
THE ILLEGALITY
OF ESTABLISHING A ZIONIST STATE
IN PALESTINE

A Brief Survey of The Arab Cause
In Palestine

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Baghdad — 1970

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PREAMBLE

On Nov. 2nd 1917, the British Foreign Secretary, Lord Balfour, sent to Lord Rothschild what is known as "The Balfour Declaration". It stated "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object."

As it is known, this declaration was the outcome of the Zionist efforts with the British Government whose interests were in concurrence with the extremist Zionist wishes to establish a Jewish state in Palestine.

A few years after the Balfour Declaration the British mandate over Palestine was issued. It stated in its Preamble that the great Allied Powers agreed that the mandatory state, i.e. Britain, would be responsible for carrying out the Balfour Declaration which stipulated the establishment of a national home in Palestine for the Jews. Moreover, the preamble stated further that the declaration recognized the historical bonds connecting the Jews with Palestine and the reasons calling for the re-establishment of this home in the country.

I would like however, before discussing the Balfour Declaration and the British mandate over Palestine, to put the Zionist claims of historical right in Palestine under historical and scientific study.

I. THE ZIONIST CLAIMS TO HISTORICAL RIGHTS IN PALESTINE THE RELATIONSHIP OF THE ISRAELITES IN PALESTINE

If we look back at the situation on the 15th May, 1948, the day when the Zionists declared the establishment in Palestine of their State, we find that the Arabs, as a historically established fact, were the actual population of Palestine for at least thirteen centuries if not more. Since the Arab conquest of Palestine in 634 A.D. under the banner of Islam, Arab tribes inhabited this land forming a permanent majority of its population until the declaration of a Jewish state there. Even in 1948 the Arabs constituted the majority of the population in Palestine since they counted 1.415.000 out of 2.075.000. The Jews only counted 58.000, thus making an Arab majority of more than two thirds.

In 643 A.D. the Jews had no political existence in Palestine, nor were they a majority. The Jewish political existence in fact came to an end 1220 years before that date when Nebuchudnassar destroyed the kingdom of Yehuda (Juda) in 586 B.C., bringing Jerusalem to complete ruin, erasing the temple and demolishing the other important towns, taking back to Babylon more than 50.000 captives, bringing thereafter the kingdom of Juda to a state of complete non-existence. Not only that, 133 years before the kingdom of Israel in the north was brought to an end at the hands of the Assyrians when King Sargon conquered Al-Samira, its capital, in 721 B.C., and captured more than 27.000 captives and took them to Matha replacing them by tribes from Babylon, Ilam, Syria and Arabia.

Thus the political Jewish structure in Palestine ceased to exist with the collapse of Israelite Kingdom in the north 721 B.C. and the Kingdom of Juda in Jerusalem in 586 B.C. Both Kingdoms did not survive more than 434 years since the beginning of the reign of Saul in 1020 B.C. whose Kingdom was, during the era of Rahebaam, son of Solomon, divided into two; Israel and Juda, till the fall of

the Israelite Kingdom at the hands of Nebuchudnassar in 586 B.C. "His story, with its constant assassinations and executions, reads rather like the history of some savage chief than of a civilized monarch. It is told with great vividness in the second book of Samuel.

The opening of Solomon's reign is as bloody as his father's...

Jerusalem remains the capital of one tribe, the tribe of Juda, the capital of a land of barren hills cut off by Philistia from the sea and surrounded by enemies.

The tale of wars, of religious conflicts, of usurpation, assassinations, and of fratricidal murders to secure the throne goes on for three centuries. It is a tale frankly barbaric. Israel wars with Juda and the neighbouring states; forms alliances first with one and then with the other. The power of Aramean Syria burns like a baleful star over the affairs of the Hebrews, and then there rises behind it the great and growing power of the last Assyrian Empire. For three centuries the fire of the Hebrews was like the life of a man who insists upon living in the middle of a busy thoroughfare, and is consequently being run over constantly by omnibuses and motor-lories. Apart from the fact of the short duration of both Israeli kingdoms in Palestine neither of them included at any one time the whole territory of Palestine. Under the leadership of Yusha ben Noon, who followed Moses in the Exodus from Egypt, the Israelites never occupied except the inland hills. Even during the reign of David when they reached the highest point of their expansion, the Israelites never occupied the whole of Palestine. The Palestinian were still living on the shores from Gaza to Jafa, while the eastern territories of Palestine were inhabited by the Adrians, Moalites and Anomites. The map of the kingdom of David drawn by J.W.D. Smith (p. 87 of his book *God And Man In Early Israel*) shows the area occupied by the Kingdom of David as was described above. In his *Outline Of History*, H.G. Wells mentions that "no one can say that the promised

land was ever at one time in the hand of Hebrews completely”* When the Israelites came to Palestine they found it inhabited by the Kanaanites and the Palestinians who came from Crete. The historical references to the Old Testament mention that the Kanaanites inhabited Palestine since the middle of the third millenium B.C. Those were semetic tribes who immigrated to Palestine from the Arab penninsula. They were called Kanaanites because they lived in the land of Kanaan, that is the (low land) compared to the land of Lebanon which was inhabited by a branch of the same tribes known by the Greeks as the Phoenicians The Palestinians were a people who immigrated to the shores extending from Gaza to Jafa, and Karmel divided them from the Phoenicians in the north.

As for Ibrahim or Abraham, we are told by the Old Testament that Abraham and a number of his followers immigrated from Chaldean Ur in the south of Iraq to the land of Kanaan about 1800 B.C., and somewhere in the valley of Jordan he set up his tents and it was there that his son Isaac was born. Isaac was the father of Jacob who called himself Israel. Jacob had twelve sons, Joseph was one of them. Jacob or Israel immigrated to Egypt together with his sons as refugees then returned under the leadership of Moses who was succeeded by Yusha ben Noon about 1290 B.C. when the former died. At that time they counted about seven thousand peoples at most. In a war with the Palestinians, their first King Saul was killed so they formed a Kingdom under David, who made old Yebus, i.e. Jerusalem, his capital. David was followed by his son, Solomon 960-935 B.C. After Solomon's death, Rahebaam, his son. came to power and the Kingdom was divided into two parts until it came to an end completely as was mentioned above.

The Kanaanites inhabited Palestine before any Hebrews and even before Abraham who immigrated from Chal-

* Wells, H.G. . Outline Of History, pp. 210, 213. New York, 1956.

dean Ur. The Kanaanites, who were semetic people, came to Palestine from the Arab Penninsula and they belong to the same origin of the Arabs of today. According to Breasted, in his Ancient Ages, p. 177, the Kanaanites were a civilized people who lived in houses equipped with various means of luxury, had a government, industry. commerce and knowledge in writing and religion, while the Hebrews were nomads wearing hides and living in tents. The Hebrews copied the Kanaanites civilization as they could not live away from the Kanaanite cities and because industry and commerce were strong ties between the two peoples.

These historical facts show the weakness of the Jewish claim to a historical right in Palestine, and that this claim does not stand on sound foundations, because Palestine was inhabited by people who set up an advanced civilization before the arrival of the Hebrews by fifteen centuries. As for the regime which they set up in a part of Palestine, it was unstable and it belonged either to Egypt or to the Assyrians and Babylonians until it came to an end in 586 B.C. Even when considered as a minority, they were completely uprooted from Palestine 2556 years ago. And even if they were considered as an assemblage of people, they were entirely extirpated from Palestine 1833 years ago. Arnold Toynbee considers the events of the year 135 A.D. as marking the ultimate extinction of the Jews in Palestine who no longer had home there.

A — The right of the Arabs in Palestine is quite clear. Even if we disregard what Arab tribes were in Palestine before the Arab-Islamic conquest, it remains a fact that the Arabs were the sole inhabitants of Palestine since they took the country from the Romans and not from the Jews. They lived in every part of the country forming an absolute majority since the Arab-Islamic conquest from 633 A.D. until 1948. It will be worthwhile, in this respect, to recall what Mr. Miller Borrows, Professor of Biblical studies in Yale University, said in his 'Israel Our Crime'; the

relation between the Arab nation and Palestine is immediate and real, it is closer and much stronger than the relation between the Israelites and the land of Kanaan, taking the Arab nation as a whole. As for the Palestinian Arabs for whom Palestine constitutes a historic homeland since they and their forefathers lived there for long centuries and generations, they do not have to go 2000 years back in history in search for a severe relation to tie them to their country. The Palestinians maintained a living and continuous relation with Palestine, which could not be disconnected during the last 13 centuries. This does not mean that there were no Arabs in Palestine before. These lands never knew, throughout the centuries, a period in which it could be said that Palestine was not part and parcel of the Arab world. In fact, Palestine remained Arab in population, language and culture even during the short era of the Crusaders, and remained so during the four centuries of the Ottoman occupation. The historical ties of the Arabs with Palestine are one and the same as with the other parts of the Arab world.

Apart from the fact that the ancient Israelis were not the owners of Palestine nor were they a Palestinian nation as has been proved above, and in addition to the fact that their relation, even as a minority, was served since 135 A.D. as they were "uprooted at that date" to quote Toynbee, history and anthropology prove that the Jews of the world today are not all descendants of the Israelis mentioned in the Old Testament. On the contrary, the overwhelming majority is definitely not an Israelite posterity, as shall be proved afterwards.

Whatever argument is offered in respect to the Jews inhabiting Palestine before the Christian era and the formation of a government there, it could not, like any other similar settlement in early times, be considered as a basis for reconsidering the geographical distribution of population at present, and therefore it cannot be considered as a basis for the right of ownership at present. Frank Sakran

remarked that if Palestine could be considered a Jewish possession by a historical right, then we may say as well that California is a Spanish property and Spain is an Arab property. If the ownership of Palestine were to be determined by the principle that it was occupied in the past, how then could we establish such a fact which might serve as a criterion for such a decision? On the other hand, if political sovereignty at a certain period in the past could be considered as a decisive factor, we may be obliged, in this respect, to allow Italy, Greece and Iran to claim similar rights in the Holy Land.

B — The Jews of today are not one racial group, they are a religious sect belonging to various races. It is historically proved that different communities remote from the old Israelites joined the Jewish religion for one reason or another including the Jewish missionary movement which was active in various parts of the world before and after the advent of Christ. Professor H.M.J. Loewe, himself a Jew, states in the *Encyclopaedia Britannica*, Vol. 13, under Judaism, p. 165, the following; "The Jews when confronted with paganism omnipotent and universal, has engaged in active proselytization... and classical authors testify to the vigour of the Jewish missionary enterprise..." In his *Race And Civilization*, Professor Friedrich Horz states pp. 313 ff.) that the acceptance of Judaism by the Greeks, Romans and other nations was a highly recurrent affair in the two centuries B.C. In the middle ages and in spite of all obstacles, a similar conversion to Judaism took place, especially in the Slavic countries. It is precisely for that reason that we find Russian and Polish Jews look, beyond any doubts, like the Slaves, and the German Jews look more like Germans rather than the Jews of Palestine. As far as the acceptance of Judaism by Arian nations in the northern Rhine Valley during the first two centuries of the Christian era is concerned, Professor W.Z. Ripley states in his *Races of Europe*, that thousands of the inhabitants in those regions were converted to Judaism. Similarly, historical indications

demonstrate that judaism was widely spread among the Barbar tribes before Islam, hence the Moriskos, a term derived from the Moors, the Jews of north Africa. It has been historically proved also that some of the Arabs in Yemen accepted judaism before Islam, during the reign of the two Himyar kings, Taban Assad Abu Karb and his son Zaraasha, better known as the Nuaas. The latter was responsible for digging a moat in Najran, where the Christians who refused judaism were burnt. It is also historically known that the entire Khazar people accepted judaism during the reign of Emperor Charlmagne (about 800 A.D.) Historians explain that conversion on the part of the Khazars as a result of the fact that they were surrounded by Muslims in Persia and Christians in Byzantium. Unwilling to antagonize any of the two parties by accepting the religion of one of them, or because they wanted to preserve their own entity by keeping disassociated with any of the two, the Khazar leaders accepted a third religion.

Historical facts show that judaism was accepted by peoples who had no relation whatever with the Israelites. This is proved by: (1) The number of the Jews at the last exodus from Palestine was 40,000 in the reign of the Roman Emperor Hadrian in 135 A.D., (2) The number of the Jews in the fifth century A.D. was between 4-7 millions, (3) The American Jewish Year Book estimated the number of the Jews in early 1966 by 13.400.000.

By comparing these figures we find out that the number of the Jews doubled 100—180 times within four centuries, i.e. between 135 and 450 A.D. while they became explained only by the fact that judaism in the early period was accepted by some communities while during the latter period new people ceased to accept this religion.

The observations mentioned above explain why we do not find the Jews having homogeneous physical features. In Europe and America we find them blond with blue eyes. In south east India we find black Jews and white Jews who came to India after the Exodus. We also find the negroid

Jews who speak the ancient Kushi language, and the Dacatuns in the south of the great African Desert. We find the Mongol Jews in China and the Flasha in north Abessynia. Some Jews have long heads, others broad heads, some are of a tall stature others are short. Briefly, we find among the Jews all the physical features which distinguish the human races. Were they really a single race descending from the Israelites of the Bible, then they would have the same features which anthropology considers as the basis of distinction between one race and another particularly the hair, the shape of the head, face and nose; colour of the hair and complexion, and the height.

In his *Races Of Europe*, Professor W.Z. Ripley says on page 390, that nine tenth of the Jews in the world differ from the Israelites very sharply. The claim that the Jews are a pure race is a myth. Renan is right in saying that the word "Jew" has no anthropological meaning neither in Europe nor in the Danube Valley. Lambrows rightly remarks that the modern Jews are closer to the Arian race than to the Semetics.

All these scientific and historical facts refute the Zionist claim that the Jews are one single race. In other words, this claim has no scientific or historical grounds, it was solely on a basis of historical falsifications and for political reasons aiming at supporting the Zionist obsession to usurp Palestine from her legal owners, the Arabs, who have been living there for fourteen centuries.

11. THE BALFOUR DECLARATION

Why Did Britain Issue This Declaration Then Took It As A Basis For Her Mandate Over Palestine?

At the beginning of this short survey of the Arab cause in Palestine, we noted that on November 2, 1917, a letter was issued by the British Foreign Secretary signed by Lord Balfour, and addressed to Lord Rothschild. The letter runs as follows:

“Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspiration which has been submitted to, and approved by, the Cabinet:

‘His Majesty's Government view with favour the establishment in Palestine of a National Home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being dearly understood that nothing shall be done which may prejudice the civil and religious rights of the existing non Jewish communities in Palestine, or the right and political status enjoyed by the Jews in any other country;

I shall be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Yours sincerely,

Arthur Balfour

Britain was not unaware of the illegality of such a declaration and the promise to establish a national home for the Jews in Palestine. Britain did not possess Palestine nor had the right to determine the destiny of the people and their land. Palestine is the property of her own people who inhabited their own land, and who alone have the right of self-determination. On the other hand at the time of the declaration, Palestine was still a part of the Ottoman Empire. Britain only occupied a portion of Palestine, not all of the country, since it occupied the whole country in Sep-

tember, 1918. The occupant does not have the liberty of action in the occupied land since this should be determined by a peace treaty. In addition to all this, the Declaration contradicted the obligations made by Britain to Sherif Hus-sain of Mecca, which implied the independence of the Arab countries including Palestine. The Declaration was issued to ascertain an unlawful aim and it was an open violation of the international law, as will be shown when we will discuss the British mandate over Palestine. Why then did Britain issue the Declaration while being not ignorant of its illegality?

There might be a justification for raising this question if Britain, in making her policies, adopting her attitudes and decisions, was guided by the concepts of right justice and the provisions of the international law. But what controls the British policy is her interests as a colonial power, which the sun never sets from her possessions, as once was stated by one of the imperialist magnates. In the light of these colonial interests, Britain decides her attitudes in her international relations and every step she takes. For a very long time, Britain desired to create a Jewish existence in Palestine to separate Egypt from the Arab countries east of Suez. History tells us that when Muhammed Ali Pasha waged war against the Ottoman Empire, conquering Hijaz, Najd, Palestine, Syria and went deep into Anadhol, Britain became worried when she felt the danger of establishing a unified Arab state extending from Egypt towards the east and thus forming a danger threatening the Empire communications and the way to India. When the British Foreign Secretary, Palmerstone, who later became prime minister, succeeded to force Mohammed Ali Pasha to withdraw from the conquered countries and return to Egypt, he thought of bringing together the Jews into Palestine and forming a national home for them protected by Britain, so that such a Jewish existence would separate Egypt from the Arab countries in the east. Towards the end of the nineteenth century, the governor of Sudan, Lord Ketchner, planned to separate

Palestine from the Ottoman Empire considering it the eastern bastion of the Suez Canal. That was confirmed by the report submitted by Sir Campbell Nairman Committee in 1907. The Committee was to present recommendations with the aim of safeguarding the Empire interests in Asia and Africa. It recommended the separation of the Arab countries in Africa from those in Asia. To achieve this aim, the Committee suggested to build a human barrier between the two parts, strong and alien in nature having friendly relations with the colonialists and hostile to the indigenous inhabitants of the area.

It will be an endless story if we relate more official reports confirming this British attitude. But a significant document in this respect is a report presented by Lord Allenby, Commander of the British campaign on Palestine, and later, High Commissioner of Egypt. Lord Allenby noted in his report to Lloyd George the growing Arab nationalism and its danger on the British interests. He suggested the annexation of the Sinai to Palestine to prevent any Egyptian attempt to close the Canal against British navigation. One more significant document is an article by a Zionist leader, Ayem Pushikin, published in the Palestine Post on the 3rd, of July, 1936. Pushikin said that, if Palestine were to be left all Arab, it meant that Great Britain would soon be obliged to leave the land and to leave Egypt gradually. But if Palestine were to include a Jewish majority, that would mean a vital political alliance between the British and the Jews.

Thus the Zionist and imperialist interests met. An alliance was formed between the two showing its first fruits in the Balfour Declaration which gave the Jews a national home not owned by Britain who, moreover, did not have the right to determine its future and the future of its people. The Declaration ignored the simplest human right i.e. the right of self-determination. What seems most ironic about the whole affair is that all that took place while Britain and her allies were extravagant in talking about the right of peoples in self-determination.

III. THE BRITISH POLICY AIMING AT THE JUDAIZATION; FROM THE BALFOUR DECLARATION TO THE END OF THE BRITISH MANDATE OVER PALESTINE.

The Balfour Declaration was the first step achieved by Zionism towards the formation of a Jewish state in Palestine. In order to attain that goal it was necessary to usurp the country from its rightful owners and replace them by Jews. The Jews in Palestine at the time of the British occupation in 1918 numbered about 50.000 while the Arabs counted 650.000 i.e. thirteen times more than the Jews, in other words, 90% Arabs and less than 10% Jews. This alone demonstrates the impossibility of achieving the Zionist aims to establish a state in Palestine. But if the Zionists were backed by a great power, and especially when such a power was responsible for the affairs of Palestine, then that impossibility would become a difficult assignment. Later on the difficulties might be eased out with the passing of time and with more efforts and violation of concepts of humanity, justice and law. It was also permissible to commit crimes against the Arabs in order to attain that aim since, according to the laws of Zionism and imperialism, ends justify means.

The covenant Of The League Of Nations was signed on June 18, 1919, and the Mandate system was proclaimed. It provided that a major state, advanced in civilization was given the responsibility of training peoples meriting independence in principle, but yet in need of the consultative and administrative experience of governmental practices, until such time when those peoples became capable of self-government. Later, when the Supreme Council of the Allies, formed of the U.S.A., Britain, France and Italy, convened in San Remo, decided to put Palestine under the British mandate.

THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 22

1. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the states which formerly governed them and which are inhabited by people not yet able to stand by themselves under the serious conditions of the modern world, there should be applied the principle that the well-being and development of such peoples from a sacred trust of civilization and that securities for the performance of this trust should be embodied in the Covenant.

2. Certain communities formerly belonging to the Turkish Empire have reached a stage of development where 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 wishes of these communities must be a principal consideration in the selection of the Mandatory.

3. Article 22 of the Covenant of the League of Nations states that the Mandate system concerns the territories separated from the Ottoman Empire, and that the mandatory government is to offer consultation and help in administration to societies basically recognized to have achieved a degree of progress allowing them to become independent nations. Para. 4 of the same article states that the will of the people of each country should have prime consideration in selecting the mandatory state.

4. Ignoring the will of the people of Palestine and the other nations put under mandate, the great powers betrayed the provisions of the mandate on Palestine. Instead of giving

assistance to the people of Palestine until they could be capable of managing their own affairs, the mandatory government disregarded every right of the Arab majority including their very existence. Britain usurped the homeland of the Arab majority and gave it not to the Jews who were in Palestine at the time of the mandate, but to those who immigrated from all parts of the world. What is worst, the Jews who had never seen Palestine before used to discuss the affairs of Palestine and not the Palestinian Arabs who were born there with a long line of ancestors.

5. The judaization of Palestine under the British mandate does not need too much proving, but it might be of some interest to note some of the main points of the British policy in Palestine, extracted from the mandate treaty itself, noting at the same time that only policy was even worse than the allowed limits of the mandate treaty, itself a mischievous document issued with the aim of creating a Zionist state in Palestine.

THE MANDATE FOR PALESTINE

The Council Of The League Of Nations:

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and,

whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd., 1917, by the Government of His Britanic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it is 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 right and political status enjoyed by Jews in any other country; and,

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

1. Reading the preamble of the document of the British mandate over Palestine, we shall be startled to find that the great powers had agreed to commission the mandatory government to carry out the declaration originally issued by H.M. Government on the second of November, 1917, and was endorsed by the countries concerned, implying the establishment of a national home for the Jews in Palestine. What does this mean?

Remembering that the number of the Jews in Palestine at the time of the mandate was only 5000, while the Arabs were 650,000, and that the Jews in the world numbered 12 millions, it will become quite obvious that the national home could not have been set up for the 50,000 Jews who were already in Palestine, but for the 12 millions non-Pelstinian Jews. The irony of this situation becomes

more accentuated when we remember that the mandate system is supposed to have been made for the interests of the people living in the territory under mandate and not for others.

2. The Balfour Declaration which became a component part of the mandate document, does not recognize any political rights for the Arabs of Palestine. It only recognizes civil and religious rights, (refer, please, to the text of the Declaration).

3. The Arabs who count thirteen times more than the Jewish minority in Palestine, are referred to not as "people" in the Declaration, but "non-Jewish communities in Palestine."

4. While the Declaration and the Mandate document too deprived the Arab majority of every political rights, it stated that the rights and political status enjoyed by the Jews outside Palestine should not be affected. This confirms the intention of establishing a Zionist state in Palestine, since without it, no one could imagine that the position and political rights of the Jews in other countries could be affected.

5. According to article 22, para. 4, of the Covenant of the League Of Nations, the assignment of the mandatory government is to train and offer advice to the indigenous people. Consequently, a national government should have been formed as was the case in Iraq, Syria, and Lebanon. But Palestine was deprived of a national government, because that would have meant a government with a majority representation of the Arabs who remained a big majority until the last day of the mandate in spite of the official and

illegal measures taken by the mandatory government to attract more Jews to Palestine. The Royal Investigation Commission, 1937, stated that the aim of establishing a national home for the Jews in Palestine was behind the British refusal to form a national government in Palestine. The report of the Peel Commission says: "To put it in one sentence, we cannot — in Palestine as it now is— both concede the Arab claim to self-government and secure the establishment of the Jewish National Home."* The British Government confessed in a memorandum to the U.N. Committee on Palestine that the absence of a constitutional existence in Palestine during the mandate period was because the formation of a national government in Palestine would handicap the fulfilment of the Balfour promise given by the British Government to the Zionists. The memorandum says: "There is no question of treating the people of Palestine as less advanced than their neighbours in Iraq and Syria; the position is that His Majesty's Government are bound by a pledge which is antecedent to the Covenant of the League of Nations, and they cannot allow a constitutional position to develop in a country which they have accepted responsibility to the Principal Allied Powers, which may make it impractical to carry into effect a solemn undertaking given by themselves and their Allies.... It is quite clear that the creation of this stage of a national government would preclude the fulfilment of the pledge made by the British Government to the Jewish people."**

6. As there is no mention of a national Palestinian government in the document of the mandate, there is equally no mention of the Arabs. While we find that document full of references to the Zionist society, the Zionist agency, the national Jewish home, the Jewish immigration, the Jewish population, the Jewish land, the Jewish colonization, the Palestinian nationality of the Jews, the Jewish feasts

* The Political History Of Palestine Under British Administration, p. 23, Jerusalem, 1947.

** Ibid p. 5.

and the Hebrew language, there is no reference to the Arabs who formed, at the time of the mandate, ninety per cent of the population. The only reference to the Arabs in the mandate was that Arabic, was an official language in Palestine beside that Hebrew and English.

7. In order to achieve the judaization of Palestine, Britain and her allies violated the principles of the mandate. While article 22 of the League of Nations Charter stresses the necessity of safeguarding the land under mandate, for the interest of its own people and while the same article states the necessity of protecting the people under mandate, we find that article 2 of the mandate document states: "The Mandatory shall be responsible for placing the country under 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." We also note that article 6 of the same document states: "The Administration of Palestine, ... shall facilitate 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, State lands and waste lands not required for public purposes" Obviously, the people of the land mentioned in article 22 of the Charter of the League Of Nations, and the subject of 'protection'; are normally taken to be the inhabitants of the land under mandate. It would not be out of place, then, to ask if the term 'protection' did not mean denying every political rights of the Arabs and, importing 600,000 Jews into Palestine between 1920-1948, i.e., during the mandatory period, and to house them in the lands of the Arabs?

At the time of the mandate the number of the Jews in the world was about 12 millions; naturally Palestine can-

not house all the Jews of the world together with the Arabs. While the mandate document depends on making Palestine a national home for the Jews by force of the policy actually followed by the mandatory government, the "Jewish terms" mentioned in the mandatory document can only be explained to mean the expatriation of Palestinian Arabs and their replacement by the Jews gathered from all over the world. It is not strange, however, to find these Jewish terms in the mandatory document since it was worded by the British Government in cooperation with the Zionist Organization and Jewish notables in Britain. The document conforms with the proposal presented by the Zionist Organization to the Peace Conference in Versaille, February 1919. In his memoirs, (pp. 347-8) Chaim Wiseman mentions that Benjamin Cohen, an American Jew whose job was the wording of documents, used to cooperate with the secretary of Lord Kerzen, British Foreign Secretary who succeeded Lord Balfour.

IV. HOW BRITAIN ENDED HER MANDATE OVER PALESTINE TO ENABLE THE ZIONISTS PROCLAIM THEIR STATE

By ending her mandate over Palestine, Britain wrought the last chapter of the judaization of Palestine. It was supposed that a national government of the country should take over at the termination of the mandate. It was also supposed that such a government should have been formed by democratic methods, representing the groups of population by ratio. Such a government would have represented the Arab majority, since the Zionists, Britain and the U.S.A. could not form a Jewish majority in Palestine in spite of their efforts to submerge the country with Jews since the British occupation. Between 1918 and 1948 the number of the Jews was raised from 50,000 to 650,000. Nevertheless, the Arabs remained a majority of 1,415,000, in spite of all those efforts.

The increment of the Jewish ratio during the British occupation to one third of the population, gave the Zionists a chance to establish a state in Palestine accomplishing thereby, the partition plan which Britain had thought of long before it was brought into reality in 1948. Britain helped to achieve that aim by the procedures taken in terminating her mandate through handing over to the Zionists large parts of Palestine to form a basis for their state. Here are some of those procedures, mentioned in brief:

1. While Britain refrained from establishing a government for Palestine, the Zionists were allowed and encouraged to form a government under the mandate. That government was an elected body which had an administrative power embodied in the Jewish Agency, carrying out the work of

ministries, having an army, the Hagana in addition to cultural, financial, economic and planning institutions.

2. At the time when there was no government in Palestine to take over matters of administration, guarantee public security and perform all governmental work in general, Britain asked the U.N. General Assembly to hold extraordinary session on 26.2.1947, in order to discuss the question of Palestine. The session was held between 28.4. and 15.5. 1947, where it was decided to form a special committee composed of eleven states to study the problem and make recommendations. The majority of that committee recommended the partition of Palestine to a Jewish state and an Arab state and the internationalization of Jerusalem. The partition was refused by a minority which recommended the formation of a federal Palestinian state enclosing the whole territory. The General Assembly, however, recommended referring the question to the special committee.

The Arabs presented a proposal providing for the establishment of one central government to take over temporarily the administration of the entire country, provided that Britain leave the country within one year of the establishment of such a government which should carry out general elections for a constitutional assembly which would thereafter, prepare a democratic constitution on the basis of unity and independence. Obviously the Arab proposal depended on the British acceptance to stay one more year in Palestine. But in order to undermine that proposal and help passing the recommendation for partition, the British delegate declared the British intention of an immediate evacuation and that Britain was not ready for any further responsibility or for the participation in considering any solution unacceptable to both Arabs and Jews. Britain knew in advance that the Zionists could not accept the Arab proposal. Why Britain, then, did

not respect the opinion of the majority? Was there any convention in the world that might accept the rule and opinion of the minority in deciding the destiny of the majority?

3. In this brief review, one cannot discuss the open methods followed especially by the U.S.A. to secure the General Assembly decision to adopt the partition recommendation, which was already adopted by the majority of the Palestinian committee. The voting in the General Assembly was 33 against 13 with ten members abstaining. The General Assembly nominated five member states to see to the fulfilment of the proposal. The Palestinian Arabs refused the proposal and the Palestinian Committee could not go to Palestine because of the disorders caused by the U.N. recommendation of partition. The Committee asked the Security Council to meet and discuss the disturbed situation in Palestine.

The Security Council refrained from rendering any assistance to enforce the partition on the Arabs on the grounds that the General Assembly recommendations were not qualified to use force on either side. In result, the permanent Council members recommended that the General Assembly meet again for further discussion of the future of Palestine.

The General Assembly held a special session between 16.4 and 14.5.1948. On 17.4.1948, the Security Council adopted a resolution calling all the organizations and people of Palestine to cease fire and stop all acts of violence, terror, destruction, importation of arms and any political activity until further consideration of the political future of the country. On 14.5.1948, the General Assembly adopted resolution No. 2S/186 confirming the armistice and appointing a U.N. mediator to be elected by a committee composed of the five great powers, and assigned to ensure mutual services in Palestine, protect the holy places and found a peaceful situation in the country.

While that was going on in the U.N., Britain had already been, and prior to 14.5.1948, helping to strengthen the Zionists by giving them arms from the British arsenal and camps in Palestine and by handing over the strong holds to the Zionists to enable them enforce the partition. It is a well known fact that Britain began to withdraw her armed forces gradually from Jewish areas handing over those areas to the Zionists. The armed Zionist gangs began an attack on the unarmed Arab civilians in Tabaria, Safad, Acre, Haifa,, Jafa and Dair Yassen, killing whoever they could, and scaring others out of their lands to be replaced by Jewish immigrants coming from outside Palestine. The result was the occupation of all the areas they wanted to occupy in order to establish their state. On the same day when the General Assembly ended its session on 14.5.1948 and at 6 p.m., the Zionists declared in Tel Aviv the establishment of their state and the formation of a temporary government, thus defying the Security Council decision taken on 17.4.1948, demanding the cease of any political activity, and completely ignoring the U.N. General Assembly decision taken on 14.5.1948 to elect an international mediator Count Folke Bernadotte, who was to find a peaceful solution for the Palestinian problem. The U.N. decision was described by Mr. Faris Al Khuri, the Syrian delegate to the U.N., as a change of opinion about the division recommendation.

The illegality of such a recommendation may be considered in the light of the following points:

a. The U.N. has no right to impose any solution against the will of the people of that country. The Arab delegates raised that point before discussing the said recommendation and asked to refer the case to the International Court of Justice, to give a legal opinion on the question. The proposal was defeated by a majority of one vote only since it gained 20 votes, was opposed by 21 votes and 15 abstained.

b. The General Assembly has offices defined in the first article of the charter of the U.N. These offices do not include the creation of a state by dividing a country and giving part of it to a minority and those who will join this minority coming from abroad and who have never seen the country before. This means not giving the country to its rightful owners, and creating a state which had no previous existence.

c. What is commonly called the partition decision is nothing but a recommendation. Recommendations are issued according to the last para. of article 10, of the U.N. charter. The U.N. recommendations cannot be carried out without the approval of the parties concerned. Since the Arab majority in Palestine refused the recommendation, it failed, in result, to acquire a legal power to be enforced.

V. VIOLATIONS OF MANDATE PRINCIPLES, U.N. CHARTER AND PRINCIPLES OF INTERNATIONAL LAW

The way in which the mandate was applied in Palestine, which was, in reality the judaization of the country rather than preparing the people for independence, was a flagrant violation of article 22 of the charter of the League of Nations. Another violation was the method of terminating the mandate itself, whereby the principles of the international law and the U.N. charter were trespassed as manifested in the situation which became prevalent in the country afterwards, as explained below.

1. According to article 28 of the document of British mandate over Palestine, a Palestinian government should take the responsibilities of administration from the mandatory government, at the end of the mandate. Britain did not behave according to the Jews wherever they had a strong hold, to be a core for the state which was to be announced shortly afterwards.

2. Before discussing the partition recommendation, the Arab delegates to the U.N. presented a proposal to establish one Palestinian government to take, temporarily, responsibility of the country, prepare for general elections of a constitutional assembly to be entrusted with drawing out a democratic constitution for the entire country on the basis of unity and independence. But that proposal necessitated the stay of Britain in Palestine one more year. The Zionists declined the Arab proposal. Realising the impossibility of the Zionist consent to the Arab proposal, Britain's delegate announced that his government could not accept a

solution without the consent of both Arabs and Jews, thus undermining an obviously just solution.

3. The application of the principle of self-determination was to be effected only when the U.N. General Assembly could conduct a referendum or, form a national government by democratic methods before deciding the future of countries under mandate, as a sign of respect to the right of every nation in self-determination. Why then, that principle and other U.N. precedents were violated when the Palestinian question was discussed? Were the Arabs, then, wrong in finding in such a behaviour aggression on the right of nations and a brutal prejudice in favour of colonialism?

4. In spite of all that has been said, the Palestinian question could have been solved on the basis of unity and applying the system of international trusteeship according to chapter 12 of the U.N. charter, where article 77 states that trusteeship system might be applied with agreements on countries under mandate at the present. If a just and peaceful situation was to be desired for Palestine, a solution could have been found in that system. But it was all planned to establish a national jewish state to enable zionism and colonialism to uproot the Arab people from Palestine and transform them into a people of refugees beyond the frontiers.

CONCLUSION

Thus the Arab people in Palestine finds itself before a tragedy unprecedented in the entire history of Man. A people finds itself, all of a sudden, cast across the frontiers after numerous massacres and terrors, homeless, existing on the lowest necessities of life, deprived of its rights as a people twice; one after the first world war when the country was to be made the home of only seven per cent of its inhabitants, after ignoring the majority, and again after the second world war when the Jews did not form one third of the population. Had the people of Palestine been granted the right of self-determination, at any time between the two wars, Palestine would have become one democratic state for all the inhabitants irrespective of religion.

But the arrogance of Zionism with all its hatred to the Arabs and greed for Palestine, joined by colonialism working for its own interests, led to the establishment of a Zionist state in Palestine at the expense of the rightful owners of the country who have been living there for at least fourteen centuries. The circumstances under which Palestine was given away by Britain, were favourable to both Britain and Zionism, since the Arabs were under the Ottoman rule for centuries. They remained weakened at the period when Palestine was ruled by both Britain and Zionism, under the cover of mandate, while other Arab countries were either under mandate or struggling for independence, and while Britain and her allies came out of the first world war victorious, and while imperialism was enforced on five sixths of the world.

All that helped Britain and Zionism, backed by the U.S.A. to pass their conspiracy against the Palestinian people and uproot them from country where every spot witnessed an edifice of culture and civilization built up in the course of fourteen centuries with hard human labour, blood, sufferings, love and all that is dear which binds man to his own land. In this manner, international Zionism and imperialism established in Palestine a state in a country not

their own. During the early years of Israel more than a million Arabs were made refugees and after the June 1967 aggression, another half a million were added. Zionism, as it is known, is a chauvinistic movement running counter to history and humanity, it is even opposed by many Jews in the world, in addition to the strong reactions expressed by the Arabs in self-defence and in order to protect their very existence, while previously, we may note, that such feelings of hostility against the Jews on the part of the Arabs prior to the Balfour Declaration, were not to be detected. The Zionist usurpation of Palestine became a source of unrest and violation of peace in this area of the world, especially in the years 1948, 1956 and 1967. The Zionist aggression on the Arabs threatens the world peace and is leading the world to the brink of war.

It is really a pitiful situation that Palestine, the land where Christ, the messenger of peace, was born, became a source of threats to the world peace instead of becoming a peaceful state where all people, irrespective of their religion, can live under a democratic government respectful of the rights of Man and the will of people as had always the case before the country was swept by hostilities under the Zionist policy.

As for the relation between Israel and world imperialism, the world has actually witnessed how Israel was employed by imperialism as a springboard for carrying out its schemes in this part of the world and in Asia and Africa. The aggression against Egypt in 1956 and the war of 1967 are not the only two flagrant examples of cooperation between imperialism and Zionism in the past and at present, nor will they be the last aggression against the Arab nation who had never committed any act of hostility against the Jews. Hence, the Arabs have the right to appeal to the consciousness of humanity the world over to understand their just cause and support their efforts to stop this injustice, defend themselves, and protect their own existence and their right in a free living like any other free nation in the world.

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