.2 Mandatory shall be responsible for placing the country under\(^\text{52}\) such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

Moreover, the mandate further provided that Jewish immigration should not affect the rights and position of other sections of the population. Article 6 stated\(^\text{53}\):

Art.6. The administration of Palestine, while ensuring that the rights and positions of other sections of the population are not prejudiced, shall facilitate


\(^{52}\) Ibid.

\(^{53}\) Ibid.
Jewish immigration under suitable conditions and shall encourage, in co-
operation with the Jewish agency referred to in Article 4, close settlement by
Jews on the land, including State lands and waste lands not required for public
purpose.

Did the mandatory achieve these objectives? Furthermore, did the
Mandatory not prejudice the rights and position of the existing Palestine Arab
population?

It is clear that the Mandatory utterly failed to achieve the mandate’s first
and basic objective of giving effect to the provisions of Article 22 of the Covenant
and of leading the country towards independence by the development of self-
governing institutions. Largely because of Zionist opposition to the grant of any
real powers to the existing population as long as the Jews were only an
insignificant minority, almost no advance was made towards the development of
self-governing institutions. From the beginning of the mandate in 1922 until its
end on May 15, 1948 all legislative and executive powers in Palestine were kept
in the hands of the British Government and its representative, the British High
Commissioner\textsuperscript{54}. While the Arabs were thus denied any right of self-government
or even of participation in the administration of their own country, the Jews
enjoyed a specially privileged status. Article 4 of the mandate had provided that
an appropriate Jewish agency shall be recognized as a public body for the
purpose of advising and cooperating with the Administration of Palestine in such
economic, social and other matters as may affect the establishment of the Jewish

\textsuperscript{54} Philip Khoury, Philip Khoury, \textit{Syria and the French Mandate; The Politics of
national home. The Zionist Organisation which later became the Jewish Agency was recognized as such agency, and thus the Jewish Agency, a foreign body composed of Zionists, became a government within a government. On two occasions during the mandate the British Government indicated an intention to establish self-government in Palestine, but in both cases such intention did not materialize and the plan was defeated because of Zionist opposition. The first attempt was made in 1922. The Palestine Order in-Council, 1922, which embodied what may be described as the organic law of Palestine during the mandate, had envisaged in Article 17 the constitution of a Legislative Council. The Legislative Council would consist of the High Commissioner and twenty-two members, ten of whom were to be appointed official members and twelve to be elected non-official members. Elections took place in 1923 but were soon declared null and void and no further elections were held thereafter. Article 17 of the Palestine Order-in-Council, 1922, was then repealed and replaced by a provision giving the British High Commissioner full powers of legislation. The half-hearted attempt made by British Government to grant some semblance of autonomy to the people of Palestine by the establishment of a Legislative Council had failed because the Palestine Arabs claimed that it was undemocratic for the British Government not to recognize majority rule in self-governing institutions and because the Zionist Jews strongly opposed the concession of any form of Self-government to the Palestine Arabs. Again in 1939 the British Government indicated its intention to establish self-government in Palestine. In the White

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Paper issued in 1939 the British Government declared its intention to limit Jewish immigration to 75,000 over the next five years and to grant to Palestine its independence after ten years. This white paper was violently opposed by the Zionist Jews, who had other plans for the future of Palestine\textsuperscript{56}. They organized a campaign of violence against the Government and, as a result, the realization of the promise of the independence of Palestine contained in The White Paper was eventually defeated.

The other purpose of the mandate, namely, to give effect to the Balfour Declaration by ‘placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home’, was successfully implemented. This was achieved in plain disregard of the rights and position of the original inhabitants. The Mandatory Government opened the gates of Palestine to Jewish immigration despite the violent opposition and continuous protests of its Arab inhabitants. Jewish immigration in Palestine was inspired, artificially promoted and financed by Zionist\textsuperscript{57} Organizations with a political objective: the domination of Palestine and establishment of a Jewish state.

**JEWISH IMMIGRATION**

At first, there was not a strong response to Zionist efforts to increase Jewish emigration of Palestine. The Zionists were helped, however, by the advent of the Nazi regime in Germany and by the Nazi oppressions of the Jews.


\textsuperscript{57} Ibid.
The only limitation which the British Government at a later date placed upon Jewish immigration in Palestine was the so-called test of ‘economic absorptive capacity’. This limitation, however, did not unduly restrict Jewish immigration nor protect the Arab majority against the legal and political erosion of its rights and position. Jewish ‘legal’ immigration was supplemented by a massive illegal immigration which offset the effect of any official limitation upon the number of Jewish immigrants. The result was the establishment by artificial means and against the will of the original inhabitants of a Jewish political and demographic nucleus which for twenty centuries had not existed in Palestine. Within a quarter of a century the Jewish population of Palestine increased more than tenfold. Here is the picture:

<table>
<thead>
<tr>
<th>Year</th>
<th>Moslems</th>
<th>Christians</th>
<th>Jews</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1918</td>
<td>574,000</td>
<td>70,000</td>
<td>56,000</td>
<td>-</td>
<td>700,000</td>
</tr>
<tr>
<td>1922</td>
<td>590,900</td>
<td>73,014</td>
<td>83,794</td>
<td>9,474</td>
<td>757,182</td>
</tr>
<tr>
<td>1931</td>
<td>759,712</td>
<td>91,398</td>
<td>174,610</td>
<td>10,101</td>
<td>1,035,821</td>
</tr>
<tr>
<td>1946</td>
<td>1,076,780</td>
<td>127,000</td>
<td>145,060</td>
<td>608,230</td>
<td>1,972,560 (Bedouio)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,203,780</td>
</tr>
</tbody>
</table>

Thus, by means of an immigration forced upon the country against the will and the wishes of the majority of the original inhabitants, the number of the Jews

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in Palestine was increased from one-twelfth to one third of the total population. There can be no doubt that such a substantial alteration of the demographic structure in Palestine with all its political implications quite obviously caused a serious prejudice to the rights and position of the other sections of the population contrary to the terms and objectives of the mandate.

The original inhabitants of Palestine, Moslems and Christians\textsuperscript{59}, opposed the flow of Jewish immigration into their country. Their opposition took the form of protest, demonstration, civil disturbances and even an armed rebellion against the Mandatory Government. After each serious disturbance the British Government appointed a commission of inquiry to determine its causes, as if these causes were not clear enough already. A military Commission of Inquiry into the disturbances of April 1920 found that the promises of independence which were given to the Arabs during the war, Arab belief that the Balfour Declaration implied a denial of the right of self-determination, and fear that increase in Jewish immigration would lead to their economic and political subjection to the Jews. Another Commission of Inquiry, headed by the Chief Justice, reported that the fundamental cause of the disturbances of May 1921 was feeling of discontent and hostility among the Arabs due to political and economic causes connected with Jewish immigration. The Commission rejected the Jewish suggestion that the riots had been artificially stimulated by the effendi (the well-to-do) class and declared that the root of the trouble lay in the Arab fear of the consequence of Jewish immigration, which they regarded as an ultimate

\textsuperscript{59} See William Loger Louis, \textit{Op. Cit.}
means of Arab political and economic subjection. The Commission of Inquiry, headed by Sir Walter Shaw, which inquired into the riots of August 1929 made findings similar to the Commission of 1921. The Royal Commission, named the Peel Commission, which investigated the unrest in 1936 found that the underlying causes of the disturbances were the desire of the Arabs for national independence and their hatred\textsuperscript{60} and fear of the establishment of the Jewish national home. The Peel Commission recommended the termination of the mandate and partition of the country between Arabs and Jews, save for enclaves covering Jerusalem, Bethlehem and Nazareth. On further investigation of the form and practicabilities of partition by another Commission, called the Woodheads Commission, the British Government came to the conclusion that the difficulties involved in the proposal to create independent Arab and Jewish states within Palestine were so great as to make partition impracticable.

Only in 1939 did the British Government appear to realize that continued Jewish immigration into Palestine caused serious prejudice to the rights and position of the Palestine Arabs which it was its duty under the mandate to safeguard. Consequently it issued the White Paper previously mentioned, in which it declared its intention to limit Jewish immigration to 75,000 persons over the next five years and to grant to Palestine its independence after ten years. After the period of five years no further Jewish immigration would be allowed except with Arab consent. But the Zionist Jews fought this White Paper by a campaign of violence. The three Jewish secret para-military organizations, the

\textsuperscript{60} See William Loger Louis, \textit{Op. Cit.}
Haganah, the Irgun Zvai Leumi and the Stern Gang, joined forces to commit a series of acts of violence against the British and the Palestine Government in order to intimidate the British Government and secure the withdrawal of its limitation upon Jewish immigration into Palestine.

Concurrently with their campaign the Zionists exerted all efforts to influence American public opinion and to bring pressure upon the American Government in order to secure their support\(^{61}\) for large-scale Jewish immigration into Palestine. On the one hand, they quoted certain Biblical promises to the descendants of Abraham as if the Jews and particularly the Jews of Eastern Europe, who then constituted the largest proportion of Jewish immigrants to Palestine, were his only descendants. On the other hand, they pointed to the Nazi persecution of the Jews during the Second World War. This persecution evoked deep sympathy for the displaced Jews of Europe and gave rise to a massive ‘guilt complex’, particularly among Americans. This ‘guilt complex’ was prompted by the feeling that the American refusal to open the gates of the U.S.A. to Jewish immigration before 1939 had contributed to the vast dimensions of the tragedy and the Americans now felt an obligation to offer recompense for the horrors which the Jews of Europe suffered at the hands of the Nazis. But this recompense was to be offered at the expense of the people of Palestine, who were not responsible for the crimes committed against the Jews in Europe. This generosity at the expense of other is illustrated by the fact that, while President Truman requested in 1946 the admission of 100,000 Jewish in Europe.

This generosity at the expense of others is illustrated by the fact that, while President Truman requested in 1946 the admission of 100,000 Jewish immigrants into Palestine, only 4,767 displaced persons and refugees from Europe were admitted into the United States between December 22, 1945 and October 21, 1946. In addition to the Bible and Nazi persecution, the Zionists also exploited the ‘Jewish vote’ in the American elections. As a result, there developed a strong American pressure upon the British Government to secure a larger measure of Jewish immigration into Palestine. This matter became a bone of contention between the American and British Governments. Accordingly, an Anglo-American Committee of Inquiry was formed in 1946 to suggest a solution. The Committee found that hostility between Jew and Arabs made the establishment of an independent Palestine impossible at the moment, and, therefore, advised that the British Government retain the mandate until a trusteeship agreement under the United Nations could be arranged. Meanwhile the Committee recommended the admission to Palestine of 100,000 European Jews as requested by President Truman.

Unable to permit any further Jewish immigration into Palestine against the wishes of the majority of its inhabitants, plagued by Zionist demands for more and more immigrants, subjected to pressure by the United States and harassed by the Zionist campaign of violence, the Mandatory Government in 1947 referred the question of the future government of Palestine to the United Nations. The mandate was thus coming towards an inglorious and tragic end after it had failed

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to achieve the purposes underlying Article 22 of the Covenant of the League of Nations. Its principal result was that it had allowed the introduction and implantation in Palestine of a foreign people who as a well-organized and militant minority were determined to wrest the country from its indigenous inhabitants.