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Reel
106

Box
37

Folder
308

Democratic party, 1946.

MEMORANDUM TO: HON. EDWARD J. FLYNN

On August 31, 1945, President Truman made a public request that the British Government admit 100,000 Jewish refugees into Palestine, "the Jewish National Home." held in trust by Great Britain, under a mandate from the League of Nations. This was no mere gesture on behalf of "displaced persons", but based upon American rights stemming from the Anglo-American Convention (or Treaty) of December 3, 1924, under which no change in the Palestine Mandate can be legally made without American approval and consent. (The British White Paper of 1939, which drastically restricted Jewish immigration had been declared invalid by the Mandate Commission of the League of Nations, and consequently President Roosevelt had announced that such a White Paper was not binding upon us.) Furthermore, the Presidential request was made after an objective study of the facts and figures of the displaced persons by an eminent authority, Earl Harrison, as the special representative of the United States.

The British stalled as long as possible, but finally agreed with our government to the appointment of an Anglo-American Commission of Inquiry, which was to report within a "period of four months." It is now three months since the unanimous report of that Commission was rendered, reiterating President Truman's request for the admission of a 100,000 refugees into Palestine as soon as possible.

The avowed British hesitation over the immigration of such a large number of refugees was concern over the "absorptive capacity" of a little country like Palestine, with an area of 10,400 square miles - about the size of Massachusetts and two Rhode Islands. But the Anglo-American Inquiry Commission had evidently taken all factors into consideration, when they reached their decision, for they had before them the testimony that nearly 62,000 Jewish immigrants had entered Palestine in the single year of 1935, and were speedily absorbed without even the fear of unemployment, when Palestine pre-war industry was still in its infancy.

In any event, the British Government now proposes to absorb the 100,000 Jewish immigrants into a "partitioned" Palestine, within a Jewish district of only 1500 square miles, or about 1/7 of its total area, and only slightly larger than one Rhode Island, while an area six times as large equivalent to Massachusetts plus another Rhode Island would be closed to Jewish refugees. (Presumably, the smaller the area that is allotted for Jews, the larger the number of refugees that can be absorbed!)

This is no longer a mere Jewish question in which five million American Jews are vitally interested. It is an American problem wherein the honor of our country and its President is at stake, supported by the overwhelming mass of Americans, barring a small "lunatic fringe." As a lawyer, I am convinced that our country may summon Great Britain for an accounting of its Palestine trust before the International Court of Justice on the larger issues involved under her trust obligations "to facilitate the establishment of the Jewish National Home," which is repeated in the Anglo-American Convention of December, 1924. But the immediate admission of a hundred thousand Jewish refugees is

a condition precedent to which Foreign Secretary Bevin gave his approval if the report of the Anglo-American Commission were unanimous - as it was.

Otherwise, the whole issue is catapulted into the American political scene - converting a judicial inquiry into a political issue, with all the baneful consequences that inevitably must follow.

It is not yet too late even at this eleventh hour, after eleven months of delay on the Presidential request for the admission of a hundred thousand Jewish refugees, while they are slowly dying in Europe to avert the calamity that faces us. (I have personally advised Governor Lehman, as an old friend, that neither he nor Senator Mead can carry the state this autumn, under the present circumstances - and please don't let a few rich men, discussing this problem "dispassionately" in their country clubs fool you in this matter.)

The only proper course is for the President to insist that the issue of the 100,000 Jewish refugees cannot wait upon further delaying tactics involved in Arab-Jewish approval, which will come, if it comes at all, after the 100,000 are in their graves. Besides, there must be room for the 100,000 to move and breathe instead of attempting to confine them to a small area already as thickly settled as Rhode Island - while the empty space of the south of Palestine, known as the Negeb, with an area half the size of all of Palestine (or nearly five Rhode Islands) is preempted by the British and a few thousand Nomad Arabs. (After a heart-breaking search for water, a few thriving agricultural colonies have been established in this region in the past few years, which presumably are now to be dismantled.) There must be no fake federalism, with 6/7 of the area of Palestine designed for British-Arab control, and only 1/7 for Jewish immigration and resettlement - representing actually only 3% of the Palestine Mandate, which included Transjordan. The President may easily test the sincerity of the British sponsored federalist solution, by publicly insisting upon two conditions:

(1) That the territory designated as Jewish be adequate in area so as to include the north of Palestine from Haifa to the borders of Lebanon, and in the south the area from the Mediterranean to the Dead Sea, including the Negeb - for in all that larger area the Jews constitute the majority of the population.

(2) This so-called Jewish District must have autonomous rights, equivalent to that offered to Transjordan, including the privilege of controlling its own immigration policy.

Only then can there be any serious talk about a "federal solution" whereby the hill district, with Arab Nablus as the centre, might be joined to adjacent Transjordan, to form a sister state to the rest of Palestine in which the Jews would constitute a majority of the population. By such a method we shall ascertain whether the British are really interested in their professed desire for a federal solution of the Palestine problem, or whether it is only another name for the old political game of delay and procrastination, so as to postpone the admission of the 100,000 Jewish refugees until they are no longer on this earth.

In short, I strongly recommend that justice as well as political expediency

requires that the President of the United States shall say categorically that the Jewish area of Palestine must include sufficient territory to safeguard the future of the Jewish National Home, and make possible the admission of the hundred thousand Jewish refugees immediately, with the opportunity to control immigration as a self-governing dominion.

I am convinced that heroic measures must be taken to save the state of New York this autumn, for Christians as well as Jews are aroused over the failures of the administration to implement its own good intentions. I write to you as a life-long Democrat who sees clearly the consequences that will follow a let down at this crucial time. Already there has appeared in the Jewish press articles against the proposed candidacy of Governor Lehman for the U. S. Senate. This is an indication of the deep feeling that has stirred a large mass of New York voters.



AMERICAN JEWISH ARCHIVES
Bernard A. Rosenblatt



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