



Abba Hillel Silver Collection Digitization Project

Featuring collections from the Western Reserve Historical Society and
The Jacob Rader Marcus Center of the American Jewish Archives

MS-4787: Abba Hillel Silver Papers, 1902-1989.

Series I: General Correspondence, 1914-1969, undated.

Sub-series A: Alphabetical, 1914-1965, undated.

Reel
36

Box
13

Folder
881

Jewish Agency, memoranda, 1947.

CONFIDENTIAL

REPLY OF THE JEWISH AGENCY TO HIS MAJESTY'S GOVERNMENT'S
MEMORANDUM OF FEBRUARY 7TH, 1947.

1. The Executive of the Jewish Agency for Palestine has given careful consideration to the memorandum put forward by the representatives of His Majesty's Government on February 7th, 1947.
2. There are three vital interests which the Executive of the Jewish Agency seeks to preserve in any settlement that may be devised for the solution of the Palestine problem. These are:
 - A. Freedom of Jewish immigration into Palestine up to the country's economic absorptive capacity.
 - B. Freedom to settle on the land, including State lands and waste lands not required for public purposes, and to develop the country's potentialities.
 - C. Freedom to develop the Jewish National Home to the position of a self-governing independent Jewish State.
3. The duty of the Mandatory Power to facilitate Jewish immigration and close settlement by Jews on the land is clearly defined in Article 6 of the Mandate.
4. The Royal Commission on Palestine (1937) stated that "unquestionably ... the primary purpose of the Mandate, as expressed in its Preamble and its articles, is to promote the establishment of the Jewish National Home". The Preamble of the Mandate, after quoting the Balfour Declaration, states:

"Recognition has thereby been given to the historical connection of the Jewish people with Palestine and to grounds for reconstituting their national home in that country."

These words express the intention of the Mandate to re-constitute an independent Jewish commonwealth such as existed in the past. A status of political independence was thus envisaged by the authors of the Mandate as the logical outcome of the mandatory process. (Report of the Royal Commission, pp. 24 - 25 - Cmd. 5479, 1937). This was clearly recognised and agreed to by the representatives of the Arab people, as is evident from the declarations of the Emir Feisal (Feisal-Weizmann Treaty published in The Times, 10th June, 1936), and of the Syrian Delegation to the Peace Conference (David Hunter Miller: "My Diary of the Peace Conference", Vol. XIV, pp.389-415).

5. The proposals contained in the memorandum are incompatible with all three basic purposes of the Mandate: Immigration, Land Settlement, and ultimate Statehood.

A. Immigration:

6. The memorandum of the 7th February provides for the immigration of 96,000 Jews at the rate of 4,000 a month over a period of two years. The Executive of the Jewish Agency begs to recall that twenty months have elapsed since the proposal to admit 100,000 Jews immediately was first submitted to His Majesty's Government. The Anglo-American Committee of Enquiry recommended their quickest possible transfer, and even the Morrison Plan, which the Jewish Agency regarded as unacceptable, provided for the entry of 100,000 within a year.

7. The memorandum further provides that after the first two years it shall be open to the High Commissioner, in consultation with his Advisory Council, composed of Arab as well as of Jewish representatives, to determine whether immigration should at all continue, even into the Jewish areas, and if so at what rate. This provision replaces the positive injunction of the Mandate to "facilitate Jewish immigration under suitable conditions", which injunction, as laid down by the Council of the League of Nations, signified that immigration is to proceed up to the economic absorptive capacity of the country.

B. Land Settlement:

8. The obligation of the Mandatory Power to encourage close settlement by Jews on the land is not limited to any area of Palestine, but applies to the whole country. The elementary principle of equality before the law requires that all citizens shall have equal rights of access and settlement in all parts of their country. To discriminate against any citizen on grounds of racial or national origin is repugnant both to the Mandate and to democratic principles. It is especially incongruous to discriminate against Jews in the right of access and settlement in the country designated by history and international law as the Jewish National Home.

9. It is for these reasons that the Jewish Agency has always protested strongly against the Land Ordinance of 1940, which discriminated against Jews in their National Home by allowing them free right of purchase and settlement in no more than five per cent. of Western Palestine (332,160 acres out of 6,504,000 acres). This legislation was officially condemned by the Labour Party.

10. The memorandum now submitted by His Majesty's Government provides for the perpetuation of this discriminatory legislation over the major part of the country. Paragraph 11 reads:

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

The local authorities in question are to be established in areas where Arabs and Jews form a substantial majority (Paragraph 7). It follows that in the bulk of the country, the Arab local authorities would be free to prevent the transfer of land to Jews.

11. The effect of the enactment on prospects of Jewish development and of land reclamation in Palestine may be illustrated by two examples:

(i) Galilee: Under the Sykes-Picot agreement of 1916 this area was to have formed part of the French Mandated territory. It was only after the issue of the Balfour Declaration that the British Government laid claim to it, on the ground that its inclusion within the British Mandate was essential for the establishment of the Jewish National Home, and it was in deference to the claim so motivated that France eventually ceded Galilee to British Mandatory rule. If all the derelict areas of mountainous Galilee were reclaimed and properly cultivated, the territory could be made to support a far larger population. For this reason, and also for historical reasons, the Royal Commission in 1937 advocated its inclusion in the Jewish State. The effect of Paragraph 7 of His Majesty's Government's new proposals would be to close that area to new Jewish settlement.

(ii) The Negev: This area, comprising the Beersheba sub-district, is sparsely inhabited and almost entirely derelict. The effect of the Government's proposals would be to deny the Jews access to the largest undeveloped and underpopulated tract of land in the country, and thus to perpetuate the stagnation in which it has lain for centuries past.

C. Constitution and Statehood:

12. The memorandum envisages a trusteeship period of five years during which the provisions of the Mandate relative to Jewish immigration and land settlement would be superseded by the restrictive and discriminatory enactments of paragraphs 7 and 11. After five years, the intention is to confer independence on Palestine as a unitary State. Thus, when the Jewish population reaches some 700,000 to 800,000, it would come under the domination of the Arab majority, whereupon Jewish immigration would cease.

13. The Executive of the Jewish Agency can in no way agree that this measure is in accordance either with the purpose or the provisions of the Mandate. A clear and purposeful distinction was made between the constitutional principles of the Palestine Mandate and those of other Mandates of the same category. Thus, Article 1 of the Mandate for Syria and the Lebanon reads:

"The Mandatory shall frame, within a period of three years from the coming into force of this Mandate, an organic law for Syria and the Lebanon

"The Mandatory shall enact measures to facilitate the progressive development of Syria and the Lebanon as independent States"

The Draft Mandate for Mesopotamia, as submitted by Mr. Balfour on December 7th, 1920, to the Secretariat-General of the League of Nations for the approval of the Council of the League of Nations, reads as follows:

"Article 1. The Mandatory will frame an organic Law for Mesopotamia It shall contain provisions designed to facilitate the progressive development of Mesopotamia as an independent State"

It will be observed that instead of the term "independent State" used here, the Palestine Mandate provided only for the development of "self-governing institutions". This careful distinction is clear evidence that the primary purpose of the Palestine Mandate was not the establishment of an independent State but, as emphasized by the Royal Commission, the establishment of a Jewish National Home.

The Balfour Declaration which was embodied in the Mandate safeguards the civil and religious rights of the non-Jewish communities. Had a minority position been envisaged for the Jews, it is their rights and not those of the Arabs which would have required such safeguards.

14. To condemn the Jewish National Home to the position of a permanent minority would not merely be contrary to the clear intention of the Mandate; the denial of statehood and independence to the Jewish people even in its homeland would constitute a grave historic injustice. On the other hand, if the Arabs of Palestine found themselves in a minority, their position would not similarly affect the Arab people as a whole, since it enjoys independence and sovereignty in a number of countries covering an area vastly greater than Palestine.

15. Paragraph 12 of the memorandum, which provides for the supersession of the Jewish Agency by the Jewish members of the Advisory Council in all communications with the Mandatory Administration, is repugnant to the Mandate, which in Article 4 recognizes the Jewish people as a whole, and not only the Jews of Palestine, as a partner in the establishment of the Jewish National Home.

16. For all these reasons, the Jewish Agency cannot accept the proposals contained in the memorandum as a basis for further discussion and will find itself constrained to oppose the conclusion of the trusteeship agreement envisaged in the memorandum.

17. While unable to negotiate on the basis of these proposals, the Jewish Agency on its part made, in the course of the recent discussions, the following alternative suggestions for the solution of the problem:

(a) That, in accordance with the original intentions of the Balfour Declaration and the Mandate, large-scale Jewish immigration and settlement should be effected, with the result that Palestine would become a Jewish State, i.e. a free democratic State with a Jewish majority, in which all citizens, irrespective of race or creed, would enjoy complete equality of rights with all proper safeguards for religious, cultural and linguistic needs.

(b) That if, for any reason, His Majesty's Government is not prepared at this stage to adopt a decision as to the ultimate status of Palestine and would prefer for the time being to continue the mandatory regime, the Jewish Agency would urge that the execution of the Mandate should be true to its letter and spirit, viz. that Jewish immigration be regulated up to the full extent of the country's economic absorptive capacity, that close settlement of Jews on the land be encouraged, and that no part of the country be closed to Jewish land purchase and settlement. The Jewish Agency would then also urge the promotion and development of municipal self-government and education autonomy, and the establishment of functional boards for industrial relations, trade and industry, public health, etc.

(c) That, in the event of a final settlement being required immediately, the Jewish Agency would be ready, as stated by the Executive in its letter to His Majesty's Government of August 16th, 1946, and again in the recent talks, to consider a compromise scheme for the setting up of a "viable Jewish State in an adequate area of Palestine". If the proposed State would, on examination, be found viable and its area adequate, the Executive would recommend the acceptance of the scheme. The State should have complete control over immigration and development and be represented in the United Nations. Such a State, too, would be based on complete equality for all citizens with the necessary safeguards for religious, cultural and linguistic needs.

18. The Executive of the Jewish Agency regrets to state that all these suggestions were rejected by the British Delegation.

19. So long as a satisfactory agreement on the future of Palestine is not reached, the Jewish Agency is bound to maintain the rights of the Jewish people to return to its historic homeland and reconstitute there its National Home, to the full extent envisaged in the Balfour Declaration and the Mandate,

- - -x- - - - -

London,
13. 2. 1947.



(Procured from the State Department) (Not for the Press)

Memorandum of the Press and Radio News Conference, Wednesday, Feb. 19, 1947

(For departmental use only)

MR. McDERMOTT: I have had some queries about a story from London to the effect that the U.S. Government had sent a reply to the British concerning Palestine. On Monday, Secretary Marshall handed to the British Minister Mr. Balfour a communication in reply to a recent British note informing us of the intention of the British Government to refer the Palestine matter to the United Nations. Our note constituted an acknowledgment of the British intentions regarding certain aspects of their plan to refer the matter to the United Nations and we informed them in substance that we are carefully considering what our approach to the problem should be in the light of these developments. I might add that we still are.

Q. Could you indicate what aspects of the matter on which we asked for clarification?

A. No, Jack, I cannot go into that without revealing what was in their note.

Q. As a member of the Security Council, our interest is involved, you mean, do you not?

A. It will be if it comes up. If it comes up before the UN through our participation there as a member we want as full information as we can get. They have given us some. We would want more.

Q. Will it go to the Security Council?

A. I don't know where they are sending it. They are sending it to the UN.

Q. That announcement said that they were sending it to the Assembly.

A. It does not matter. It would be sent to both. That seems to be all I have.

Q. I take it that you don't want to comment any further on the note from the British. There are reports out of London that our note to the British Government insists upon immigration.

A. No, I cannot go into that. That is all I can say on it.

* * * * *

MEMORANDUM

SUBJECT: NECESSARY IMMEDIATE INTENSIFICATION OF
ACTIVITY OF THE JEWISH AGENCY OFFICE IN NEW YORK

Bevin's decision to place the Palestine issue before the United Nations Assembly this autumn has put the spotlight on the Jewish Agency Office in New York as regards responsibility and activity.

An immediate effect of Bevin's declaration was observable at the United Nations headquarters at Lake Success. On the day of the announcement, I was approached by members of the Secretariat, diplomatic representatives, and members of the United Nations press corps, all of whom expressed their interest and some of them their sympathy. I may add, that, in the case of some of the press, the opposite of sympathy was evident. I was also asked by the United Nations Radio Division to broadcast a brief statement to South America in Spanish on the Jewish Agency's attitude towards the Bevin statement.

One high-ranking official of the Secretariat observed to me, "Now we have a chance to fight!" It was clear that United Nations people generally expect the Jewish Agency to throw its hat into the ring, roll up its sleeves and engage in tangible efforts to make its position known. The logical headquarters for this activity is the United Nations ^{office} of the Jewish Agency here at 16 East 66th Street.

Three groups of the United Nations people require intensified cultivation. They are:

1. United Nations diplomatic representatives
2. United Nations press corps
3. United Nations Secretariat

NEED FOR A PRESS RELATIONS OFFICER

One of our most pressing needs is for a first-rate press relations officer to deal with the United Nations press corps, which consists of especially assigned representatives of the world's leading newspapers and news agencies. With the cooperation of the United Nations press officials, we have completed a list of about 120 of such representatives. The Arabs have already taken steps towards relations with the United Nations press, as evidenced by Faris Bey el Khouri's interview today at Lake Success, reported in the New York Times. I have been advised by an experienced United Nations correspondent and a United Nations press official that the best thing we could do at the moment is to hold a press conference in our headquarters here at 16 East 66th Street for one or two of our chiefs recently returned from London -- that is, to strike while the iron is still hot. "Give the newspaper men a good story and a drink and they will come all the way out from Lake Success," my informants advised me. Such a press conference, held late in the day so as not to conflict with afternoon meetings of the Security Council, would accomplish several objectives at once:

1. The United Nations press would meet some of our chiefs and have a chance to ask them questions. Many of them are prejudiced against us and we must begin to educate them.
2. The United Nations press would get to know our press officer and would know whom to contact in the future.
3. The United Nations press would become aware of the existence of this house as the headquarters of the Jewish Agency for Palestine in this city.

DIPLOMATIC ENTERTAINMENT

The problem of entertaining United Nations diplomatic representatives at this headquarters is both urgent and delicate. Tentative plans for an informal reception and film showing made by this department recently were cancelled upon the advice of someone experienced in the ways of the diplomatic world, pending certain steps to which consideration should be given without loss of time.

Our adviser was the wife of a former European Ambassador to China. Regarding the problem of diplomatic entertainment by the Jewish Agency in New York, I mentioned that as the first step, we had the house on East 66th Street, which gave us a locus in space, which was important for a young country whose sovereignty was still in question. I said that we were thinking of a small reception for the United Nations delegates, but had to face the possibility that the top people might not attend and that we would have as our guests only those diplomatic representatives who were already our friends.

This lady, who has our cause deeply to heart, commented that it would be a needless expenditure of energy and money to entertain those who are already our friends. The important thing was to entertain top ranking diplomats. This could be done, she said, if we were advised properly by someone who was thoroughly acquainted with the unwritten rules of international diplomatic social life. For instance, in the reception we were planning, had we thought to give people at least 6 weeks notice? If not, they would undoubtedly plead a previous engagement. The best method was to phone their secretary in advance to check for a date on which they would be free. Also, it would be advisable to have the reception in honor of someone whom the diplomats could not afford to snub -- etc. Besides, there were a great deal of technical minutiae, such as the correct form of address, what wording for invitations, etc., that we

ought to be careful about, as a young country making our debut on the international scene. It was no good comforting ourselves with the thought that new regimes like the Polish, Yugoslavs and others were making social blunders; it would be better for us to avoid them if possible.

Summing up, her final word of advice was to engage, behind the scenes, a social consultant with long and intimate experience in protocol. Such an investment would pay for itself in that we would avoid spending money to little advantage.

SUMMARY

The recommendations here outlined boil down to the following points:

1. Necessity for immediate engagement of a press relations officer.
2. Necessity for immediate engagement of a social adviser.
3. Immediate action in consonance with the new responsibilities of the New York office of the Jewish Agency.

New York, February 20, 1947

Dorothy Adelson
United Nations Department
Jewish Agency for Palestine

Confidential Memorandum

from

THE NATION ASSOCIATES

June 11, 1947

The purpose of the luncheon meeting of June 10, 1947, with leading members of the Congress of the United States was to discuss the present attitude of the American Government toward the solution of the Palestine problem.

This has been made necessary by the progress of events since the opening of the Extraordinary Session of the General Assembly of the United Nations on April 28, 1947.

When that session opened, the common assumption was that policy of the American Government, established by successive Presidents since Wilson, by the Congress of the United States; and by both political parties, was in support of the Balfour Declaration, and in belief that the Balfour Declaration intended the Jewish National Homeland to find its expression in a Jewish commonwealth in Palestine.

As recently as October 4, 1946, President Truman gave concrete expression to this view in a message to Prime Minister Attlee of Great Britain when he stated that the United States government would favor "the creation of a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine."

Later that month, on October 28, 1946, President Truman, in a letter to King Ibn Saud of Saudia Arabia, stated that "the Jewish National Home has not as yet been fully developed." He said further: "The United States government and people have supported the concept of the Jewish National Home in Palestine ever since the termination of the First World War. That war brought

about the liberation of a large area of the Near East, including Palestine, and the subsequent establishment of a number of independent states which are now members of the United Nations. The United States, which contributed its blood and resources to the winning of that war, cannot divest itself of the responsibility for the disposition of the freed territories and the fate of the freed peoples. As for Palestine, in addition to preparing the people for self-government, the program also included the establishment of the Jewish National Home. The United States still adheres to that policy."

In the circumstances it was expected that the American delegation to the United Nations would, as a matter of right and justice, seek a solution in the UN along the lines of the declared policy of our government.

Instead, the American delegation seemed to have forgotten entirely the existence of this policy and to have played a role, publicly and behind the scenes, which has led impartial observers to believe that the American delegation was more concerned with pulling the British chestnuts out of the fire than with securing a decent solution of a troubled question, more particularly since the policy of this government had already been established.

Under the guise of alleged neutrality the American delegation lead the effort:

- 1) To prevent participation rights for the Jewish Agency for Palestine, the internationally recognized representatives of the Jewish people in Palestine.

- 2) Was responsible for extending an invitation to the Arab Higher Committee, although it knew full well that the Chairman of the Arab Higher Committee is the notorious Mufti whose record of association with the Axis is exposed in the files of the State Department.

3) Despite the fact that the United States government, through the President, has been insistent in its demands for the admission of 100,000 Jews immediately to Palestine, the American delegation readily accepted the version of Harold Beeley, the pro-Arab British Foreign Office representative with respect to the terms of reference of the Committee of Inquiry which would have denied any link of the refugee problem with the Palestine problem and which could have precluded visiting Europe and the D.P. camps.

4) It was a leader in the appeasement of the Arab states and their blackmailing threats of a Holy War against the Jews if the independence of Palestine as an Arab state were not authorized.

Although it is true that the American delegation, when forced by the revolt of the small powers to change its views, voted right on most of the questions, the whole demeanor was a painfully embarrassing expression of ineptness and unwillingness to take a decent position.

It was obvious that had the American delegation wished to assume the leadership it could have produced with dispatch widespread acquiescence in the proposals to which our government is committed. Instead, the moral leadership of the United Nations on this question was left to the Soviet Union, other Slavic states, and a number of the Latin American states. More recently, Secretary Marshall has stated it is too early to present a policy.

The argument that the United States would not wish to prejudge the findings of the commission of inquiry is without validity. The foreign policy of our government is not created by the United Nations. This is the right of our own government. And the fact is that our own government has adopted a policy. This new attitude of neutrality can and is being interpreted, therefore, as meaning that the American government is on the verge of changing that

policy, without the knowledge or sanction of the Congress of the United States or the people of this country.

Moreover, since the terms of reference of the inquiry commission call for testimony from governments, and it was announced soon after its formation that it would seek the views of the United States government, it is imperative that the evidence should be along the lines of traditional American policy.

In any event, when September comes around and the regular session of the General Assembly is held, the United States will have to expose its hand.

And what is most troubling is the fear lest this "new neutrality" means that the United States in September will favor a whittling down of its pledges. Rumors from important sources indicate that a private deal is in the offing between the United States and Great Britain which, under the disguise of partition, will advocate in essence the Morrison-Grady plan, rejected by President Truman on October 4, 1946, the crux of which will be turning over approximately half of Palestine to the British for a military base. Should this plan be carried out, it should not be necessary to underscore that repercussions will be felt in striking form at the polls and that the present Administration will be the target.

But this plan need not be carried out if enough members of the Congress of the United States were to bring the realistic position home to the President. The President has in recent months turned over the Palestine question to the State Department. He is of the belief that his policies are still the policies of our country. He needs to betold the truth. Authorized by the Constitution of the United States to make the foreign policy of this country, it is important that he should resume his direct participation in the making of policy with respect to Palestine. This is dictated not simply by honor and decency, but by

practical political necessity.

A study of the facts will reveal that to carry out the pledged policy of our government is to strengthen peace and democracy. No Arab revolt, however violent the threats, is possible or even likely. Moreover, the strengthening of the democratic Jewish community -- the only democratic community in the feudal Middle East -- can be the most leavening influence in spreading democracy in this area and preventing the understandable urge of have-not peoples to support other movements which promise them something instead of nothing.

The program proposed by The Nation Associates is in line with the position of our government.



#####



MEMORANDUM

THE SITUATION OF EUROPE'S DISPLACED JEWS

1. Some twenty months ago, after the issuance of the Harrison Report (July 1945), President Truman made his initial public statement urging the immediate admission of 100,000 displaced Jews into Palestine. In April 1946, the Anglo-American Committee of Inquiry unanimously recommended the same step. Almost a year has passed since this second reaffirmation of necessity of immediate large-scale emigration of displaced Jews to Palestine, and nothing has been done to effectuate it. Meanwhile the problem has increased both in magnitude and in urgency. By the close of the year 1946, there were about 193,000 displaced Jews in Germany, Austria and Italy of which about 140,000 were in German camps - more than 130,000 of these latter being within camps in the U.S. Zone.

2. The willingness of Jewish men, women and children to leave Poland, Roumania, Hungary and Czechoslovakia - on the slightest evidence of the possibility of emigration - bespeaks their profound conviction that they cannot reconstruct their lives in these countries. The displaced persons camps are, for them, a possible window toward a free world. They seek freedom - economic, social and cultural - not for themselves alone but also for their children. They are determined to take up their lives in a country where they are confident of being welcome. It is therefore not surprising that General McNarney reported in February of this year that ninety-five percent (95%) of the displaced Jews in the American Zone of Germany "are determined to resettle in Palestine".

3. The responsibility of the United States towards the displaced Jews in our camps cannot be conceived to consist merely of supplying them with food and maintaining them physically in reasonably good health. This camp charity cannot continue forever. Until these displaced persons begin to move legally, in substantial numbers, to the constructive and positive security of permanent homes, they will remain a moral as well as a financial burden on the United States Government and the people of the United States. Unless the displaced persons are moved quickly to places where they can work and grow and adapt themselves constructively, they will undergo a very serious mental and spiritual deterioration. There is already some evidence of such deterioration; people would be more than human if they did not show some spiritual strain when subjected to years of the most brutal persecution followed by the hopeless life of "displaced persons".

4. So far as the Jewish displaced persons are concerned, we are in the fortunate position that world Jewry is simply begging for an opportunity to help the surviving remnant of Europe's Jews to take up constructive lives again. The Jewish Agency for Palestine - which speaks authoritatively in these matters for the great majority of Jews all over the world - has asked our Government repeatedly to be given the primary responsibility for the resettlement of these persons. As stated in the letter of the Jewish Agency Executive submitted to President Truman on June 14, 1946, the Jewish Agency is very appreciative of this Administration's constant concern with the problem of these Jewish victims of Nazi aggression. The Agency welcomes the offer of the United States Government to lend technical and financial assistance in the resettlement of these Jews, but the Agency is willing to

carry the primary load itself. It has developed detailed plans for the immediate movement and absorption into Palestine of 100,000 Jewish immigrants. These plans were characterized as "workmanlike" by President Truman months ago; they have since been developed in further detail.

5. Time is of the essence in this situation where an act of omission can mean tragic results. The movement of Jewish displaced persons out of the temporary camps is an essential initial step in the building of a stable Europe. It will make a most valuable contribution to the general problem of Jewish resettlement. The vital interests of the United States therefore argue for the close collaboration of our Government with world Jewry - and particularly with the Jewish Agency for Palestine - in bringing about this emigration of displaced Jews to Palestine in the shortest possible time.