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## SPECIAL COMMITTEE ON PALESTINE

## VERBATIM RECORD OF THE THIRTY-THIRD MEETING (PUBLIC)

Held at the Y.M.C.A. Building  
Jerusalem, Palestine  
Wednesday, 16 July 1947, at 9:00 a.m.

## PRESENT:

The CHAIRMAN: Mr. Sandstrom

Sweden

Mr. Hood

Australia

Mr. Rand

Canada

Mr. Lisicky

Czechoslovakia

Mr. Garcia Granados

Guatemala

Sir Abdur Rahman

India

Mr. Entezam

Iran

Mr. Blom

Netherlands

Mr. Garcia Salazar

Peru

Mr. Fabregat

Uruguay

Mr. Simic

Yugoslavia,

SECRETARIAT: Mr. Hoo

Assistant Secretary-General

Mr. Garcia Robles

Secretary

CHAIRMAN: I call the meeting to order.

three points:

The agenda for today's hearing contains/hearing of representatives of  
(Waad Hair)

the Council/of the Ashkenazic Jewish Community, hearing of representatives of  
General  
the/Federation of Jewish Labour, and hearing of representatives of the Jewish  
Agency for Palestine.

Can we adopt this agenda?

(No objection)

CHAIRMAN: It is adopted.

Hearing of representatives of the Council (Waad Hair) of the Ashkenazic Jewish Community  
 I understand that for the Ashkenazi Jewish Community two persons are going

to speak--His Eminence the Chief Rabbi, J. H. Duschinsky, and the President of the Religious <sup>Law</sup> Courts, Rabbi-Selig Reuben Bengis.

I recognize his Eminence the Chief Rabbi Duschinsky.

Rabbi DUSCHINSKY (Chief Rabbi of Orthodox Jewry of Jerusalem and the Holy Land): <sup>(spoke in Hebrew)</sup> Honourable Chairman, Gentlemen, in the name of the Rabbinate and the Religious Law Courts of orthodox Jewry of the Holy City and of the Holy Land, and in the name of thousands of orthodox Jews who are loyal to the tradition of the people of Israel as the nation of God and His teachings, and in the name of thousands of orthodox Jews who are organized in the Council of Ashkenazic Jewish Community of Jerusalem, I have the honour to welcome you upon your arrival in the Holy Land on your exalted mission with which you have been entrusted by the nations of the world, to inquire into the various problems and to find a suitable and just solution in order to restore peace in the Holy Land.

It is our belief and hope that the Creator of the world, our Father in Heaven, will bring about eternal redemption to the people of Israel. Yet we also believe that the hearts of Kings and Governments are in the hand of God. You Gentlemen have the providential privilege of being charged with that lofty task and this <sup>is</sup> why we kindly request you to do justice to those deprived of justice.

The massacre of millions of our brethren in the Diaspora has already been pointed out to you by various speakers, I cannot, however, but plead for the remainder of our people, especially the survivors of those thousands of ruthlessly murdered victims whom I have known personally, and I implore you to render help and assistance by opening the gates of the Holy Land, the Land of our Forefathers, in accordance with its absorptive capacity, for there can be no reason for opposing this appeal on behalf of the rescue of those survivors.

We pray that the blessings of Providence be with you and with all your activities so that rescue and life may flow from your decisions and quietude and peace for the dispersed sons of Israel and all citizens of the Holy Land.

As loyal delegates of the highest forum of humanity, the legal successor of the defunct League of Nations, we appeal to you to inquire also into the following infringements of their rights and the discriminatory treatment from which orthodox Jewry suffer:

(a) During the period of the Mandate the rights of orthodox Jewry in the Diaspora, who had for centuries immigrated into the Holy Land, have suffered by the fact that their immigration quota was reduced by granting immigration schedules through the Jewish Agency. This infringement resulted in the serious deterioration of religion in the Holy Land which had been on a satisfactory level until then.

(b) The Government of Palestine has officially recognized the Community Councils known as "Knesseth Israel", who do not recognize the authority of the Holy Land, and orthodox Jews may therefore not belong to such communities in accordance with the tradition of our forefathers. Although that is the reason ~~for~~ <sup>the</sup> Government having granted the right of opting out of the "Knesseth Israel", it did not, on the other hand, wish to recognize officially the separate community Councils in which orthodox Jewry is organized and also refused to grant legal sanction for the authority of their Religious Law Courts and Rabbinate.

I therefore request you to consider most carefully the detailed statement submitted to you and, simultaneously with your endeavours for a just solution of the general problems of the Holy Land, I exhort you to bring about the fulfilment of our special and just demands.

May the command of the Almighty - the line of justice and truth - serve and guide you so that your names may forever shine on the annals of the Holy Land, the sanctity of which is eternal. And let the beauty of the Lord be upon you and upon the work of your hands.

Rabbi Selig Reuben BENGIS (President Religious Law Courts,

(Rabbi Bengis spoke in Hebrew and the following is the translation of his speech):

His Eminence the Chief Rabbi of orthodox Jewry in the Holy City and of the Holy Land spoke to you briefly and in general terms and I have the honour to address you on the following vital points.

Let me begin with a few general remarks which are of interest to us on account of their religious aspects.

deal with immigration.

I shall first/Settlement in the Holy Land being one of the commandments of the Lord, has not lost its validity during any period in history. In addition the fulfilment of many other commandments of the Holy Law depend on the soil of the Holy Land. This is why orthodox Jews throughout the ages have endeavoured to settle in the Holy Land as explained in Part I, paragraph 2 of the statement submitted to you by our Council.

However, in our days the importance of this problem of immigration increases mightily on account of its potential life saving aspect. Our brethren the survivors of an unprecedented mass slaughter, who are now behind barbed wire in many a camp, are losing their will to live as days go by and it is imperative that they be rescued from the abyss of psychological decadence. This is why we appeal to you gentlemen, to help them in their present demoralising state of restricted existence.

It is clear that in addition to any other place of refuge that might possibly be discovered for them, this Holy Land must be and is ready to be their principle haven of security and happiness.

From the bottom of our heart do we address you on this international stage:-  
"Have we not all one Common Father? Has not one God created us all? Fulfil then your brotherly duty and love towards these downcast brethren.

In connection with the question of immigration I kindly request you to note the following details:-

(a) Past experience proves that orthodox Jewry who have always observed and upheld the religious ties and historical connections between the People of Israel and the Land of Israel and who for centuries immigrated into this Holy Land uninterruptedly, have been discriminated against within the framework of general Jewish immigration, by the authorities in charge of such immigration for a very considerable time during the period of the Mandate. And even upon the intervention of <sup>the</sup> Government, only a very small number of immigration certificates were made available through the medium of the Jewish Agency, channels which are against our conscience, as explained in part I, paragraph 6 of our statement.

(b) The catastrophe that befell European Jewry during the Second World War was a disaster for the entire Jewish people and especially for orthodox Jewry in the Diaspora which has suffered to such an enormous extent.

Justice requires, therefore, that at a time when the nations of the world wish to compensate the Jewish people for its untold sufferings, that this just retribution come from your hands and not through channels which may suppress religious conscience. That is why we ask that the United Nations Organization decide that Jewish immigration in future be the direct responsibility of the Government of this country and all those who are in need of immigration shall be free to benefit directly by such arrangements.

The serious limitations of the land laws as at present in force in the Holy Land discriminate between Jew and non-Jew and they are in open conflict with the United Nations Charter. While Jews are free to acquire land in any independent country, here in the Holy Land, where one of the Commandments of the Holy Law specifically requires Jews to settle, we are barred from buying land even if such Jewish prospective buyers are Palestinian born and loyal citizens.

Permit me to add a few words regarding Jerusalem.

Jerusalem, the Holy City, whose sanctity ranks higher than that of any other town in the Holy Land, has been chosen by orthodox Jewry for permanent settlement

in any period. This city has always occupied a unique position in as much that even at the time of Jewish Kingdoms, when the whole of the country was divided into districts on the basis of the Tribes of Israel, Jerusalem was never divided. This Holy City is now doomed to stagnate in its present position since it has no chances for further development on account of the strangulating land laws which are effective also in the District of Jerusalem. Every important town in the world is being rebuilt and continues to expand; <sup>shall</sup> the town of God shall be fettered for ever?

This is also why we demand the abolition of the existing Land Laws for the reasons outlined in paragraph 7 of Part I of our memorandum.

The Ashkenazic Jewish Community Council: I now come to the demands of our Council which are based on Article 4 of your Terms of Reference. As a Rabbi of more than fifty years standing I have had the privilege to see two generations of the most authoritative Religious Heads in Israel. I am therefore able to acquaint you with the binding religious opinion concerning the management of Jewish public affairs. According to our Holy Law any Jewish community organization must satisfy all religious requirements since otherwise decisions of such Council carry no weight or binding force. For the people of Israel and the Law of Israel are one. And as a people or as a public community Israel is but considered in relation to its Torah. The basic conditions for all arrangements in Jewish public affairs is the recognition of the Holy Law in such affairs by electing as its representatives the Religious Heads of the community who are loyal to the Traditions of our Law. That is the reason why orthodox Jews can never recognize the Jewish Agency as the representative body of the entire Jewish people as envisaged by the Mandate.

However, the problem of the foundation of Jewish Community Councils in the holy Land is one of the most painful. Official recognition has so far only been given to community councils of the Vaad Leumi known under the name "Knesseth Israel", for example, Councils who have so far refused to embody in their statutes the fundamental requirements of our Holy Law, notwithstanding the clear

verdict given by eminent Rabbis and Scholars of the Law and a decision of the greatest Religious Authorities in Israel that the basis of all such councils must rest on the recognition of the authority of Torah in Jewish Public Affairs. As a result of the refusal of the Vaad Leumi to fulfil those religious conditions our Rabbis have at the time prohibited the affiliation of our communities to the Vaad Leumi. Details are to be found in Part II of our memorandum, paragraph 10.

It should be pointed out that the rules of the Knesseth Israel of the Vaad Leumi of the year 1927 are based on the Religious Communities Ordinance, 1926. The intention of the legislator was to create religious communities, Jewish and other, that is to say a community council loyal to the Law of Israel. Yet the rules of the Vaad Leumi are in open conflict with the religious requirements of the Holy Law.

Justice requires that religious affairs of Orthodox Jewry who have but fulfilled their duty by leaving the community of the Vaad Leumi shall not be suppressed and that their own community councils shall benefit to the same extent by official recognition as those community councils that have refused to incorporate the basic conditions of Religious Law in their statute, for example, to enable Orthodox Jews to organize in officially recognized community councils throughout the country in accordance with the spirit of their religious conscience.

The Council of the Ashkenasic Jewish Community, Jerusalem, which continues the Tradition of the Jewish Yishuv in Jerusalem as developed throughout the centuries has received assurance in writing from the General Officer Commanding British Occupation Forces at the beginning of the Military Occupation of Palestine that the rights of our community will be safeguarded together with those of other communities. However, with the inception of civil government in this country after the confirmation of the Mandate, events developed to the detriment of organized Orthodox Jewry. Our community council, the first of its kind in this country, which represents thousands of Orthodox Jews who do not belong to the Vaad Leumi and who look after their own religious needs, by maintaining their own Religious Law Courts, Ritual slaughter, registration

of marriages, rendering of certificates, social welfare, etc., suffer from the lack of official recognition of their activities in this field. In particular the withholding of recognition of jurisdiction over personal status from our Rabbinate and Religious Law Courts is in open contradiction to the very British assurance referred to above, the text of which will be found in Appendix I of our memorandum. It is furthermore contrary to paragraph <sup>15</sup>7 of the Mandate which requires the Mandatory Power to honour and preserve the personal status and position of religious institutions of the various communities in the country. It thus appears that our Christian neighbours have benefited to a far greater degree than Orthodox Jewry in as much as official recognition was granted to every Christian community, even in cases where very few members belong to such communities, and certainly far less than the number of our own members.

The present position as regards our Council runs counter also to the requirements of <sup>Art-</sup> paragraph 15 of the Mandate; in which connection I refer in particular to the two questions asked by the Permanent Mandates Commission as described in Part I, paragraph 12 of our memorandum.

On the just solution of the invidious position of the Orthodox Jewry in the Holy Land depends the strengthening of our Holy Law, which will also improve the general position in the Holy Land as pointed out by his Eminence the Chief Rabbi of the Holy City and the Holy Land.

At the end let me thank you for this opportunity to place before you the opinion of Orthodox Jewry and their just demands and we are convinced that these opinions will be useful in coming to a just solution of the problems confronting you.

In the name of Orthodox Jewry of Jerusalem and the Holy Land may I express the hope that as you find a generally acceptable and just solution of the problems of the Holy Land you will also succeed in assisting Orthodox Jewry which is at present degraded to a community consisting of second rate citizens, in regaining their position which is due to them as requested in the summary of Parts I and II of the memorandum. The Lord of Peace and Truth may enlighten you and pitch through you his Tabernacle of Peace over the Holy Land and the City of Peace. Amen.



CHAIRMAN: I thank you.

I have one question that I would like to have answered. What is the number of adherents to your Community?

Rabbi DUSCHINSKY: We have no exact number. We have registered members, and we have sympathizers.

CHAIRMAN: How many registered members are there?

Rabbi DUSCHINSKY: Seven thousand members in Jerusalem, adults, not counting their families. This number includes male adults only because only male Jews are considered members of the Community. The number of persons is estimated at sixty thousand, at least.

CHAIRMAN: Your followers?

Rabbi DUSCHINSKY: Our followers.

Mr. BLOM (Netherlands): May I ask one question. The Rabbi says that the Religious Courts of the Ashkenasic Community are not legally recognized. Nevertheless, Rabbi Bengis calls himself President of the Religious Law Courts of his Community. I would like to know whether in practice these Courts give sentences, exercise jurisdiction? What is the legal consequence of their action in this respect?

Rabbi DUSCHINSKY: We claim recognition. We are only by sufferance a Court on grounds of submissions. The members who come to the Religious Court have to submit themselves to an arbitration proceeding, and they have no legal right. Their judgments cannot be executed as judgments of a Religious Court, only as judgments of an arbitration board.

Mr. BLOM (Netherlands): Are they recognized as judgments of an arbitration court, by the civil courts and other religious courts?

Rabbi DUSCHINSKY: The judgments of the awards of every arbitration are recognized if confirmed by the ordinary courts, not only of religious courts, even of three gentlemen, two gentlemen, or one, sitting as sole arbitrators, also. After the court confirms it, it is recognized.

CHAIRMAN: I would like to put a concrete question to you. If there is an Ashkenazi married couple who want a divorce, can they go before your court?

Rabbi DUSCHINSKY: No, sir.

CHAIRMAN: There is no award given by your court?

Rabbi DUSCHINSKY: No.

CHAIRMAN: Does anyone else want to ask any question?

(No response.)

Hearing of representatives of the General Federation of Jewish Labour.

CHAIRMAN: Then, I thank you gentlemen.

Rabbi DUSCHINSKY: We thank the Chairman and the Committee for granting us this hearing.

CHAIRMAN: The next item on the agenda is the hearing of representatives of the General Federation of Jewish Labour. I understand that Mr. Rubashov, Mr. Lubianiker and Mr. Shkolnik are going to speak for this Federation. Will you gentlemen please come to the platform.

(Mr. Rubashov took a seat at the table.)

CHAIRMAN: I recognize Mr. Rubashov.

Mr. RUBASHOV: (The General Federation of Jewish Labour in Eretz Israel (Palestine) (The Histadrut): Mr. Chairman, and Members of the Committee, at the final stage of your hearings, before you come to make your decision about the future of our country and of our people, we come to address you on behalf of the General Federation of Jewish Labour, the largest organization in the Yishuv - for whose members the development of this country and the

liberation of this people are a daily task and a life work.

You will find our basic principles and main ranges of activities described in some detail in the memorandum already submitted. You have doubtless seen what we have achieved in this country in the course of the numerous visits you have paid to towns and settlements.

You have seen with your own eyes the outcome of our unremitting campaign against desolation and the habits of ages. You presumably have taken note of our efforts to create new social units on a firm basis of equality, justice and maximum co-operation conjoined with individual freedom; and you have doubtless found out how the Mandatory Government has promoted, and how it has obstructed, the great work which the nations required it to aid in this country. If we have now come to offer oral evidence, our purpose is only to underline our fundamental demands; and to offer our services in clarifying some details or matters in connection with which you may consider our information to be useful.

The General Federation of Jewish Labour - usually referred to by its Hebrew name the Histadrut - represents the Jewish working class in this country, which together with its dependents is half of the Yishuv.

The Histadrut does not select its members according to their political, public or spiritual views. It accepts every Jewish worker in the country who makes his living by his own toil and not from exploitation of others; no matter whether that worker lives in town or country, whether he is a member of a co-operative or belongs to one of the many different kinds of collective settlements. All the trends and currents to be found in the world labour movement and within our own community in this country can be, and indeed are, found within the Histadrut. But one common bond has brought all our members here from the lands where they were born. That bond is the fate of a landless nation that has no security regarding the morrow; and all of them are united by a common aspiration in their work here. They aspire to live a life of dignity, of work, of freedom and of independence.

Our Histadrut is a Labour Movement and a movement for labour. The great majority of our members are not workers by birth. Just as we came up to our homeland from different countries, so we came up to work from different classes. It is a fundamental principle for us that our national and human redemption requires us to take root in every possible kind and grade of work. Our future depends on the toil of our hands and our capacity for work. It depends on our own work, in agriculture, in handicrafts, in industry; by land and by sea. Only through our own work shall we achieve our restoration and our future. And that is why we set out to engage in every field of activity ourselves, from the simplest, roughest and most exhausting work upwards, without harming and without exploiting any other nation. We stand for organized labour. We aim to protect the worker in every manner possible, to improve the conditions under which workers live and the conditions governing productivity; and to raise the spiritual and cultural level of all the working people within our developing society.

And our Histadrut is a movement that is based on immigration and fights for immigration. When it was founded 26 years ago we had a membership of about 4,400 men and women workers. Most of them were immigrants from Eastern Europe. Today we have 170,000 members, four-fifths of whom have come from abroad.

A whole generation before European antisemitism achieved the political power whereby to carry out the Satanic plan of mass murder of the Jews, our Movement sensed the future and called upon Jewish youth to prepare to come up to our eternal Homeland and create here, by the sweat of their brows, the basis for a free and independent gathering-place for Jewish masses from all the ends of the world. While the favourable effects of Jewish emancipation were still at their height, our comrades left the lands where they were dwelling and all the prospects afforded them there, and took upon themselves the yoke of settlement work in the wastes and desolation of our country. The spell of the land did not lie in its wealth. In those days the land was very far indeed from being described as wealthy. Nor did any prospects of personal liberty attract

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them. Those were the absolutist days of the Ottoman Empire when freedom was the last description that could be applied here. What brought them was one everlasting vision of Jewry- the vision of returning to this land and becoming a free nation once again, rooted in our own soil, living our own cultural life and associated with all other peoples as a nation of equal standing and equal rights.

The Jewish nation has aspired throughout the ages for full redemption, and its choicest sons have always yearned, each in his own way, to return and strike firm root in the Homeland. Now this aspiration, this yearning, was made manifest with all its ancient vigour in this youthful torrent, these young folk who made the Jewish Labour Movement. It was imbued with a fresh social content, with the spirit of our generation in its search for social and human betterment; and with a sense of pioneer responsibility for the fate of our Jewish masses throughout the world. In our own land there came into being the Jewish worker, who with his own hands fulfilled the mission of his nation and his age: the mission of delivering this land from its desolation, and this nation from its geographical dispersion and its political dependence on others.

There is not a single country in all the lands of our Diaspora whose young Jews have not participated, in our upbuilding work here. And in all the lands which have seen the mass murder of Jewry the survivors, old and young alike, now long and yearn to join us, and secure themselves a future here, together with us.

In the name of all these myriads we come to demand from you precisely what we have just been demanding from the World Trades Union Congress of which we are part; what we demanded of the Anglo American Committee of Inquiry before which we appeared some sixteen months ago; and what we shall never grow weary of demanding from a righteous judge, and from whoever may be called upon to consider our fate. We call upon you for free Jewish immigration: Abolish the White Paper which sets out to reduce to nothing all the solemn British and international pledges to the Jewish nation, which is a death-trap to the Yishuv

and which condemns the whole of this country to be frozen and strangled. Make it possible for us to develop the ample blessings concealed in the resources, yes in the very desolation, of our country! Make it possible for us to turn all this into a source of happiness and contentment for our own people and for all the other residents of this country! Give us the opportunity of meeting the Arab nation as a nation of equal status and equal national independence!

If we had come before you a few years ago, we would have brought the same demands in the name of hundreds of thousands of organized young pioneers, dispersed throughout all the lands of Europe, who were preparing themselves to be together with us as trained, useful and faithful fellow-workers of ours. In their own lifetime they had no other desire and no other longing. There was no obstacle preventing them from coming here except the laws of the Mandatory Government. But now the furnaces of Treblinka and Bergen-Belsen have turned them to ashes for ever.

And what robs us of all rest is the knowledge that at the moment of their gravest peril, when the enemy walled them up within the Ghetto and cut them off from the world of the living, their choked and anguished cry was addressed to us. First and foremost to us, whom they trusted boundlessly and who, they were convinced to their very last breath, would not abandon them to their fate, but would find a way of rescuing them.

It was beyond our power to help. We ourselves were in the hands of those who held us back by force. We were in the hands of those who tore from us the only life-belt that might have been of use, and which we had prepared for generations against such a day.

We have not forgotten this. And we cannot forget this, particularly now, when that error-stricken appeal reaches us once more, and we again find ourselves helpless, unable to aid because of that same governmental policy.

Those hundreds of thousands are no more, like the whole six million. But

there are still hundreds of thousands of others who, fortunately for our nation, have survived the mass murder. The surviving Jews of Europe have seen cruelty, savagery; yes, and miracles beyond belief, such as no man ever saw before then. They long for life and, with their ample experience, they are struggling for their future. About a quarter of a million of these surviving Jews are still kept in internment camps, without any status, without any rights, without any hope for the morrow. They are being kept in countries where the poisonous heritage of Hitler still ferments among the population. Just think! In a little while the question of the rule over those countries is to be given a new solution. What will the new authorities do with those camps? Who can give any assurance as to what is awaiting them, when the duty of finding a solution for them is entrusted to the new territorial authorities of those countries? In Austria the demand that Displaced Persons should be removed from the country has already been made. But to where are they to be removed?

They are being called upon to return to the countries of their origin. Who is it that sets out to mock at the last survivors of our catastrophe? I personally have just returned from visiting Poland. Only a week ago I was standing on those piles of ruins under which the whole of Jewish Warsaw lies buried. More than three hundred thousand Jews used to live in this capital. Among them were the best of our spiritual forces; creative figures, writers, workers, religious leaders and artists, the spiritual and material enterprises which Polish Jewry had accumulated in the course of generations. Now a dumb, deathlike silence spreads far and wide over the veritable ocean of ruins, as far as the eye can reach in all directions! Under those ruins, still lie the corpses of the tens upon tens of thousands of Jews who were buried alive. Our vast orphanhood shouts aloud to us from this red earth covered with fragments of fallen bricks. Are the rescued Jews to return there? To that ocean of death?

And this should be clear: The situation in Poland does not depend on the attitude of the Polish Government alone. The Polish Government is actively

combatting antisemitism. But does the position of the Jews depend on this alone? I have just visited dozens of towns in Poland, cities that had been renowned in Jewish history for long centuries, cities which had been steeped in the very essence of the Jewish creative spirit. Now there is not so much as a memory of them. The Jews have been murdered and are gone. Their place has been seized upon by others, and there is no law which can now restore happiness, quiet and contentment to Jews of those spots. Is it a matter for wonder if the overwhelming majority of those who are still to be found in Poland wander about like shadows, their eyes and their longings directed to us?

I shall try to make it perfectly clear that I am talking of inevitable and objective necessities. To do so I shall tell you a tale which comes from a country with a rare and magnificent tradition of tolerance, of absence of anti-semitism and also with an almost non-existent Jewish community. Until the war, there were, I believe, about twelve thousand Jews all told in Sweden, and there have never been any anti-Jewish outbreaks there throughout the two centuries since the Jewish community in Stockholm came into existence. During the last few years, Sweden has accepted Jewish refugees and made them welcome, as you know, Mr. Chairman. Eight thousand Jewish girls were brought there from a concentration camp. I saw some of them a year ago. They came from Hungary and Carpatho-Russia, and from Lithuania and Latvia. Some of them are the only survivors of great and noble families. Some of them are the sole survivors of their native towns and their communities.

In Sweden they have been given rights and work. But in Sweden there are not enough Jewish men with whom they can establish fresh families and family life. Recently a Jewish institution, non-Zionist, I should add - conducted an inquiry as to which of them wished to remain in Sweden. The total number desiring to do so was 53. A total of 7,947 replied that they did not wish to stay, and implored to be taken away.

Are we going to listen to their entreaties? Or shall we allow this last



salvaged human remnant to perish as well?

I would cite yet another example: - In Rumania something has happened which is, in itself, politically irrelevant, being a natural phenomenon, pure and simple, which in any case has not the slightest trace of anything anti-Jewish about it.

There were no rains in Rumania this year, and there was every prospect of a famine.

The moment this became clear, the earth began to quake under the feet of the Jews and the Jewish refugees who are the first "superfluous" persons to be fed. Because they are a defenceless minority, because they have no shield or protection. Because they have no homeland. And above all, because this evil world has already seen how the problem of an unwanted and defenceless Jewish minority can be settled.

Maybe you have also come across this propaganda, which is now being so skillfully disseminated with a view to besmirching the Jews of the camps? But we have seen and become convinced of two things. We have become convinced first of all that the falsehoods spread in the days of Hitler by his followers have taken root in the hearts of many groups among those who fought against Hitler. And, secondly, in so far as the great catastrophe may have broken their spirit and driven them towards internal dangers - the tried and tested cure for them is in the resources of our creative work here. We have the talisman with which to heal them. Give us the opportunity to heal them and it will be to their benefit and our own. We shall restore their human dignity to them; their hope of a future and their pride in creative effort; and they too will be transferred into magnificent pioneers.

Then there is another call for help. You have heard this appeal. It is the call of the Jews in the Arabic-speaking countries. Choked and strangled though that call may be, it pierces to our very hearts. Many Jews from those countries have long been here with us, pioneers after their own fashion, and they are the support of those who now so urgently need a refuge. The Jews

in Arabic - speaking countries have none to aid them, apart from those of them who have already come here. Can anyone imagine that we shall hear their appeal and ignore it? Are we to believe that you will be prepared to ignore their appeal?

Here, therefore, a historic necessity has become interwoven with an urgent need. A lofty national mission is united with an individual thirst for life. Economic, moral and political needs have come together and been transformed into an overwhelming natural force. Is it surprising that no artificial law does, or can, withstand this driving force? Is it surprising that the ships steal across the face of the waters in the night, regardless of laws and those who enforce the laws? Is it surprising that there is an irresistible urge among our fellow-Jews in Europe - an urge that impels them to make their way to us?

The Histadrut, with all its institutions and enterprises, its experience and its pioneer spirit, with all its organisational forms and constructive plans places itself unreservedly at the disposal of the Jewish Agency for the reception <sup>and</sup> / absorption of this immigration. Our history and our achievements, yes our very existence, bear witness to our ability to receive and absorb all these immigrants, systematically and progressively; to our ability to transform them into a productive element who will be a blessing to themselves, to us and to all who dwell in this country.

You have seen our youthful settlements. "Whose ox have we taken? Whose ass have we stolen?" During the past ten years we have virtually doubled in number. In the year 1935 there were 350,000 Jews in the country. At the end of the War we were about 650,000. And these years, please remember, were years of disturbances, years of war, years during which we were cut off from the world. Would it have been beyond human power to have doubled the Yishuv again since the end of the war and so to have solved the problem of the last remnants of our anguished nation?

Yet, precisely during these fateful years, when the time had come for the Jewish National Home to prove its value and <sup>to</sup> do its duty, the Mandatory Government, whose function was to promote and encourage our National Home, rose up to prevent it. We had believed that in so far as we proved that it could be realised, we would be given freedom and encouragement to bring it about. But what actually happened was the absolute opposite. And the closer we came to our objective, the more the Government placed difficulties and obstacles in our way.

The Mandate, which Great Britain had received from fifty-two nations, was treated as a scrap of paper. The 1939 White Paper, which directly contradicted all the basic principles of the Mandate, was imposed as the law of the land. Every immigrant exceeding the arbitrary and ridiculous monthly total of fifteen hundred was declared illegal. Anyone who brings a Jew into the Jewish homeland is thereby considered a criminal. The long arm of the British Empire was extended to ensure that Jews should not proceed to their National Home; no, not even if they had been delivered from hell, not though the land needed them, not though their only alternative was the deeps of the sea. The rescued Jews who succeed in surmounting all these obstacles and in reaching our shores are dragged away afresh like criminals, and flung into the Cyprus camps. The British Government did not hesitate to use tear bombs, fire-hoses, batons and even ~~firearms~~ in preventing these defenceless refugees from reaching the shores of their Homeland and in forcibly deporting them to Cyprus, there

to continue their lives of frustration and despair, again behind barbed wire fences and again under armed guard.

Cyprus has become an island of torment for many thousands who have succeeded in escaping from all the camps; and it is here, at the shores of the land of their hopes, that the net is spread out before them.

Ninety-five per cent of the whole area of Palestine has been removed from all prospects of Jewish colonisation, which was the essential purpose of the Mandate. The Government has published a draft Irrigation Law which threatens to debar us from using the water resources of the country, though they and they alone can make the desert blossom and banish desolation.

The Mandatory Government proposes to transform the Jewish National Home into a "ghetto" — the only ghetto now left in the whole world. And it really seems to imagine that it can succeed. It has brought its military and police forces here to suppress the Yishuv and to maintain a permanent regime of fear. It aims to undermine the Jewish Agency, to undermine our educational autonomy and the status of the Hebrew language, as shown by its recent Memorandum. It has woven a tangled web of legislation covering matters large and small, in order to shackle our progress, to freeze the Yishuv and keep it a permanent minority dependent on the good nature of others.

In order to force the Yishuv to submit to its policy, the Government has imposed upon this country a regime of wilful repression, which came to a head on the 29th June, 1946, when a concentrated effort was made to break the strength and unity of the Yishuv. On that day, the headquarters of our Federation and many of its institutions were searched and raided, some of our prominent leaders detained. Many agricultural labour settlements were surrounded and searched, some of their members killed, many wounded, and thousands taken from their daily work and held prisoner in detention camps. The failure of the Government to achieve its aim on that occasion has only led to a further tightening of its repressive measures. Our country has become a police state where punitive curfews, searches, unwarranted arrests, and even

the imposition of Martial Law upon large Jewish areas has become the accepted method of rule by Government.

As Jews, as Zionists, as workers, we cannot but raise our voice against this policy which has been followed by the Government since the promulgation of the White Paper. This policy is devoid of any moral justification. It violated the basic undertakings upon which the rule of Great Britain in this country is based.

It introduced official racial discrimination against the Jews, as Jews and as citizens, and its implementation has been marked by frequent and excessive use of force.

Has anyone thought of the traces which the expulsion of Jewish immigrants has left and continues to leave on the soldiers and policemen engaged in this unholy work, against their own desires and conscience so often? Has anyone troubled to think what takes place in the heart of a Jewish child who sees his kinfolk, after having been rescued from the hells of Europe, expelled by force from our own land, how they are driven into camps, how they are kept behind barbed wire? Can such a child possibly be expected to respect such laws and their makers? Is it surprising to find the entire Yishuv rising like one man to oppose such laws?

Is there any reason to be astonished if this White Paper, which was issued as a premium on criminal acts of violence, awakens the appetite and spurs irresponsible Jewish elements as well to proceed to acts of criminal violence? During your stay in this country, gentlemen, you have been in a position to observe how the Yishuv condemns these criminal deeds and combats them. Yet what other way is there out of this maze, except to rise and tear up that White Paper /legislation, and to fling open the gates of this land and its development resources to Jewish immigration and settlement, as required and promised, and as is now so vitally and urgently demanded?

As far as the Arabs of Palestine are concerned, they will obtain even

greater advantages from this Jewish immigration than they did from that of the past. A considerable increase in Jewish immigration means a strengthening of that force which is most vitally interested in doing away with the differences between the standards of living to be found in Palestine. It means raising the lower standard of living to the level of the higher. As long as Jewish workers are a minority, they naturally have to protect themselves against the majority who accept lower working conditions. Once this situation changes, the efforts to bring about an equalisation of the standard of living at the higher level will be much more likely to succeed. Mutual understanding will bear fruits in every aspect of life. Jews and Arabs will meet as equals; and as equals mutually concerned in working to raise the standard of living, they will find a common ground.

The leading spokesmen of the Jewish Agency have already made their statement/<sup>to you</sup> as to the political form of our future. We wish only to underline that our own development and existence is witness that the rights and development of the Arab population will be safeguarded and secured. Ever since the Histadrut has existed it has endeavoured to bring about mutual understanding and achieve true solidarity with Arab workers. We were the first in this country to try to organise labour, and we are gratified to see that our persistence has led to the beginning of an Arab labour movement. The Arab standard of living has risen appreciably in the vicinity of Jewish settlement. We have always tried to promote these beginnings. Even at the periods of highest tension we recognized in the Arab worker the man and the fellow-worker, and did everything possible to encourage his progress, regarding this as the duty of one group of workers towards another. In all the professional struggles of the Arab workers, whether with the Government or even within the Arab sector, we helped them both by our guidance and by material aid.

We are not satisfied with what we have achieved. We know how many obstacles there are in the way, and how many there are who wish to stir up

strife between us; and it must be admitted that Government activities in this respect were far from being what can in any way be described as helpful.

In our memorandum we have dwelt on the attitude of the Government towards the question of labour legislation and social policy. [This attitude only accentuates the fact that the Government -- in this as well as in other fields-- has followed a backward colonial policy.] It has shown no understanding for the social needs of the Jewish worker, for the dynamic character of his effort, and has failed to make any effort to bridge the gap between the standards of the Jewish and Arab worker and to promote any cooperation between them.

But it is our great desire that the day of true cooperation may soon dawn. And we are convinced that increased Jewish immigration and increased Jewish working power will multiply the forces interested in and capable of realising real and true solidarity.

We do not call upon anyone to reduce either the rights or the requirements of the Arabs in any shape or form. But we ask you not to restrict our rights, and not to prevent us from developing the untouched and neglected parts and intensifying the cultivation of other parts of this country.

Gentlemen, you represent many different nations and you have come here on behalf of an even greater number. Listen to your own consciences. Call for the abolition of the White Paper. Demand that the gates of this country be opened wide to the Jews beating upon it. Help to deliver the refugees from inevitable degeneration and destruction. Give our youth the opportunity of doing their duty to their people. Help us to establish contact with the Arab nations, as an equal with equals. Give us the opportunity to establish the Jewish State in our homeland.

And what is more, do it quickly. There is very little time left. This volcano, on which our people have been left, is beginning to smoke once again. We cannot afford to be too late again, as we have been before.

Gentlemen of the Special Committee,

In the Death-Court at Teresin (called by the Germans "Theresienstadt")

I saw a little room. It is room number 9, a special torture chamber reserved for important Jews. In this little room there is space for ten men standing. Into it they used to thrust from fifty to sixty persons, one on top of the other. There was neither light nor air in this room. No food was brought in. The people were left there to perish slowly and horribly. And the most dreadful and terrible thing of all was this: In the door there was a tiny little window covered with thick wire netting. Through this window the Nazi beasts used to watch their victims floundering and gasping and perishing one by one. Ever since I have seen that torture chamber, that Black Hole of Theresienstadt, I cannot forget that little window. It refuses to move out of my thoughts.

Hitler is gone. All that he stood for has been destroyed.... Yet how about the Jews of the Displaced Persons Camps?

What more are all the Displaced Persons Camps of Europe but that one tiny hopeless deadly Black Hole? Is it not obvious that there is no air to breathe in those camps, that there is no future existence? What are we doing, all of us together -- we here, you there, the whole world everywhere?

What more are we doing than standing, looking in with folded arms? Are we going to permit our arms to remain folded? Shall we not rise up to break down the door, to rescue and to redeem?

Gentlemen, we have the honour to address you on behalf of a youthful pioneer movement which is the offspring of an ancient nation, a nation whose contributions to world civilisation have been match<sup>ed</sup> only by its sufferings. Both of these factors have helped to forge the strength of spirit with which a whole generation is devoting its entire life, to rescue and to redeem.

It is our desire and our deepest prayer that the work we have in hand shall be carried out in the way of peace, mutual understanding and continuous creation.

Gentlemen, give us your helping hand, and may the blessings of the future rest upon you.



CHAIRMAN: I thank you, Mr. Rubashov. I understand that Mr. Lubianiker and Mr. Shkolnik are not going to address us, but that they are here to answer questions.

Mr. RUBASHOV: That is right.

CHAIRMAN: I have one question. I have read in the address that the number of your members is 170,000, and I think it has been said also that, with their half dependents, they represent about/ of the Jewry here - every branch of activity. That includes also intellectual people - what is called people in free professions

Mr. LUBIANIKER: Yes.

CHAIRMAN: I shall ask one thing more. It has been stated also that you support the views expressed by the Jewish Agency.

Mr. LUBIANIKER: Yes.

CHAIRMAN: Is that a unanimous opinion in the Histadrut, or are there different opinions?

Mr. LUBIANIKER: We are a democratic organisation - not a totalitarian one. Apart from a few basic questions like freedom of Aliya, our absolutely negative attitude to the policy of the White Paper, and the freedom of Jewish colonisation in Palestine, we generally manage our affairs by a vote of the majority, and this majority makes the policy of the Organisation.

CHAIRMAN: I think I have seen in the papers that there is a group among you called the Left Wing, which favours another solution than the one favoured by the Jewish Agency. Is that so?

Mr. LUBIANIKER: It is true. Outside the Histadrut about 83% of the organised workers are against any form of bi-national solution; and inside the Histadrut there is one group only which polled/its last election about 17% of the voters, which is in favour of such a solution. All the other groups in the Histadrut are in favour of a Jewish State as a final solution of the problem. Of course, in this majority of 83% there are, too, many

differences of opinion. There are some who oppose absolutely, definitely, without any readiness to any form of compromise, every thought of partition into two States, and they propose for the solution of the Palestine problem only the preparation of Palestine for the erection of a Jewish State in the whole of Palestine. But on the whole, it can be said that the great decisive majority of the organised workers does not accept any form of bi-national solution as satisfactory to them.

CHAIRMAN: The 17 percent favour bi-national solution?

Mr. LUBLINIKER: Yes; it is one small group.

CHAIRMAN: Can you give me any figure or proportion of members who are opposed to any plan of partition?

Mr. LUBLINIKER: Of course the Hashomer/Hatzair is opposed to it in any case and in any form. There is a second group which numbers, if I am right, about 20 percent of the electorate, which is opposed to bi-nationalism and to partition as well.

Mr. WAREGAT: On page 10 of your statement, in the final part, you declare that "Our country has become a police state where punitive curfews, searches, unwarranted arrests, and even the imposition of martial law, etc." At this moment the Government of Palestine has placed under martial law one section of the country whose centre is in the city of Nathanya. Can you tell me what is the situation of the worker of Palestine when martial law is applied in the city in which he lives and works? Can he leave the city? Can he cross the barbed wire in order to go to work? Can he go back home after work?

Mr. LUBLINIKER: It is clear that every form of martial law, curfew and other restrictions hits first of all the working population which depends on its daily work and daily wages for its subsistence. And as Palestine, as you know, is a rather small country and people are very often working outside the place of their residence, in every case of curfew and in every case of martial law or other restrictions of this kind, from thousands of workers is taken away the possibility to work, to earn, to live; and it can justly be said that these measures are, objectively, first of all measures directed against the poor and

the working people of this country.

Mr. FABREGAT (Uruguay): I should like to know something about the situation as regards children in a city under martial law. Can the children of the worker attend school?

Mr. LUBLNIKER: We had some experience when we had martial law for a fortnight in the area of Tel Aviv, Ramat Gan, etc. About a quarter of a million Jews were living under this law for the first time. I can say without exaggeration that the whole life of the community was disturbed. Children, instead of going to school, spent their time in the streets. People had not enough food. Many thousands of workers could not go to their working places. A lot of cultural activities had to be stopped. The whole normal trend of life was disturbed in a dangerous fashion. 21

Mr. FABREGAT (Uruguay): In these cities under martial law do the newspapers appear as usual?

Mr. LUBLNIKER: In Tel Aviv they did appear, but I read today or yesterday in the newspaper that, for example, in Nathanya--which relies on the newspapers brought from Tel Aviv or to Jerusalem--they have the opportunity to get their newspapers during one or two hours when they are allowed to leave their houses and to make all their other purchases at the same time.

Mr. FABREGAT (Uruguay): Under martial law can food supplies be brought into the cities?

Mr. LUBLNIKER: Not freely. It is done by the military authorities in the fashion and in the way they think satisfactory.

CHAIRMAN: I would ask for some precision. You said that these measures were in the first place directed towards the poor. Do you mean that they are expressly directed against the poor?

Mr. LUBLNIKER: I said "objectively".

CHAIRMAN: You mean the effect is felt most by the poor?

Mr. LUBLNIKER: Yes, I do not say that is the intention, but it is the effect.

Mr. PECH (Czechoslovakia): On page 12 of the address it is mentioned that "Ever since the Histadrut has existed it has endeavoured to bring about mutual understanding and achieve true solidarity with Arab workers." May I ask how far this mutual understanding--these attempts--have gone, and what is the present state of this understanding?

Mr. LUBLANIKER: More specialized information on that question you will find in our memorandum. There is a full chapter on these activities of the Histadrut. I will only say in general that everywhere, where Jewish and Arab workers meet in the same work, it was the action of the Histadrut to organize them into a common international organization of workers. Everywhere, where Jewish and Arab workers do work shoulder to shoulder-- as in the Government, in the work of the military authorities, or in other places--every action taken by the Jewish and Arab workers together is generally taken on the initiative of the Histadrut. Even now, in spite of the political tension which exists in Palestine, there are thousands of Arab workers organized in the Palestine Labour League who adhere to their connection with the Jewish workers and lead their action hand in hand with Jewish workers. Of course, with the political tension, there are factors which limit--objectively again--the possibility of this kind of common work. And as Mr. Rubashov said in his opening remarks, the Government was not generally very helpful in assisting in building up mutual relations of cooperation and solidarity between the Jewish and Arab workers. We had this work to do against the Arab leadership, against the Government. The results are not very great, but even the small results which we achieved up to date give hope for the future if the reasons and the factors which have stood in the way of real cooperation were abolished.

Mr. PECH (Czechoslovakia): May I ask whether in the Arab working associations are there any trends which are sympathetic with the basic demands of the Yishuv?

Mr. LUBLANIKER: There is one trend, the Palestine Labour League. The two other trends I suppose are not very sympathetic.

CHAIRMAN: What is the colour of the Palestine labour?

Mr. LUBIANIKER: The Histadrut?

CHAIRMAN: The Palestine Labour League.

Mr. LUBIANIKER: That is an organization of Arab labourers who cooperate and want to cooperate with the Jewish labourers.

CHAIRMAN: What I want to know is their political colour.

Mr. LUBIANIKER: I cannot tell you, sir. I do not know. It is a non-political organization which has no party programme of its own. We have two basic principles only: to raise the standard of living of the Arab worker and to do it, as far as possible, in cooperation with the Jewish workers.

CHAIRMAN: What proportion of the Arab labour is organized?

Mr. LUBIANIKER: It is very difficult to say, sir, because fluctuations in the Arab labour organizations are sometimes overwhelming. In a moment of strike, there may be an influx of tens of thousands of workers into the Organization. If the strike succeeds, they may stay for some time. If there is no strike, or if there is a failure--which happens quite often--people do leave. But there is a certain number of people in all these organizations who stay. Generally, it could be said that the right wing of Arab labour, which is practically controlled by the Arab Higher Office politically, is a majority group among the Arab labourers. Apart from that, there is a left wing, and there is a Palestine Labour League.

CHAIRMAN: Thank you.

Mr. BLOM (Netherlands): Do I understand rightly the policy of the Histadrut that from the beginning it has never tried to have mixed labour unions? I mean, in reading the Resolution of the Convention of 1927, on page 65 of your memorandum, I see that for this purpose an International League of the Workers of Palestine shall be established on the basis of autonomous national units. I am not quite clear about the meaning of "international" in this respect.

Mr. LUBLANIKER: I can explain it in this way. The idea of the Histadrut of the best way to organize Jewish and Arab labour in Palestine was, and is up to today, that in every economic sector where workers of the two nationalities work together there should be a united, a common organization. All the other workers who work respectively in the Jewish or the Arab sector should be organized in autonomous national sections. Both sections are to build up what is here called the International League of Workers of both nations. I do not know if I have made it clear.

Mr. BLOM (Netherlands): If I understand you correctly, workers of the same profession but working in different parts of the country or in different industrial undertakings could not be welded into one unit?

Mr. LUBLANIKER: Right, sir.

Mr. BLOM (Netherlands): And I take it this does not mean international in the normal sense.

Mr. LUBLANIKER: No. It means a federation of two autonomous national organizations, **not** a united federation.

Mr. BLOM (Netherlands): More racial than national?

Mr. LUBLANIKER: I would not accept that definition.

Mr. RUBASCHOV: It is an international federation which is connected with two autonomous organizations.

Mr. BLOM (Netherlands): But on the understanding that there are two nations living here in this one country.

Mr. LUBLANIKER: Yes, sir.

Mr. BLOM (Netherlands): Is the Histadrut a federation of labour unions, or does it have direct membership of individuals?

Mr. LUBLANIKER: No, direct membership. Every member is a member of the Histadrut as such. According to his trade, he belongs to one or another

trade union, but the bodies of the ~~Histadrut~~ are not elected by the central bodies of the trade unions but by the whole membership of the ~~Histadrut~~ individually.

CHAIRMAN: Do I understand rightly that there are branch unions, trade unions, and they are federated in the ~~Histadrut~~ but the membership in the branch union gives membership in the federation.

Mr. LUBIANIKER: Yes, sir.

Mr. BLOM (Netherlands): Would you explain what is the ~~Ahdut~~ ~~Avoda~~?

Mr. LUBIANIKER: The words ~~Ahdut~~ ~~Avoda~~ mean a unity of labour. This is a group inside the ~~Histadrut~~ about which I told you before in answer to another question. The programme of ~~Ahdut~~ ~~Avoda~~ is against bi-nationalism, against any form of partition of Palestine. It is a political party, of course.

Mr. BLOM (Netherlands): Not a trade union.

Mr. LUBIANIKER: No. You see, the trade unions are non-political. Every member of the ~~Histadrut~~, whatever his creed, belongs to his respective trade union, but members of the ~~Histadrut~~ have the right to organize themselves in political parties that take part in the elections to the bodies of the ~~Histadrut~~. So, a member of a trade union may be a member of a party or not.

Mr. BLOM (Netherlands): This is just a political party then?

Mr. SHKOLNIK: The members of this political party are members of the ~~Histadrut~~.

Mr. LUBIANIKER: We have a principle in Palestine that our parties do not accept as members people who are not workers and cannot be workers.

CHAIRMAN: Do you receive as members also enterprises?

Mr. LUBIANIKER: No.

CHAIRMAN: The question is perhaps not so strange because it may be a small enterprise, such as a bus conductor who owns his bus.

Mr. LUBIANIKER: Oh yes. Every man who works on his own without exploiting hired labour, or who works in his own plant has a right to be a member.

CHAIRMAN: But you do not receive, for instance, a shopkeeper?

Mr. LUBIANIKER: Neither a shopkeeper nor an entrepreneur who hires labourers.

Mr. BLOM (Netherlands): We have just been told that lawyers and architects can be members. Are they allowed to have a clerk at the office?

Mr. LUBIANIKER: That is just the problem we are now considering in the Histadrut, what to do with those members who have become in the meantime entrepreneurs on a rather large scale. I cannot tell you what the Histadrut is going to do in this matter. I can only say that it gives us quite a headache.

Mr. SHKOLNIK: May I add that all the members of the agricultural settlements, the labour settlements, are members of Histadrut too. All the settlements you have visited, for instance, in the Negev, on the shores of the Jordan, in the Eneq, in the Kibbutzim are members of the Histadrut too.

Mr. HOOD (Australia): Are there special fees for membership?

Mr. SHKOLNIK-LVY: Yes, of course.

CHAIRMAN: Are they paid to the Histadrut or to the trade unions?

Mr. LUBIANIKER: All fees are paid to the Histadrut. The Histadrut is responsible financially for the needs of all the trade unions that are affiliated.

Mr. BLOM (Netherlands): In what year have you held the last elections?

Mr. LUBIANIKER: About two and a half years ago.

Mr. BLOM (Netherlands): These elections, I presume, are quite separate from those for the Vaad Leumi?

Mr. LUBIANIKER: Yes, of course. That is quite a different electorate.

Mr. GARCIA GRANADOS (Guatemala): I have noticed that there have been several efforts to get labour legislation here, efforts in 1935 and in 1942. What is the reason that these appalling conditions of labour legislation exist here,



this lack of protection for the workers?

Mr. LUBIANIKER: That is a very important question for us as workers in this country. Our discussions with the Government of this country about introduction of progressive labour legislation started almost with the first days of the Histadrut. There are quite a few obligations which the Mandatory Government signed in this direction. I must say most of them have not been kept. For example, all the members of the ILO have signed an obligation that every labour convention which is decided upon by the ILO and ratified by the mother country must be introduced into all the dependant countries. Truly, it happens that in Great Britain all these conventions--and there are a lot of them, very important conventions--have been introduced. I must say that in the labour legislation of Palestine we find only a few slight traces of that. We are speaking here of an undertaking signed by the Government when it signed its acceptance of the laws and the statutes of the International Labour Organization. After the war, the ILO Conferences accepted a number of recommendations. They were not conventions, but they were recommendations. I must state the fact that most of these recommendations have not been introduced in the life of the Palestine worker here. Palestine is a dependant country and depends for its development on the measures taken by the Mandatory Government. It is one of the countries which has a rather developed economic life and a rather developed industrial life, but only a few vestiges of a modern, social legislation.

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Mr. GARCIA GRANADOS (Guatemala): The same thing goes for social security, I understand.

Mr. LUBIANIKER: Yes. We have demanded time and again the introduction of a system, even a primitive system of social security in this country. We have seen in that one of the main elements for raising the standard of life of the Arab worker, for filling in the gap between the standard of living of the Jewish and Arab worker. I must say that up to now all our demands from the Government on this score have gone unheeded.

GARCIA

Mr./GARCIA (Guatemala): There is something else I wish to ask him.

I think that even the few laws that do exist are violated. I do not say that they do not pay any attention to them, but some industrialists do not pay attention to them because I noticed that many children were working in two or three industries that we visited. By the way, they were non-Jewish industries. I should like to know the reason why this law is not enforced.

Mr. LUBIANIKER: Yes. That too is a very important question to us. There are some labour laws in this country, but I must say these labour laws are not of very great assistance to the Jewish economy because we, by voluntary means and with the power of our own organization, have achieved more than any labour legislation in this country up to date can give us. But what is more dangerous, even these few labour laws that do exist in Palestine are not applied in the Arab economy. They are practically a dead letter. And the Arab industry, manufacture and commerce are factually living as if these laws were not in existence at all.

GARCIA

Mr./GARCIA (Guatemala): Does the Government not enforce them?

Mr. LUBIANIKER: It should enforce them, but you have seen with your own eyes--and not in a small plant--child labour in Palestine, in the centre of a large town. If you will walk over the streets of Jerusalem, of Jaffa, of Haifa, you will find thousands of Arab children working ten and twelve hours daily at appalling wages. I do not speak about agriculture where perhaps a system of control is more difficult. I do speak about the large towns in this country where it should be possible, if there is will, to find ways and means to put a stop to it.

Sir Abdur RAHMAN (India): Is it not on account of lack of organization and poverty?

Mr. LUBIANIKER: Sir, we are speaking about labour legislation.

Sir Abdur RAHMAN (India): I am speaking about the answer you gave just now. I am continuing the question in regard to that answer. You said that Arab labour had been working in Haifa, Jaffa and other places against

these rules. I asked you the question: was it not on account of poverty and lack of organization among the Arabs.

Mr. LUBLINIKER: No, but that was just the case in every country in the world--

Sir Abdur RAHMAN (India): I am only asking the question--

Mr. LUBLINIKER: I am only answering, sir, or trying to answer.

That was just the case in every country in the world where Government started this business of labour legislation. The real reason why this business was started was poverty and exploitation. This poverty and exploitation of the needy has caused this action. Right, there is poverty, there is exploitation; but the labour legislation has to be one of the factors to put a stop, at least, to the most appalling forms of poverty and exploitation.

Sir Abdur RAHMAN (India): Do you not see that both of them go hand in hand? On the one side, poverty should be diminished; on the other side, these rules should be enforced. If poverty is not diminished, these rules would be meaningless.

Mr. LUBLINIKER: No, that is just the task of the modern government, to have the initiative and to enforce laws which are beneficial to the community. Otherwise, it is senseless to promulgate laws of this kind. What we are saying against the Palestinian Government is that up to now, we have not seen in this Government an initiative force in the sphere of raising the level of life in this country.

Mr. SHKOLNIK: I would like to add something. We have poverty in the Jewish Community too -- tens of thousands. But our labour organization does not allow children to work. First of all, the Government should fix a fair minimum wage and then the adults would earn enough for their families. If there is no minimum wage, of course, there is poverty, and the children want to work. So, the first step should be to fix a fair minimum wage.

GARCIA

Mr./GRANADOS (Guatemala): I am going to refer to what Sir Abdur Rahman said. Do you not agree with me that due to the better organization of the Jewish Community these labor laws that are lacking here and this protection of the state should benefit more the Arabs than the Jews?

Mr. LUBIANIKER: It is a difficult question to answer. I do not believe it is possible to enforce labour legislation in a community for only one section of the workers.

GARCIA

Mr./GRANADOS (Guatemala): You did not understand my question. I did not say that they were going to enforce for one section or the other. I merely said that they would benefit the Arabs more than the Jews, because the Jews have a higher organization.

Mr. LUBIANIKER: That is right, sir.

GARCIA

Mr./GRANADOS (Guatemala): They have social security by themselves.

Mr. LUBIANIKER: That is right.

Mr. GRANADOS (Guatemala): They have been working for themselves, and they have an understanding with their enterprises, so I think the benefits would be more for the Arabs than the Jews.

Mr. LUBIANIKER: I would only say this: that the Jewish workers, as they are now in Palestine, can live almost without labor legislation by the Government and can help themselves. If they are interested in the introduction of progressive labor legislation, it is not for their sake. It is because we do not want to see the situation of this difference of standards of living between the two sectors as something eternal. We see in the introduction of this labour legislation one of the means -- perhaps the most important means -- which may speed up the process of unification of both standards of living.

Sir ABDUR RAHMAN (India): Was there an Ottoman Agricultural Bank in Palestine, which was abolished by the Mandatory Power about 1922?

Mr. LUBIANIKER: I am sorry, sir; it would be better for you to ask this question of Mr. Kaplan.

Sir ABDUR RAHMAN (India): I am asking you.

Mr. LUBIANIKER: I do not know.

Sir ABDUR RAHMAN (India): Then say you don't know; there the matter ends.

CHAIRMAN: Are there any other questions?

(No response.)

CHAIRMAN: The Committee will now take a recess. The meeting is suspended for ten minutes.

(The meeting adjourned for a brief recess).

CHAIRMAN: I call the meeting to order.

The third item on the agenda is the hearing of the Jewish Agency. Mr. Shertok ~~will~~ you please come up? I will recall our understanding about the limitation of your address.

Hearing of Representatives of the Jewish Agency for Palestine.

Mr. SHERTOK: I should like to begin by answering a few questions put either to me or to my colleagues, which have so far remained unanswered.

I wish to take up first a question the reply to which was left over from the very first session which I had the privilege of attending here, when I gave what was supposed to be a factual introduction to our case. I was asked by Sir Abdur Rahman what had been the profits of the Palestine Potash Company. The question was put to me in public, and therefore, I think that although it is purely factual, it would not be improper for me to answer it at a public session.

I have the figures before me. The Company commenced its operations in 1930. For the first six years it ran at a loss. The total loss incurred in those six years amounted by the end of 1935 to LP. 26,000. In the next four years, 1936-1939, there were profits totalling LP. 150,000. If we deduct the loss previously incurred from that net profit, it would give us a figure of an annual average of LP. 31,000 for those six years.

Mr. BLOM (Netherlands): Four years.

Mr. SHERTOK: Yes, I am sorry, it is four years. Now, during those four years, the Company paid LP. 44,000 to the Governments of Palestine and Trans-Jordan, in royalties and profit participation, and LP. 30,000 to the Government of the United Kingdom in income tax. The next six years were the years of the war, 1940 - 1945. 1945 is the last year for which I have figures. Now, profits in those six years dropped considerably. They dropped from an average of LP. 31,000 to an average of LP. 17,000. The Company did pay some dividends on the preferential shares, but it paid no dividends whatsoever on its ordinary shares. On the other hand, the burden of taxation also increased very considerably. In those six years the Company paid to the Palestine Government, to the Government of Trans-Jordan and to the Government of the United Kingdom, in royalties, in profit participation to the first two Governments, and in income tax both to Palestine and to the United Kingdom, the sum of LP. 821,000, that is eight times as much as its net profit. Of that amount more than half, LP. 425,000, went to the British Treasury in income tax and excess profit tax and less than half, a total of LP. 395,000, was paid to the Governments of Palestine and Trans-Jordan in royalties and profit participation, and also to the Government of Palestine in income tax. So much for the Palestine Potash Company.

I now come to another question which was put by Sir Abdur Rahman to my colleague, Mr. Ben Gurion. I should very much like you to regard my answer to it as a substantive part, an integral part, of my statement to you this morning. Sir Abdur Rahman mentioned the names of some 20 villages.

I think there were 21, but there was one we were unable to trace. This may have been due to the fact that the spelling might have been mixed up in the process of transliteration. However, we managed to trace twenty villages. Sir Abdur Rahman told us that he had been informed that those twenty villages had been wiped out, erased from the map, and he wanted to know if we would corroborate that statement. Well, there are three names there which are not villages at all, and which have not been villages for a long time past. They may have been villages in antiquity. The map of Palestine is full of the so-called Khirbets -- that is, ruins of old places or habitations which in the course of time have been abandoned. However, if you take the very detailed map of the Palestine Exploration Society completed in 1875, and compare it with the map of Palestine today, you will find scores, perhaps a couple of hundred villages not marked at all either because they did not exist or because they were so small and insignificant that the cartographers of the Palestine Exploration Society did not think it worth while entering them on the map. Now they are quite sizeable and substantial centers of habitation. So, three names are just names of areas. They went by that name for a long time past. They still go by that name, and there never have been and there are no villages there. But three others in that list exist today, and the curious point is that of those latter three villages one has only come into being after the purchase of part of that area by Jews; previously there was a Beduin camp there which shifted from place to place, crossing and recrossing the Syrian frontier. The place is near the frontier -- it is Khiam el-Walid. Since the acquisition of part of the area by the Jews, the Arabs, with the compensation which they got from the Jews, for the first time built permanent dwellings there. Now it is the village of Khiam el-Walid, whereas previously there was only an area known under that name. Now, 14 villages actually ceased to exist. Of these 14 it is significant that 13 are in the Emek -- that is to say in the valleys of Esdrachon



and Jezreel. Of the 13, twelve villages were occupied in the past by tenants of the well-known Sursock family of Beirut. So, even at first glance, one sees that this is a special case. And it was indeed a special case. I would first of all like to draw your attention, Mr. Chairman and gentlemen, to this paltry figure. We have in Palestine about 1000 Arab villages -- over 1000 Arab villages -- and we have in Palestine nearly 350 Jewish agricultural settlements. So, if it is a question of 14 villages having ceased to exist, it is not a very high percentage in regard to either of the two totals that I have mentioned. On the other hand, I would point out that just as I indicated, there was one village which sprung into being anew so I know of three other new Arab villages set up since the settlement of Jews. So, if you credit me with three and debit me with fourteen the actual net debit account is only eleven, and the percentage is still lower. Now, I said that this was a special case. Large parts of the Emek were concentrated, as far as ownership was concerned, in the hands of that very wealthy family in Beirut. They were absentee landlords par excellence -- not only absent from their property, but even absent from Palestine, and very often from Beirut. The land was very heavily infested with malaria. You saw the map which Dr. Katznelson showed you -- malaria-stricken areas stretching right across the country from Haifa Bay to the Lake of Tiberias. That is practically identical with what we call the Emek, the Valley. It was very sparsely and wastefully cultivated. The tenants changed fairly often, gave up their tenancies, went to other places; new people came and they also were transferred by the landlord from place to place. It was impossible to properly develop that area, to drain the swamps, and to put it to proper use without shifting the tenants. It has always been our principle in regard to land acquisition that those who had cultivated the land before

should not remain landless. We paid compensation, ample compensation, but we saw to it that the people were accommodated elsewhere in villages, in rural life and on the land. This was eventually put to a test, that is, whether we actually succeeded in attaining that aim of our land policy. In 1932 an inquiry was instituted into the problem of landless Arabs; the technical definition of landless meaning "rendered landless by Jewish land purchases" No interest was taken in the problem of whether there were landless Arabs as such. The question was whether Jewish settlement had made the position worse in creating a class or a category of landless Arabs, rendering them landless as a result of purchase of land they had previously cultivated passing into Jewish hands. The inquiry took some-time. We cooperated in it. Every claim was referred to us. Every claim put up by an Arab was referred to us and we tried to trace that Arab and to find him wherever he was, and to tell the investigators what we knew of his position at the time. By 1936 a total of 664 claims were recognized. The rest were dismissed as unfounded. I will come back to that total of 664. All these Arabs were offered facilities for resettlement by the Government. Only 300, actually a few less than 300, took advantage of that offer. But when it came down to actually moving and resettling these Arabs on areas of land which the Government had offered, most of them refused to move from the areas where they were. One group of 50, after having accepted the offer and after having been resettled on the new area, deserted that area and drifted back to their places of origin. I use the word "deserted" as a quotation; that is how the Government's annual report for the year 1936, I think, described what had happened. So that roughly 250 Arabs were resettled. I said I would come back to the total of 664; that total included 200 families which were also a special case. So, in the resettlement of 250, 200 were that special case and only 50 were Arabs, collected from all sorts of places, who the Government thought were entitled to be resettled.

/An insignificant

An insignificant total, and that was after many many years of Jewish land purchase and settlement.

I am coming now to that second special case which is well-known in Palestine to Jews and Arabs alike. It is certainly well-known to the Administration. It is the case of the Arabs of Wadi-Hawareth, an area which is now known under the Jewish name of Emek Hefer. That was an area of about 40,000 dunums, if we take it in its wider perimeter, on which originally two beduin tribes numbering a total of 1,100 souls roamed about. They kept shifting their tents, they grazed, they sold manure to the neighbouring Jewish settlements. They sold sea-sand which is used for building in this country, and they eked some living out of that area. They planted melons, they grew cereals. It was very sparse, as there was no irrigation whatsoever over the whole of that area of 40,000 dunums. Now, I am not going to take you through all the stages. At present that area of 40,000 dunums supports 26 Jewish settlements, none of which existed when the land was bought in 1930 or in 1931. Twenty-six settlements! The population of those twenty-six settlements is now about 7,500 souls. I cannot say that the entire area is irrigated, but all the settlements are irrigating land; wells have been sunk, water has been found, and a considerable part of the land is under irrigation -- witness the progress in terms of the condensation of the population. The two Beduin tribes are there. They have been accommodated on land previously completely derelict to the north and south of the area. They are Wadi Hawareth Shamali, and the Wadi Hawareth Kibli tribes -- Shamali meaning north and Kibli meaning south. The population of those two tribes has gone up from 1,100 to 1,700 today. I could give you a table showing how it went up gradually. But, it is 1,700 today. Originally those Arabs were offered

/resettlement

resettlement in another part of the country. They refused it and preferred to resettle on the adjacent strips of land. And, for the first time, with the help of the compensation which they got from the Jews, they built houses. In this way two new Arab villages have sprung up. In the olden days when you mentioned Wadi Hawareth Shamili and Wadi Hawareth Kibli, they were names of tribes who drifted into that area and roamed over it. Now when you say Wadi Hawareth Shamili and Wadi Hawareth Kibli you mean two villages, houses built of stone, of bricks, of concrete. The people are on a much higher level than they ever were, and more numerous. This is indeed a characteristic case. The total of the 200 families is included in the 300 which have been resettled, although they have been resettled right on the spot and refuse to be shifted.

I said in my introductory statement to you that as a result of the acquisition of land from peasant proprietors not one single village has disappeared from the map. I differentiate land bought from absentee landlords where tenants had to be shifted and land bought from peasant proprietors. But our case is that they all remained in rural life and agriculture, although they changed their abodes occasionally, as they had done before, under the normal conditions. But wherever we bought land from peasant proprietors, and we buy land from peasant proprietors up and down the country, not one single village disappeared from the map. The chief zone which I have in mind is the coastal plain. I can do no better, Mr. Chairman, with your permission, than quote myself and read to you a short extract from the statement which I made on the subject to the Anglo-American Committee. I said about the coastal plain: "There, over 130 Jewish villages have been established since the First World War." The number is now greater. To continue: "A large proportion of the land was bought from peasant proprietors, yet not a single Arab village has disappeared from the map, - not one. Dr. Weizman quite rightly said with regard to our development process that you cannot make an omelette without breaking eggs. But in the coastal plain something like a miracle was achieved:

/ a huge omelette

a huge omelette was made and not a single egg was broken. Moreover, using largely the same frying pan, the Arabs managed to make quite a decent omelette for themselves: practically all villages in this zone, and particularly those which sold a part of their land to the Jews, are more populous today than 25 years ago, and considerably better off than they were, and than other Arabs are elsewhere. If you analyse the position more closely you will find that prosperity and increase of population are in direct ratio to the sale of land to the Jews. The sale of the surplus created the necessary capital to finance the transition from primitive to more advanced farming. And with regard to that transition, abusing a little your patience, Mr. Chairman, I would like to read another very short paragraph. I said: "The main feature of Arab agricultural development in the last few decades has been the continuous transition from tents to houses, from mudhuts to tile-roofed buildings, from grazing to agriculture, from sowing to planting, from unirrigated to irrigated farming, and in recent years from primitive ploughs to tractors, from sickles to mechanical reapers. All this has been happening not despite Jewish settlement, but concurrently with it, and thanks to it. The curious fact is that as a result of, or should we say, despite the fact that over one and half million dunums have passed from Arab to Jewish ownership, not only have Arab fellaheen grown in numbers"... (it is a very significant fact that the Arab agricultural population has increased, and has particularly increased in areas affected by Jewish agricultural settlement)... "but they have become more deeply rooted in the soil than they were before, and their stake in the land of Palestine has increased- more houses, more trees, more wells, more livestock, more implements", and I might add more surviving babies.

Now, in our estimation, the sale of land to Jews was the main source of capital for the improvement of Arab farming, and therefore was the main

/agent of Arab

agent of Arab agricultural development; also Jewish development generally. The growth of Jewish urban population expanded the market for Arab agricultural produce, and so on; the work of the Government to improve Arab farming methods also helped, but this too was done with the revenue which got chiefly from the Jews. Now, in our experience, and I think it will be borne out by any unbiased person who knows the facts, when a peasant sells land he sells only a part, and he sells it chiefly in order to invest money in the development of the remainder, or in order to wipe out his own indebtedness which is completely sapping his financial position. We know of no process of Arab peasants selling out their lands completely. There has been no such thing in Palestine. I have here a definition from the Government's Blue Book as to what kind of person the Arab is. They say that "most of the Arabs are peasants and small land holders, hard-headed and stubborn, with a profound sense of attachment to the land". I fully subscribe to this. I do not subscribe to everything that went into the making of that Blue Book. I am sure I will have an opportunity to return to some parts of it to which we take a very strong exception. But not only would I subscribe to this, but I would add that he is also a very stiff and close-fisted bargainer, as he should be. And our contention, Mr. Chairman, is that what has been happening in the past cannot but go on happening in the future if there is freedom to sell, and if for us there is freedom to buy. We never bought land from very small proprietors. Not simply because we did not want to touch them, not because it was too costly and impossible, but actually because then we would have been acquiring property broken up in tiny fragments. We could only buy from the wealthier peasants--from people with surplus--from people who had to hire labour to cultivate their land. In so far as there are still such people in Palestine, provided we are given the chance, we will go on buying so far as we have the means. We have always been handicapped as to means, and that process of development will continue. If it does not continue, then the Arab peasantry will lose its chief source of

capital for a substantial improvement of their position.

This brings me straight to my next subject, which incidentally served as a subject for another question put by Sir Abdur Rahman, that is the operation of the Land Law. Sir Abdur Rahman asked whether we could give him figures as to areas of land bought by Jews in different zones of Palestine since the inauguration of the new racial land regime. (This is my terminology, Sir Abdur Rahman). Well, in the seven years that have passed since that date, February 1940, say from 1940 to the end of 1946 - that is my latest figure, I have no figures for 1947 - the Jews have acquired 38,000 dunums in the prohibited zone, 23,500 dunums in the so-called "regulated zone", and 45,000 dunums in the free zone. The land acquired in the prohibited and the regulated zones was not acquired by way of the High Commissioner using such discretionary powers as are vested in him to permit sales in certain cases. It was acquired by virtue of rights previously acquired --that is to say of sales practically concluded previously but not yet quite executed. It was acquired also by means of processes by which according to the law, transactions do not require any approval of the Government. So it was all done within the four corners of the law. It may not have been intended by the authors of the law, but it has happened. And it has happened not in defiance of the law, but in accordance with it. Mr. Ben Gurion said that we are very sorry we did not find ways and means of breaking the law. I share his feelings, but I am stating his facts and not feelings. Where it did lie within the discretion of the High Commissioner to permit sales of land from Arabs to Jews in certain areas, in 99 cases out of 100, and perhaps 99.9, permission was withheld. I think Mr. Ben Gurion was asked by one of you gentlemen to say something about the way the law was being applied. Well, I will say this: When that was discussed in the British House of Commons it came under a terrific barrage from the opposition benches, and the opposition benches of that time join the Government of today. One of the Labour front benchers, who is today the Lord Chancellor, Lord Jowitt, the head of the British Judiciary, defined the law as a "savage law". I myself, was in the gallery,

and I remember it, it rings in my ears. The way he repeated the word once, twice, and three times, with more and more emphasis -- Savage! Savage! Savage! I say that savage law is applied in a savage manner, with a vengeance. I am not here to argue the question of application of the law: I am here to condemn the law. But it is a very eloquent testimony of the spirit which prevails in the whole administrative machine in regard to its obligation to us to encourage close settlement of Jews on the land. For instance, the law says expressly that it does not affect state property --Government lands. Government lands are exempt from it. That is to say if there is an area of Government land in the prohibited zone the Government may transfer it to a Jew. But, by an administrative ruling, which took us a great deal of trouble to unearth, we eventually managed to get it admitted by the Government that they were conducting their business on the basis that ruling by virtue of which Government lands were assimilated to Arab lands, and today we cannot get a single square inch of Government land in the prohibited zone. Even when our soldiers returned from the fields of battle, having left some comrades behind buried in the war cemeteries, and some of them wanted to be resettled, - they were very modest in their requirements: they did not want much land to plant and sow, they wanted just a little plot of land to put a house upon - and we wanted to get the Government to allow us to acquire a certain amount of land near Jerusalem, just on the outskirts of the city - it happened to be outside the municipal boundary and therefore in the prohibited zone - it was a completely waste plot of land, of no use at all for any purpose other than building, the Government did not say that the scheme was not sound or that our soldiers were not entitled to that form of assistance. They said, "Your soldiers are Jewish soldiers. They are Jews, and the Jews may not acquire land in the prohibited zone." If there is a case the law does provide for, it is consolidation of holdings. If there is a Jewish holding, an Arab holding, and again a Jewish holding, that makes cultivation very difficult. It is a question of consolidating it and the law does give power to the High Commissioner to sanction transfers

/of land...



of land in the interests of consolidation. But when we applied the Government said: "No, you must not buy, you can only exchange one plot against another plot of yours." That is to say, "Your property, Jewish property, Jewish holdings in the prohibited zone must not increase by one square inch. It must be crystallized."

/On your

On your way from Jerusalem to Tel Aviv, on the left as you ~~pass~~ Latrun, you see a young Jewish settlement which bears the very ancient name of Gezer, known from the days of King Solomon. There is a new Jewish settlement there, and there is a plot of Arab land which drives a wedge into the area where they are building their houses. A small plot of land belonging to an Arab in a neighbouring village. The colony has land near his village. They are offering him in exchange two dunums per dunum. They are not only giving him land nearing his village, but they are also giving him two dunums per dunum. He agrees, and petitions the Government to sanction the exchange. The Jewish settlement also petitions the Government to sanction it, but the High Commissioner says, no. And the wedge stays. You cannot tamper with it; it is sacrosanct.

As you travel again from Jerusalem to Tel Aviv you see on the right the forest of Maaleh Hahamisha. There is a Jewish village perched on a hill and they have planted a forest which has completely transformed that landscape, and you see that forest in its configuration following a very curious zigzag line. You might think the line was drawn by some climatic condition, or that the soil got worse there and no more trees could be planted. The border of that forest is a political boundary. That is how the Land Law bound that forest. It crystallised it. Beyond it no tree may be planted. Of course the Arabs may plant trees, but they do not. The Government may plant trees, but it does not. The forest is a living thing, but its spread has been arrested by the Land Law.

It is not a measure intended for social protection; it is a measure intended for political protection, and ethnic crystallisation is by means of racial discrimination. The Government has shown no consideration for the question of displacement of Arabs where Arabs alone are concerned. We have Protection of Cultivators Ordinance. We have always accepted its principle and cooperated with it. It says that when land is bought over the head of a tenant and the tenant has no place to which to go, he must be given land,

preferably - I think it is a condition - in the same neighbourhood. But after the passing of the racial discriminatory Land Law the Government very seriously considered the abolition of the Protection of Cultivators Ordinance in the prohibited zone. That is to say, if an Arab displaced an Arab tenant, the Government did not propose to interfere. They only revised it because they realised this would be going rather too far and would show that their only interest in the land was political and not social protection.

From this background which I have sketched very roughly in regard to one section of the Government's activities, and I have by no means exhausted the subject. I pass to a theory which I should like to discuss - a very singular theory now advanced by the Mandatory Government as to the rather lame and feeble excuse of its lamentable failure and its flagrant breach of trust, and that is the theory of disparity between Jewish and Arab standards, the growth of that disparity as being the root of all the trouble that has been experienced. That negative theory pervades the Blue Book which I have mentioned - a most characteristic document, if I may say, supremely intelligently written from the point of view of the thesis which it sets out to prove, but, I would presume to add, containing very little statesmanship and constructive wisdom.

What is the essence of that theory? It is that the Jews in their excessive zeal have progressed too quickly, that the Arabs have lagged behind; that although the Arabs have benefited from the Jewish development, the gap - the disparity - between the respective standards has grown, and that this is at the root of all the difficulty. No proof whatsoever, no factual, no statistical proof has been advanced in support of that theory; not a single fact, not a single figure. We believe the onus of proof is on the Government. We believe, on our part, that this cannot be proved. Further, we believe the contrary can be proved. We believe that in many walks of life, in large fields of economic activity, the Arabs have progressed relatively more than the Jews. There is still disparity - a very wide one. But if you use a comparative method, if you examine things relatively in proportion, you

/will find...

will find a relatively greater progress among Arabs than among Jews, for all the disparity that is still there. In certain trades Arab wages have risen demonstrably more in proportion to the previous level than in the case of Jewish labour. In certain branches of farming it is the same thing. In general, there has been a very marked rise in prosperity. But this is not the <sup>main</sup> point. The sting of the theory is not in the proposition, but in its implication.

What is the implication? The implication is that Jewish development must be checked until Arab progress catches up with it. The theory is not merely contrary to everything that the Jews have been entitled to expect. It is in itself fallacious and self-defeating.

May I explain? To the Jew it means that the whole purpose of his coming here - which is that he should be free to work out his own salvation - is disregarded. The basis on which the British Government obtained the Mandate - that is to say, to assist in the establishment of a Jewish National Home, primarily - is scrapped. The Jew is no longer here in his own right and for the sake of his own future. He is relegated in this country to the humiliating role of merely assisting in the progress of others, of serving as an instrument for the development of other people. And he has to justify his presence and his activity by reference to the part he plays in the life of others - not in his own life. That is, as far as the Jew is concerned.

But what about the Arab? The point is that he can only lose from the Jew being checked. Jewish development is the prime agent of Arab progress, as has been abundantly and overwhelmingly proved. If you retard the first, you slow down the second. Whether that new, abstruse notion - disparity - will grow greater or smaller is a matter of speculation, but in plain language, if you check Jewish progress it will mean less food, worse food for the Arabs, lower wages, more primitive conditions. You do not speed up the Arab by putting a brake on the Jew. You harm both.

Apart from this, the question is, how do you propose to do it? You can do it by administrative pressure, and that has been done continually. Spokes

/have been...

have been put in our wheels and obstacles placed in our path. And the result has been that not only the pledge to us has been broken, but the Arabs have been denied the full chance of further progress, and the gulf between Jew and Arab was widened, not bridged.

May I give you one or two examples as to how the Government of Palestine exerted itself in this business of bridge-building between Jew and Arab, in this enterprise of narrowing the gap, of doing away with the disparity between the two peoples in fields where it depended entirely on its own initiative, where it lay fully within its own power, when it was not a question of merely checking the unseemly haste of the Jew, who is too impatient, but where the Government was free to act on its own.

My first example is the Huleh concession. You have been in that part of the country, I believe, and you have seen that swamp in the north-eastern corner of Palestine. It has been there for centuries past. It is there today, intact, twenty-nine years after the conquest of Palestine by the British. That hotbed of disease infesting the entire neighbourhood. It is not merely a nest of malaria, which is destructive of human life and strength. It also excludes from cultivation an area of excellent soil, and it does not enable exploitation of rich deposits of peat. It is all hidden behind that stagnant pool of water. The water itself cannot be used for irrigation. So there is treble waste there - waste of human life and strength, waste of soil, waste of water.

In 1914, I believe - a few months before the War broke out - two Effendis from Beirut bestirred themselves and applied to the Ottoman Government for a concession to drain and reclaim the area. They were given the concession. For the concession itself they paid a purely nominal sum, quite insignificant. The undertaking was to drain the area within six years, at the end of which they were to pay for each dunum two Turkish pounds, and also had to give up 10,000 Turkish dunums, which is 9,000 metric dunums, to the Arab cultivators, but the cultivators had to pay them for the land and the

costs. The War came; they did nothing. At the end of the War they found the British Administration here. They came to the British Administration and asked for confirmation of the old Turkish concession. They had the right, the title; the concession was confirmed. But an obligation was imposed, that they should start to work within a certain period of time. They did not keep it. No work started. They kept going to the Government and begging for prolongation, and invariably the request was granted. And so years passed, and nothing changed. The buffalos wallowed in the mud; mosquitoes swarmed, and carried the poison far and wide. Arab babies died like flies. Arab fellaheen eked out a miserable existence from sparse cultivation and from mat-making out of the reeds which grew in the swamp. Englishmen, splashing through pools of water in high boots, shot wild duck.

Jewish pioneers cast hungry eyes on that sluggish surface of water hiding beneath it the previous soil. The Government, indifferent to both the land-starved Jews and the disease-ridden Arabs, completely unidentified with either, let things drift. It had the money. In those years it had money - there was a very big surplus. Palestine paid the United Kingdom one million pounds for the railway from Kantara to Haifa, which was originally built as a military asset. We paid off the full cost of the railway. We paid off the full share of the Palestine debt, 814,000 pounds. No other part of Turkey paid off its share. We did. But for Huleh there was no money. And the Arab effendis, completely progress-proof, sheltering securely behind the wall of Administrative passivity and indifference, waited with folded arms, placidly, patiently, for the Jews to come forward and pay as high a price as their fancy and greed would dictate. That is actually what happened.

In 1935 Jewish patience snapped. They got weary of waiting for the Government to enforce the concession, either to compel the Arabs to drain the area, or to take away the concession and offer it to somebody else. And so they went to the Arabs, and by direct negotiation they bought the concession. They paid for it the fantastic amount of 200,000 pounds. That was a little more than it is now; just for the concession, for the title, for which the Arabs had paid nothing. But the transfer of the concession

was subject to the Government's approval, and the Government made certain stipulations, with all of which the Jews complied. The Government stipulated that the Jews give up not the 9,000 dunums, but 16,000 dunums -- the exact figure given is 15,774 -- to the Arab cultivators who were to get that area completely free of charge. They had not given up the area, but the Jews were to drain it, carry out all the major drainage work and the major irrigation work, for which the Arabs were to pay nothing. The Jews complied. The Government, on its part, said it could not make any contribution to the removal of that festering sore on the geographical body of Palestine, no contribution whatsoever from the taxes, sixty-five per cent of which it got from the Jews. The Jews complied with everything. But then the question arose of engaging a properly qualified firm to make the plan, and a British firm was engaged -- Randall Palmer and Tritton. They sent down engineers and they went out and looked. They not only looked, they also put in some work there, and they found that it was idle to speak about the drainage of a part of the concession. You would have to drain the whole basin in order to make it habitable and healthy, and to control the waters of all the springs nearby so that they should not recreate swamps, and the water should be used for irrigation -- which meant that the cost of drainage would be much higher. It also meant that the Jewish company, the Palestine Land Development Company, would have to do work outside the concession area which was quite inconceivable. So it came to the Government, and this time found a ready ear. The High Commissioner at that time, General Sir Arthur W<sup>U</sup>aychope, was a dynamic person. He said, all right; that <sup>a</sup> <sub>A</sub> part of the job the Government will do. And the sum of 235,000 pounds was earmarked for this purpose. So, with the moneys of the Jewish company, and other companies who were ready to join in, it looked as if the thing would take shape and be carried through at last. But then a series of hitches occurred. In 1936, Arab riots; in 1937, the Partition Report of the Peel Commission. The Government said, how can we tackle the job? We do not know whether it will be in a Jewish or in an Arab State; whether the Jewish State or the Arab State will recognize our commitment. We have got to wait. Back it went into cold storage, with the mosquitoes swarming, the

of the disparity between Jews and Arabs. The swamp is still there.

My other example is the way the Government acts in its capacity as an employer of labour and as legislator on labour matters. I will concentrate on wages. The Government is a big employer of labour. According to its own statement, between civil and military authorities they employ some 80,000 people. If you add to that those employed by the oil companies you will find that perhaps over 50 per cent of Arab workers work for these three: the Government, the Army and the oil companies. Wages in these undertakings are notoriously low. Witness the strikes. A strike of Government employees in 1946 - when tens of thousands struck; a strike after all patience has been exhausted, after endless delays and refusals. A strike in 1947 of army and police employees because of the miserable wages, of the impossible conditions. Here the Government is completely free to remove the disparity.

Why is it that of the 121 officials in the Palestine Government, receiving salaries from 1000 pounds a year upwards, 113 are British, only four are Arab, only three are Jews. One is described as "others". Is that removal of disparity? Here is disparity, a very great one, completely within the power of the Government, if not to remove, at least to reduce. Why is it that the British policemen get paid so much more than Palestinian policemen? I do not grudge them their expatriation allowance, I do not grudge them their housing allowance. They are strangers to this country and they should get them. I do not enter into the question of whether the bringing of so many British police is justified or not. That is not my point. Naturally, if people are brought over from afar for a certain purpose, they are entitled to an allowance. They are strangers here. But why is it that their basic salaries are not only higher, but so much higher? You will find figures in the Survey.

Then why is that the Government has consistently, obstinately, refused to insert a fair wage clause into public works contracts in the teeth of Jewish insistence through all the years? Why is it that when the Iraq Petroleum Company, a big employer of labour, got its concession and signed its agreement with the Government, no fair wage clause was inserted? Was that in order to reduce disparity? Why is it when the time came for signing



agreement with the Trans-Arabian Oil Company - that was only last year, and the Jewish Agency wrote a letter not only for the sake of Jews, but also for the sake of all employees and the tradition is that far more Arabs than Jews are employed by these companies.

To insert a clause obliging the oil company to pay a fair wage which should be more or less equal to a wage received by an unskilled Arab worker in this country? The Government did something on that occasion, but all it said was that the wage should be similar to the wage paid by good employers in the same field - which means by the Iraq Petroleum Company, which is under no obligation to pay a fair wage.

In 1928, as a result of Jewish insistence on minimum wage legislation, the Government appointed a committee of three. The chairman was a British District Commissioner, there was an Arab gentleman of the employer class, and there was a Jewish gentleman, my friend Mr. Ben-Zevie, at present head of the Vaad Leumi, but at the time spokesman of the Histadrut, of the Labour Federation.

There was a majority report and a minority report. The majority report was signed by the British official and the Arab employer. The minority report was signed by the Jewish labour spokesman. I will read just one extract from the majority report. The date is 1928. The extract reads as follows :

"We are not satisfied that there is a conscious demand for a minimum wage law among the majority of workmen in Palestine. That the view of the General Federation of Jewish Labour, that is the Histadrut, represents the opinion of the large majority of its members is undoubted. A number of Arab workmen are members of the Railway and Postal Workers' Section of the Federation, that is, of the Histadrut. That a certain number of non-union Jewish and even Arab workmen sympathize with these views is probable, but we do not consider that the views of the Federation necessarily represent those of Arab labour as a whole, nor have the Federation claimed that position. In the absence of any democratically organized Arab labour organization of any size, we have been unable to ascertain what are the opinions of Arab labour on a minimum wage law."

There they let the matter rest. They were unable to fathom that impenetrable secret as to what the Arab workers thought, whether they wanted a decent wage or not, because there was no properly constituted instrument, no democratically organized union to serve as an instrument for the ascertainment of that elusive notion.

I looked up the terms of reference. I thought maybe the terms of reference were just to ascertain the views of others. Not a word about that. The terms of reference were to study the question of minimum wages and to make proposals.

So here, these two gentlemen, before the whole public, abdicate their title to an independent personal opinion on the subject which they had been appointed to investigate.

Still, there is some progress in Palestine. In 1943, in the middle of the war, we had a new wages committee. It was under the chairmanship of the then Chief Justice of Palestine, Mr. Justice F. Gordon Smith, K.C. Again it included Jews and Arabs. It discussed the question of minimum wage legislation, an over-riding uniform minimum wage for all laborers, irrespective of race or creed. That is to say, a move to bridge the gulf, to do away with disparity was pressed by the spokesman of Jewish labour, a member of the committee. It was resisted. It was resisted again by a combination of government <sup>officials</sup> and Arab majority of the employers. Nevertheless, the Committee said something must be done.

There should be no general minimum wage, and industrial boards were to fix a minimum in each trade; that is, a differential minimum. Well, that was some improvement. The spokesman of the Histadruth was not satisfied, and he said in his minority opinion: "A great many witnesses who expressed an opinion on this question before the committee, including the representatives of the Jewish and Arab mixed labour organizations ..." -- so this time there was no lack of clear expression of the views of Arab labour -- "... as well as representatives of employers interests, and also heads of government departments associated with labour problems, spoke with one voice in favour of an equal minimum wage for both the Jewish and Arab unskilled worker whose occupation is regular industrial employment." Well, this was not accepted. They passed a recommendation in favour of the industrial boards. The Government

did not set up those industrial boards. It took no action whatsoever on even that minimum recommendation of the majority of the committee. That is the Palestine Government's conception as to its duty, obligation and opportunity of reducing the disparity of standards. Nevertheless, the problem of discrepancy is there, and it is not merely a problem facing the government. It is facing the Jews and it is facing the Arabs. The Jews have a responsibility to discharge here. Well, Mr. Chairman, the Jews claim an opportunity to discharge that responsibility. They do not want to rest content merely with facing that responsibility. They want to be saddled with it. Saddle the Jews with the responsibility. Do not leave them to struggle against the overwhelming odds of administrative obstruction. Make them responsible for it.

If you really want the disparity to disappear, you must entrust the task to those to whom it is a matter of direct self-interest. I am not inviting you to trust the altruism of the Jew. All I am saying to you is that you should trust Jewish intelligence in appraising at its full value Jewish self-interest. Trust the Jew for being enlightenedly selfish. Not more than that. Enlightenedly and/or intelligently selfish. And I say selfishness is a more effective guarantee than altruism. I do not disparage altruism. I do not deny myself or my friends the right of being altruistic. But I say that here we are on a much firmer basis when our self-interest is so directly affected.

Now, why is it in the self-interest of the Jews that there should be equality of rights and that there should be an equalization of standards. Naturally, there is a difference between rights and standards. Equal rights you can grant by a decree, by an act of legislation. Equalization of standards is not a one-time act; it is a process, it is an evolution. You can speed it up, you can slow it down, you can promote it, you can impede it.

First, I would suggest to you a moral consideration, but a moral consideration rooted in self-interest. The Jews come here to stay; they come here to live, to die eventually, or if necessary. They do not come here to rule. They do not come here to seek well-paid jobs of temporary duration. That is also

perfectly legitimate, but that is not the purpose for which the Jews come. They identify themselves with this country. It is their country. That is what they believe. They are completely and irrevocably identified with it. It is their home. They do not want to see inside and around that home, in their own midst, poverty, squalor, ignorance, social oppression. They want the air of Palestine purified of all these befouling influences, because it is the air which they and their children have to breathe. It is a matter of self-interest.

Secondly, there is another compelling, perhaps a little more compelling self-interest of a material kind. The Jews are anxious to protect their standard of life against the competition of cheap labour, against the encroachment of poverty, ignorance, and social inequality. Leveling up is to them a process of self-defense. Levelling down the Jew to the Arab is a matter of administrative convenience for the British. But levelling up the Arab to the niveau of the Jew is a matter of self-defense for the Jew.

Thirdly, again on the material side, the Jews are and would be most vitally interested in raising the purchasing power of the Arab population for Jewish industrial products. The expansion of the internal market is the chief source of strength of Jewish industry.

Fourthly, another vital Jewish interest will be to prevent an influx of cheap labour from the neighbouring countries, to do away with the state of things which exists today in the port of Haifa, where Huarenis and Sudanese laborers work for wages which even a Palestine Arab labourer will not accept. Therefore, it is for the interest of the Jew, first, to raise the standards of the Arabs of Palestine, the Arabs in the Jewish State, to the level of the Jew in order that it should be also a self-interest of the Arab to set his face against the infiltration of cheap, unorganized, and backward labour. It is in the vital interest of the Jew that there should be development in Syria, that there should be development in Iraq, that there should be development all around,

in order that everywhere the level should rise and the neighbouring countries should not be able to dump their unemployed surplus on Palestine, as they have been doing for years past. Whenever there is a crisis in Syria, whenever there is a drought anywhere, they flock here and they undercut and underbid local labour.

We are interested that there should be development in drainage and irrigation and range of productivity there so that they should stay there and prosper and not invade us and encroach upon our standards of life. It is a matter of self-interest.

Fifthly, the relations of the Jews -- call it what you will, Jewish state, Jewish Palestine -- with the neighbouring states will primarily depend on the treatment of the Arabs by the Jews in their own state. Being surrounded by Arab territories on all sides, except <sup>from</sup> the Sea, it would be for them an elementary point of self-preservation to have their hands and their consciences clean with reference to the Arabs.

Lastly, the sixth guarantee <sup>for the Arabs</sup> is the presence in all oriental countries of Jewish hostages, and in fact, the presence of Jewish hostages throughout the world, Jewish minorities throughout the world which will forever remain very closely-- and as time goes on, more and more closely linked up with Jewish Palestine. Jewish Palestine will feel responsible for so behaving towards the strangers in its own midst so as not to give an excuse for persecution or for taking it out on the Jews anywhere else.

The elimination of disparity will be a very important function of the Jewish State. But it will only be a by-product of the establishment of the Jewish State. That is not its main purpose. If we claim statehood, it is not in order to do away with disparity between us and the others or to help others; we claim it because we believe that it is due to us. There are four trends which converge in the present day situation to make the Jewish State an urgent international necessity.

The first is the coming of age of the Yishuv, its maturity. It feels that it has outgrown the leading strings of any tutelage -- Mandate or trusteeship, call it what you like.

The second is the general international pattern of the Middle East, of the countries around us. They are all states; they have all achieved independence. Far from being a note of discord, this claim for a Jewish State harmonises completely with the orchestra that is playing around us. Today we do not fit in with the general pattern. We want to fit in. We want to be an element in harmony, not in discord.

Thirdly, there is an imperative need for large-scale immigration and settlement in this country to save the surviving remnants of European Jewry, the threatened Jews of the Orient, and to put our work here on very firm foundations; and that can only be done with full effectiveness if we have instruments of state power in our hands, that is to say, if state power is placed in the hands of these who are vitally interested in the job.

And fourthly, the future of the Jewish people, the status of the Jewish people in the world is here at stake. It is a question of whether the Jewish people once and for all will be helped to get rid of the scourge of homelessness; by being given a pied-a-terre on the face of this earth, and it can only be done in this country. We believe that there can be no prospect of real peace without the conferment on us of a definite political status of independence, internationally recognised and guaranteed.

Why should the Arabs be interested in coming to terms with us so long as they can hope simply to keep us down or put us down? Why should they have to negotiate if we are not at par with them, not on the same footing? Is it an accident that the Feisal - Weizmann Agreement came after and not before the Balfour Declaration which gave us that status, or at least the Arabs thought it did? They learned better from the sliding back of the British Administration, which came very quickly. Why were there approaches made in 1937 of all years?

I note that this has been very vehemently denied in the Arab Press. I am not here to make for them the business of denial unduly easy. I will make it a little more difficult. There was not only one approach, there were two approaches, one in the summer and one in the winter of 1937.

CHAIRMAN: How much have you left? We have to retire for a private meeting and I want to know about arrangements.

Mr. SHERTOK: In that case, I would suggest that perhaps we break off here.

CHAIRMAN: Is it convenient for you, or would you rather go on for a couple more minutes? We are going to continue tomorrow in any case.

Mr. SHERTOK: No, I would rather stop here.

CHAIRMAN: In that case, the public hearing is adjourned until tomorrow at 9:30 a.m.

(The meeting adjourned at 1:20 p.m.)