

SECRET.

REPORT OF THE COURT OF INQUIRY CONVENED BY ORDER OF H.E.
THE HIGH COMMISSIONER AND COMMANDER-IN-CHIEF, DATED
THE 12TH DAY OF APRIL, 1920.

INTRODUCTORY NOTE.

The Mission entrusted to the Court was originally as follows:-

"To record the evidence as to the circumstances which gave rise to the disturbances which took place at and near Jerusalem on the occasion of the Nebi Musa Pilgrimage on 4th April and following days."

This mission was subsequently enlarged by the addition of the words (received by cable dated 22nd April 1920 from General Headquarters) "and as to the extent and causes of racial feelings that at present exist in Palestine".

In consequence of this enlargement of the scope of the Inquiry, the Court found themselves committed from a comparatively simple investigation into the circumstances of a local outbreak to a far reaching investigation of racial upstirrings arising out of recent historical events in the Near East. In the course of the inquiry, the Court sat for a period of fifty days, exclusive of Sundays, and examined one hundred and fifty two witnesses, speaking no less than eight different languages, i.e. English, French, Arabic, Hebrew, Yiddish, Jargon, Russian and Hindustani: the consequent [p2] necessity of working through interpreters considerably lengthened the proceedings. As far as possible, the examination of witnesses was conducted in open court, but in view of the grave political questions raised, permission was asked for and obtained to hear certain portions of the evidence in camera.

A feature of the inquiry was the vigorous attack made upon the administration of O.E.T.A.(S) by the Zionist Commission, who were legally represented by Mr. S. Alexander of the firm of R.S.Devonshire & Co., Advocates, Cairo. The case for the Arab and Christian population was by no means so well prepared and

apparently presented with some reluctance. There was a marked contrast between the keen interest displayed by the Jews throughout the hearing, and the lack of interest of the Moslem and Christian population, who hardly ever attended the Court. The Administration of O.E.T.A. (S) placed its officials and all documents at the service of the Court.

The extension of the Mission of the Court makes it desirable to commence with the more remote causes of the disturbances, a method which will permit of the gradual unfolding in Chronological order of the situation which led to the actual rioting. [p3]

A.

CAUSES OF RACIAL FEELING.

The Arab Case.

1. The population affected is roughly estimated at 639,228 in the Administration of O.E.T.A.(S), which includes the districts of Jerusalem, Jaffa, Hebron, Gaza, Beersheba, Nablus, Tulkeram, Jenin, Haifa, and Galilee. Trans-Jordania is not included in O.E.T.A.(S). Of this population the vast majority, or 512,090 souls are Moslems, 60,883 are returned as Christians and 66,101 as Jews, while 153 persons at Nablus are returned as Samaritans.

For the sake of convenience it is usual to speak of the Moslem population as "Arabs", though the actual Arab element in the blood of the people is probably confined to what is really a landed aristocracy, the vast majority of the population, both Moslem and Christian being of mixed blood and largely consisting of indigenous races which have occupied the country from time immemorial, races which were not in reality extirpated even by the Jews at the remote period of their original conquest. These people constitute a true peasantry rooted to the soil, a fact which it is important to bear in mind in estimating the reality of the opposition to the proposed immigration of the Jews of the Diaspora.

The true Arab element in the population has been dominant ever since the Arab conquest in the time of Heraclius and Omar. In spite of the Turkish overrule, the last and most enduring of a series of

usurpations of power by foreign Pretoreans of the Caliphs, which owed their success to the ineradicable tendency of the Arabs to intertribal discord, they have never forgotten their pride of race and empire, or that the author [p4] of their religion sprang from the noblest family of Mecca, the chief city of the cradle of their race. The Turkish overrule probably caused less disturbance of these ideas than might be imagined, as that Government appears to have to a great extent ruled through the leading Arab families in the country, and the fact that there was no difference in the religion of the two races has no doubt diminished the realisation of the actual loss of power. As far as regards his title to Palestine and Syria, the Arab's tenure is by a title which he considers as good as that of any nation in the world - conquest; not from the Jews of whom as a nation he knows nothing beyond what he has learnt from his scriptures, but from the then greatest power of the Eastern world, the Roman Empire of Byzantium. Furthermore, Palestine and Syria occupy a peculiar place in his regard in view of their being the earliest foreign conquests of the Arab invaders, and Palestine more particularly owing to the fact that the Harem el Sherif in Jerusalem ranks as the third holiest site in the Moslem world, one of the four "Sanctuaries" (Haram), the other three being Mecca, Medina and Hebron. The fact that his 1500 year title has suffered such interruptions as the Christian Kingdom of Jerusalem, or that the actual empire has passed to the Osmanli makes no impression on his view of his claim. He still rules, even if by the apathy of the Turkish conqueror, in a Moslem land, which was the earliest spoil of his ancestors' bow and spear, won by stark fighting against the greatest empire of the then civilised world.

2. Whatever may be alleged against Turkish rule, one fact stands out quite clearly from the evidence. Up to a very recent date the three sects, Moslem, Christians and Jews lived together in a state of complete amity. The Moslem was [p5] no doubt, dominant, but such intolerance as there was, seemed rather to be directed against the Christian than the Jew. The Christian could be occasionally troublesome with his appeals to foreign powers. The Orthodox Jew of Palestine was a humble, inoffensive creature, largely dependent on charity for his livelihood in the city of Jerusalem, elsewhere hardly distinguishable from the rest of the peasant population. No

serious attack on the Jewish population is recorded since the time of Ibrahim Pasha in 1840.

3. Turkish misrule, in spite of the natural indifference of the Moslem, had not been altogether acquiesced in in Palestine. The rule of Ibrahim Pasha after his conquest of the Turks was a great improvement on that of the Turk and, from that time on, it is said that the population showed a distinct leaning towards Egypt. The occupation of Egypt by the British and the wonderful advance of that country in prosperity, under British tutelage, seems to have increased that feeling, especially as Great Britain was the traditional friend of Turkey. It was not until the Turkish revolution of 1908 that the growing German ascendancy caused an estrangement in the feelings of the population to the British; a feeling which resulted in their more or less willing acceptance of the Turkish cause in the early stages of the outbreak of war.

4. During the progress of the war, however, a very great change came over the attitude of the Arab population, both in Palestine and in the other regions of the Arab world. This was partly due to the ill-treatment of Arabs by the Turks, partly to the intense dislike aroused by their German allies, but more especially by the rapprochement affected with the [p6] Emir Hosein of Mecca in 1916. Arabia had never acquiesced willingly in Turkish domination and the hold of the Turk over much of the country had even before the war been precarious and frequently contested by the independent tribes of the interior. The ideal of Arab independence was always smouldering and early in the great war it was decided to make the attempt to blow these embers into a flame with a view of effecting an Arab diversion, countering the projected Turkish attack on Egypt. The revolution occurred in 1916, the Arabs in return for subsidies, ammunition, arms, food, etc., agreeing to attack the Turks, in return for which certain specified areas of the Arab world were subsequently to be acknowledged as independent. These included certain portions of Syria - Damascus, Homs, Hamah and Aleppo, but not the Litoral. Palestine was not included.

5. It is important to realise the effect of this movement on the Arab world. For the first time after centuries of division and subjection,

the Arab imagination was fired by the vision of a great Arab Empire, ruled by members of the old Arab nobility of Mecca. How far, and by what means, these ideals have been achieved, is a matter of history, but it is certain that, though not included in the original sketch of the future Arab Empire, the Arab population of Palestine could scarcely be indifferent to the hopes and ambitions of their co-religionists. The general result of this was to convert any feeling the population, (and this is true of the Christian population as well as the Arab majority) may have had in favour of the Turks, into one of [p7] friendliness towards the British occupation. There is no question but that this was encouraged during the war by every kind of propaganda available to the War Office. For instance they were promised, in pamphlets dropped from aeroplanes, peace and prosperity under British rule. As late as June 1918 active recruiting was carried on in Palestine for the Sherifian Army, our allies, the recruits being given to understand that they were fighting in a national cause and to liberate their country from the Turks. These men, it is believed, actually took part in the offensive against the Turk. It is worthy of remark that Captain C.D. Brunton who recruited these men acted in co-operation with a Sherifian officer named Hagg Ameen el Hussein, who is described as being at that time 'very pro-English'. This man is now a fugitive from British justice accused of complicity in the Easter riots. The tendency of the evidence is to show that in spite of the fact that nothing had been said about Palestine being included in the Hedjaz Empire and the fact that the Balfour Declaration had been published in 1917, the early impression left upon the Arabs generally was that the British were going to set up an independent Arab State which would include Palestine.

6. Whatever may be said about the rights of the Arabs to draw such a conclusion from the policy of the War Office during the war, there can be little doubt that the declared policy of the Allies in favour of the self-determination of small nations encouraged the Palestinians to think, that whether they were to be permitted to unite themselves to the [p8] great Arab State forming on their borders or no, they at least, under the mandate of one of the Great Powers, would be permitted to work out their own salvation and be masters in their own house. They made no effort to reconcile the apparent

contradiction between this solemnly declared policy of the Allies and the Balfour Declaration: if the Balfour Declaration did not agree with the sacred promise of self-determination, so much the worse for the Balfour Declaration. Such refinements of argument as Captain Samuel's theory that the "majority of the potential population of Palestine is outside the country" or Dr. Eder's theory of reconstituting a nation, never crossed their minds, nor if such theories had been propounded to them would they have seemed even intelligible. The Jewish title based on the tenacious historical memory of the race and a profound religious sentiment which appeals so strongly to those European and American peoples who have absorbed the Old Testament narrative and prophecies with their earliest essays in their native tongue, means less than nothing to a people who see themselves menaced with deprivation by a race they have hitherto held in dislike and contempt. So far as the claim is historic, they can only see in the Jews a people who, after an independent history of less than three hundred years, were twice expelled from their territory, by Great Empires as a standing menace to Imperial peace and order. From the religious point of view they regard them as a race guilty of the greatest religious crime in history and still unrepentant. Such views may be uncritical and unjust but they obtain and make it difficult for the native population to contemplate with equanimity even the most moderate aims of Zionism. [p9]

7. The Balfour Declaration was published on the 2nd November 1917 and as the document is undoubtedly the starting point of the whole trouble, it is necessary to set out the text:-

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

This is a very carefully worded document and but for the somewhat vague phrase "A National Home for the Jewish People" might be

considered sufficiently unalarming, offering as it does, ample guarantees for the civil and religious rights of existing non-Jewish communities. But the vagueness of the phrase cited has been a cause of trouble from the commencement. Various persons in high positions have used language of the loosest kind calculated to convey a very different impression to the more moderate interpretation which can be put upon the words. President Wilson brushed away all doubts as to what was intended from his point of view when, in March 1919, he said to the Jewish leaders in America, "I am moreover persuaded that the allied nations, with the fullest concurrence of our own Government and people are agreed that in Palestine shall be laid the foundations of a Jewish Commonwealth." The late President Roosevelt declared that one of the Allies peace conditions should be [p10] that "Palestine must be made a Jewish State." Mr. Winston Churchill has spoken of a "Jewish State" and Mr. Bonar Law has talked in Parliament of "restoring Palestine to the Jews". Of the interpretation put upon the Declaration by all but the most moderate Zionists, it will be necessary to speak in detail later on.

8. It is said that the effect of the Balfour Declaration was to leave the Moslems and Christians dumbfounded. This, however, was not the immediate effect, for it evidently took four or five months for the true meaning of the Declaration to filter through to the minds of the people: by true meaning, we must understand the only meaning intelligible to the population, in view of the loose references to the Declaration by the Allies' orators and Press and the outspoken statements of the Zionists extremists. It is impossible to minimise the bitterness of the awakening. They considered that they were to be handed over to an oppression which they hated far more than the Turk's and were aghast at the thought of this domination. The Sherifian officer above mentioned, Hagg Ameen el Hussein, is cited as commenting on the British policy in Palestine in 1919 with "surprise and anger". The wish that we had 'left the Turks alone, as they would never have done what we have done' is frequently repeated. Prominent people openly talk of betrayal and that England has sold the country and received the price. All this may seem absurd and extravagant, but with Dr. Eder's admission recorded that one of the motives underlying the Balfour

Declaration [p11] was the necessity of converting the Jews in America from a hostile to a friendly attitude in order to secure the entry of America into the war, it is too much to expect a people who consider they are about to be sacrificed, to appreciate at its true value the paramount necessity to the Allies and civilisation of winning the Great War. The net result at any rate is that this perverted way of looking at things has converted a friendly people into one which is declared to be at the present day as to ninety per cent of its numbers definitely hostile to the British Administration.

9. If this intensity of feeling proceeded merely from wounded pride of race and disappointment in political aspirations, it would be easier to criticise and rebuke: but it must be borne in mind that at the bottom of all is a deepseated fear of the Jew, both as a possible ruler and as an economic competitor. Rightly or wrongly they fear the Jew as a ruler, regarding his race as one of the most intolerant known to history. It is unfortunate that their opinion of Jewish intolerance should have been inflamed by the very remarkable articles recently published in the local Hebrew organ, the Doat Ha-Youm (Daily Mail) of Jerusalem against certain of their co-religionists who send their children to mission schools. Ostensibly the cause of this virulent attack was the fear that the missionary zeal of these schools should lead them to proselytise among their Jewish pupils, but the fact that so purely Jewish an institution as the Evelina Rothschild Girls' School was the [p12] object of a peculiarly offensive attack in another Hebrew organ, lends same colour to the theory that the real reason for the outbreak was the desire to force the Evelina School and the Jewish parents, teachers and pupils who used the mission schools into line on the question of the exclusive employment of the Hebrew language. The interesting point is to observe how the terrors of religious excommunication are united to the purely democratic tyrannies of the boycott in order to effect the desired end. It is true that these articles have excited the reprobation of certain of the more moderate of the Zionists and it has been suggested that such purely interior recrimination within the Jewish family is quite compatible with the widest tolerance of non-Jewish institutions. This may be so under ordinary conditions, but to the heated imaginations of an outraged Moslem and Christian population such exhibitions on the part of those whom they suspect

they may have to acknowledge as masters, hardly inspire confidence.

10. From another point of view the native of Palestine looks with distrust upon the Jew as a possible ruler. The Orthodox Jew born in the country has never inspired the Arab or Christian with any particular feelings of distrust for, as has been observed before, he has been recognised as an inoffensive creature practically dependent for existence on foreign charity. But they already notice that the latest immigrants from Eastern Europe are men of a very different type imbued with all shades of the political opinions which have plunged Russia into a welter of anarchy, terrorism and misery during the past few years: they have even [p13] reason to suspect that the moderate men among the Zionists have to some extent lost their hold upon the machine and that extremists sprung from these new importations have the greatest influence on Zionist councils and they not unnaturally resent and fear the possibility of their country coming under the power of men who they regard as enemies of civilisation and religion. It is interesting to note in this connection that certain of the Orthodox Jews, themselves moderate Zionists, fear the atheistical tendencies of en of this character, such for instance as Dr. Thon, whose public utterances are cited in evidence by Miss Landau the Headmistress of the Evelina Rothschild Girls' School, herself a strict orthodox Jewess.

11. But it is as an economic competitor that the Jew really inspires the profoundest alarm in the minds of the native. The latter has no illusions whatever about his own powers of competing with the Jew, whether as merchant, agriculturist or administrator. Previous to the war, the progress of Zionism was hardly sufficient to excite his anxiety and though, the actual colonisation did cause hin some disquiet, it was not sufficient either in quantity or success to rouse him seriously. Nevertheless he was able to note that where the Jew became a landed proprietor, the Arab and Christian fellah peasant proprietor was reduced to the position of a wage labourer. The prospect of extensive Jewish immigration fills him with a panic fear, which may be exaggerated, but is none the less genuine. He sees the ablest race intellectually in the world, past-masters in all the arts of ousting competitors whether on the market, in the farm or

the bureaucratic offices, backed [p14] by apparently inexhaustible funds given by their compatriots in all lands and possessed of powerful influence in the councils of the nations, prepared to enter the lists against him in every one of his normal occupations, backed by the one thing wanted to make them irresistible, the physical force of a great Imperial Power, and he feels himself overmastered and defeated before the contest is begun.

12. Such a fear cannot be said to be entirely unreasonable. There is certainly evidence to show that the tendency of the native small proprietor is to sink into the condition of a wage labourer where he comes into collision with Jewish colonial enterprise and combination. Instances such as the cornering of commodities spoken of by Dr. Paterson, the abuse of mercantile privileges evidenced by the Bishop of the English Church in Jerusalem, and supported by the circular letter addressed to him by Major Crichton in the matter of Relief stores, the attempts to use the Administration in the matter of the Wilhelma lease, the interference with the measures of the Administration manipulated by pressure brought to bear on superior authority in London to which reference will hereafter be made, the gradual development of the Zionist Advisory Commission into a body bearing a distinct resemblance to an independent administration apparently able to control the actual Administration, and to obtain knowledge through its private Intelligence department of the most secret official documents in the possession of that Administration. All these things done at a time when the Mandate has not yet been given and the [p15] threatened immigration is merely in preparation, have undoubtedly had the effect of confirming the fears of those who consider themselves to be owners of the country. Rightly or wrongly, they believe that room can only be made for the Jew in their country by their own subjection or eviction, and so strongly is this feeling abroad that many of the less forceful among the people are said to be contemplating emigration.

13. It is necessary to make a few passing remarks upon this question of immigration which looms so menacingly before the eyes of the native population. It is said on the one hand that the immigration of the Jews will be wholly for the benefit of the country and on the other that there is sufficient undeveloped lands to

provide for the coming colonists without any disturbance of the native population. The first proposition is undoubtedly true provided that the immigration is strictly regulated and controlled by the mandatory power. The fellah is extremely backward in his methods and apathetic and slow in his intelligence: a reasonable inoculation with the vigorous mental force of the Jew would be invaluable in the development of the country and people. This is even recognised by the most intelligent of the Arabs and we have the Grand Mufti, the representative of Islam in Palestine and a member of the oldest nobility of the country saying "I too believe the Jews could greatly help our country, but what terrifies us are the extremists and the uncontrolled immigration. Who that wants salt empties the whole cellar into his plate?". It is the misfortune of the Zionists that they have managed to convey the impression that such reasonable inoculation "is not what is happening here." [p16]

14. The question of the carrying capacity of the land is one of great difficulty. Assuming that the immigrants are content to occupy the lands as yet undeveloped and would not make efforts to evict the present holders from the richer farms, it is a matter of extreme uncertainty how far the country can carry a much heavier population. In the first place the natives have a right to demand that the claims of the natural increase of their population should be first considered. How serious these are can be seen by an examination of the vital Statistics compiled by Colonel Heron, A.D.M.S. The increase in population under the improved conditions brought about by the occupation is very remarkable. The number of deaths recorded in the five large towns of Jerusalem, Jaffa, Haifa, Hebron and Gaza, with an estimated population of 115,360 souls gives for the year 1918 a ratio per mille of 31.23: for 1919 the ratio is 18.17. The birthrate for the same years works out respectively at 14.18 per mille for 1918, and 29.63 per mille for 1919. Taking the more accurate figures obtained under the new system for the six months ending March 31st 1920, the estimated death rate for the year works out at 16.24 per mille and birthrate at 29.20 per mille. These figures on an estimated population of the whole of O.E.T.A. (S) of 647,250 works out at an estimated increase of 8621 persons in one year. On this basis Colonel Heron considers the increase in ten years might be 100,000, without taking into account the fact

that the present population of the country is known to be composed very largely of women, old men, and children, the adult population having largely decreased during the war. All Colonel Heron's evidence goes to show that [p17] a very great increase in the population may be looked for in the near future, a powerful factor being the very low rate of infant mortality as compared with other oriental countries such as Egypt.

15. The possibility of planting extensive colonies of immigrants upon the land after providing for the natural increase of the indigenous population depends on the amount of unoccupied arable land available and the possibilities of intense cultivation and improved irrigation schemes. Unfortunately there is very wide diversity between the various estimates. Lieutenant- Colonel Sawyer, the Director of Agriculture in O.E.T.A.(S) will not put the quantity of arable land available at a higher figure than 6,000,000 donums (one acre equals approximately 4.1 donums.) Of this 4,209,000 donums is estimated as under cultivation in 1920, leaving 1,796,000 donums for development. The greater part of this cultivable surplus is said to be in the Jordan valley, the arid and semi-arid areas to the South of Gaza and Beersheba, the broken and hilly country between Acre and Safed and in the line of country between the Jordan and Beisan. Colonel Sawyer gives it as his opinion that the possibility of there being a surplus of land capable of supporting immigrants after allowing for the natural expansion of the population depends on the introduction of intensive cultivation and improved schemes of irrigation and on the possibility of colonising the Jordan valley, which latter, however, he does not think could be colonised by Europeans. It must, however, be noted [p18] that Dr. Eder, Political Officer of the Zionist Commission states that Jewish European Colonies are already in existence in the Jordan valley (Daganieh and others) and that the inhabitants have quickly become acclimatised to the conditions of the district.

Mr. Levin, on the other hand, citing Mr. Kraus, puts the total percentage of cultivable land in Western Palestine (O.E.T.A.(S)) as high as fifty per cent to sixty per cent. Lieutenant Colonel Sawyer, however, points out that Mr. Kraus claims sixty per cent to seventy per cent of the desert country of Beersheba as cultivable, whereas

his own figure for the same district works out at about 6.3 per cent. In view of such a discrepancy one cannot but suspect a serious error on one side or the other and as the territory is admittedly largely desert, it is possible that Mr. Kraus' figure is unduly optimistic - at any rate it is based on the assumption that the country is irrigated. It is also to be observed that Mr. Levin rightly lays great stress on the valuable territory of Trans-Jordania, the available areas of which he gives at over 5,000,000 donums. This territory, however, is not included in O.E.T.A.(S) and it would probably require a considerable military force to protect the colonists were it now to be taken over. Estimates of the possible future density of the population vary from Lord Bryce's 1,500,000 upwards. The land question is further complicated by the fact that certain nomadic tribes have customary grazing rights over large stretches of the country during part of the year. It is quite impossible at present in view of the immense diversity of these various estimates to attempt to arrive at any definite conclusion on this point. It is, however, clear that all immigration should be carefully [p19]regulated and admitted very gradually, both in the interests of the existing population and in those of the immigrants themselves.

16. From what has already been set out, it is evident that the full comprehension of the Balfour Declaration created a situation of great tension, calling for the exercise of the greatest delicacy and tact on the part of the Zionists, who were to benefit by the Declaration. In order to see how far this was realised by the Zionists generally it will be necessary to examine in some detail the activities of the Zionists during the past two years.

It was only to be expected that the prospect opened up to the Jews of the near realisation of their age long aspirations should cause a certain loss of balance and lead to extravagances. In a sense all Jews may be very properly taken as Zionists, though they differ among themselves widely as to how the desired restoration is to come about. The whole race, however, must have thrilled to the prospect that opened before them, the [p20] onrush to fulfilment of long brooded over prophecies. Too much stress should not therefore be placed on instances of local excitement. We hear of indiscreet

boastings and petty impertinences chiefly by the immigrant Jews, together with local demonstrations accompanied by much singing of the Hatikva or Zionist National Anthem. It is a singular commentary on the desire of the Administration to please, that in order to check this latter indiscretion, it was considered necessary to suppress the use of all national anthems including our own, so that even on King George's birthday, the National Anthem could not be played in his honour. But these petty irritations might have passed without serious notice were it not for the interpretation placed upon the Declaration by the Zionist Extremists and the growing impatience and determination to push matters forward of those in authority among them.

[p21] 17. From the very beginning the Extremists among the Zionists both in their writings and speeches adopted one interpretation only of the Balfour Declaration. There was no question of moderate colonisation or a National Home, but a declaration of Palestine as a Jewish State, "as Jewish as England is English" (Mr. Joseph Cohen in a letter to The Times of September 19th, 1919). The loose language of the politicians was seized upon and elaborated into a naked demand for the expulsion of the Arabs. Mr. Eperlin wrote a pamphlet entitled "An open book by one Zionist to the Arabs" telling the Arabs they must leave Palestine and emigrate to the Hedjaz. It is true that the more sober minded among the Zionists assisted in the suppression of the pamphlet, but the mischief was done. Mr. Israel Zangwill added his literary gifts to fan the flame. Mr. Leon Simon wrote an article in the Zionist Review which, in spite of the apparent moderation of its conclusion was hardly calculated to pacify a panic stricken people. He begins by a reference to the Arab population: "There will be", he says, "a state of Palestine containing a number of Arab inhabitants, etc." One might almost imagine he was referring to a handful of gipsy nomads such as infest the waste lands of Alexandria rather than to the great majority of the population of a country. Later he goes on to state: "There are in theory at least three possible policies, any one of which the Zionists might advocate now and might strive to get carried out whenever their influence in the state of Palestine becomes strong enough. These are (1) to remove the Arabs from the country by force if they would not go of their own free will; (2)

to leave the Arabs in the country, but to put them in a position inferior to that of the Jews; and (3) to leave the Arabs in the country and invite them to take as much share as they are or may become capable of taking in its [p22] development, making no distinction between Jew and Arab from the point of view of political or economic rights."

It is hardly important that Mr. Simon ultimately accepted the third alternative. The effect of the mere statement of these monstrous propositions on a proud people who consider themselves rightly masters of the soil may be easier imagined than described. The mere fact that Mr. Simon was driven to write such an article in reprobation of the excesses of his fellow Zionists may well pardon the wildest fears of the existing population.

18. The leading Zionists early became aware of the immense mischief that was being done by the extravagant pretensions of their co-religionists and set themselves to attempt a reconciliation with the native population. One of the objects of the Zionist Commission sent out by the British Government to Palestine in 1918 was "to help in establishing friendly relations with the Arabs and other non-Jewish communities." Dr. Weizmann, the Chairman of the Commission, toured the country and by his moderation undoubtedly created a certain effect. Had the Commission continued on the same moderate lines, the crisis might possibly have been avoided, but it is fairly clear that the moderate councils at first prevailing gave way under pressure of the hot heads among the Zionists until the activities of the Commission itself became the chief source of irritation. Not indeed that the Commission ever appears to have contemplated any issue but that of the full-blown Jewish State. Dr. Eder, the political officer attached to the mission himself declares that what is contemplated eventually is "a Jewish National State under Great Britain".

[p23] 19. The activities of this Commission have so important a bearing on recent events that it is necessary to explain why it was sent out and what were its objects. According to a telegram of the 28th January 1918 from the Chief of the Imperial General Staff to the Commander-in-Chief (the earliest mention of the Commission in

evidence examined by the Court) the objects of the first Zionist Commission were :-

1. The prevention of land speculation during the war.
2. The re-opening of Jewish Banks.
3. The establishment of good relations with non-Jewish elements of the population.
4. The eventual laying of a foundation stone of a Hebrew University in Jerusalem, under British auspices.

The objects and status of the Commission are laid down by Dr. Weizmann to the late Sir M. Sykes on January 16th 1918 in letters forwarded to the Chief Political Officer by the Foreign Office. Dr. Weizmann wrote that Dr. Balfour had approved the plans of the Commission and asked that they should be put on record. As they are the same as articles 1 - 6 inclusive of the statement published by the Jewish Chronicle on March 8th 1918, it is unnecessary to set them out separately.

In the issue of the Jewish Chronicle cited above, the objects of the Commission are stated as follows:-

"The Commission should represent the Zionist organisation. It should act as an advisory body to the British Authorities in Palestine in all matters relating to Jews or which may effect the establishment in Palestine of a National Home for the Jewish people in accordance with the Declaration of His Majesty's Government. The objects of the Commission should be:-

1. To form a bond between the British Authorities and the Jewish population of Palestine.
2. To co-ordinate the relief work in Palestine and assist in the repatriation of exiled and evacuated persons and refugees. [p24]
3. To assist in restoring and developing the colonies and in organising the Jewish population in general.
4. To assist the Jewish organisation and institutions in Palestine in the resumption of their activities.
5. To help in establishing friendly relations with the Arabs and other non-Jewish communities.

6. To collect information and report upon the possibilities of the future development of the Jewish settlement and of the country in general.
7. To inquire into the possibility of the scheme of establishing a Jewish University.

In order to be able to achieve the foregoing objects the Commission must have permission subject to military necessity to travel, investigate and make reports upon the above mentioned matters".

The Court has not had the opportunity of hearing any evidence as to the negotiations as to this Commission with His Majesty's Government, but it is curious to note that the Commission seem to be in a position to define their own mission, nor does it seem to have occurred to the Government to establish any similar body entrusted with the duty of advising as to native interests. The whole of the arrangements appear to have been made in England by the Zionist organisation there.

20. On the 9th of October we find proposals made for a considerable extension of their activities. Certain of these were agreed to by the Commander-in-Chief, others modified. The ten proposals in question will be found set out in a despatch written by Colonel French and produced by Brig. General Waters Taylor among his exhibits. the most significant of those rejected were (3) a proposal that steps should be taken to encourage and extend the participation of Jews in the Military Administration of the country; (5) that a Land Commission should be appointed on which there should be representatives of the Zionist Commission. In (4) they asked [p25] that Hebrew should be recognised as the language of the Jewish people in Palestine and in (6) that the Zionist Commission should send out experts to ascertain the resources of Palestine and that they should be authorised to proceed with such public works as were necessary and practicable. The Hebrew language was admitted subsequently, it being, however laid down that English was the official language of the Administration; public works must, it was pointed out, be confined to Jewish Colonies and Quarters.

These demands are very significant of the growing impatience of the Commission with the "Status Quo", the only policy possible until the Mandate had been assigned by the Powers, and their wide interpretation of the powers entrusted to them. A serious feature of their attitude soon developed itself in a tendency to put pressure on the Administration through the influence of their home organisation with the British Government, then they had failed to persuade the Administration to adopt their views directly. The Zionist Commission made use of this procedure on three separate occasions when administrative measures or acts did not please them. (1) In the matter of the Land Ordinance, (2) the establishment of the Egyptian Bonded Warehouses, and (3) in the matter of Agricultural Loans.

21. The first of these interferences resulted in the Land Ordinance, which it had been proposed to publish in June 1919, being suddenly held up by an order from Lord Curzon at the Foreign Office. The position as to land in Palestine was briefly as follows:- The land registers had nearly all been removed by the Turks, and as a consequence no land transactions of sale or mortgage could legally take place in occupied territory. As, however, it was observed that illegal [p26] transactions in land were taking place, the Administration in October 1918 issued a proclamation prohibiting any dealings in land. This proclamation was in the interest of the population generally. When the registers were recovered preparations were made to issue an ordinance allowing limited transactions in land. it was very desirable to do this as illegal transactions in which Jews were buying land were still being reported. The control of large transactions was carefully kept in the hands of the Administration as a safeguard against speculation. Without seeing the draft, the Zionist Commission, who feared that if there were private transactions previous to the settlement of the country the price of land would go up, protested. The Commission was at that time in financial straits. It was in vain that the Chief Administrator pointed out the safeguards against speculation and that the whole development of the country was being throttled by the continued prohibition and that it was not reasonable to ask in the interests of any section that the whole population should be prejudiced in this way. The Commission succeeded in interposing their veto and the measure was held up.

22. The actual effect of this on the population was not so irritating as might be imagined except in so far as it convinced the Arabs and Christians of the power of the Commission. So far as the measure went, the natives themselves were very anxious to check land transactions, fearing the acquisition of their property by the Jews. They were accordingly inclined to consider the prohibition an advantage. The interference of the Commission, however, drew forth a very vigorous protest from General Money, the then Chief Administrator, who pointed out that the action of [p27] the Commission was a bad augury for any future Administration of the country attempting to carry out the usual British practice of governing the country in the best interests of all sections of the community without giving undue preference to any particular section.

25. The case of the Egyptian Bonded Warehouses is dealt with in a despatch sent by Lord Allenby to the War Office, a copy of which will be found in the exhibits. In this case the cause of the intervention of the Commission was the refusal of O.E.T.A (S) to entertain an application from a body of Jaffa Jews to provide similar services to those of the Bonded Warehouses Company. This application it was impossible to entertain as the applicants were not only entirely without the requisite experience and organisation, but further consisted of traders and representatives of firms in competition with the very importers whose confidential agents they would have become. The matter was extremely urgent and the arrangement entered into with the Egyptian Bonded Warehouse Company took the form of a short term lease, which it was understood would not be binding on the future Government. It is characteristic of the attitude of the Zionist Commission that although Dr. Eder, the Chairman, is said by Lord Allenby to have expressed himself satisfied and to have realised that there was no ground for criticism of this temporary arrangement, the same gentleman quoted this case to the Court as an instance of anti-Zionist bias on the part of the Administration.

24. The incident of the veto on the Agricultural Loans, however, had a far greater effect in inflaming the growing irritation of the population against the Zionists. As no mortgages between private

persons and banks could be carried out. [p28] it became necessary for the Administration to help the cultivators in order that they might get their properties into order and cultivation again. A system of agricultural loans had existed under the Ottoman regime and was well understood. The Administration accordingly proposed a scheme by which it would directly advance money to actual cultivators on mortgage to the Administration. The Administration actually got the money to advance from the Anglo-Egyptian Bank and guaranteed the interest to the Bank, the Bank having no relations with the cultivators and no interest in the land mortgaged. The arrangements were in working order and giving great satisfaction, when the Zionists objected on the grounds that there was favouritism to the Anglo-Egyptian Bank and that the Anglo-Palestine Bank - a Jewish Bank - should have been given the opportunity of advancing the money to the Administration: also that the scheme interfered with the "Status Quo" by causing an appreciation in the value of land. The latter ground is interesting as showing that the Zionist organisation was ready to plead the "Status Quo" when they thought it was in their interest to do so. By order of the Foreign Office the granting of further loans was stopped.

The people at once came to the conclusion that the Zionists had interfered in order that they should be left in great straits and should ultimately have to sell their lands to the Zionists at any price. Although Dr. Weizmann subsequently agreed that there had been a mistake, the mischief was done.

25. Dr. Weizmann seems to have exercised a reasonable and moderating influence whenever he personally was able to intervene. There is evidence to show, however, that latterly he [p29] was unable to control the extremists of his party, and under Mr. Ushishkin, a Russian refugee, the methods of the Commission became more and more oppressive and autocratic. It appears to have been Mr. Herbert Samuel who first enlightened the Chief Administrator as to the extent to which the Zionist Commission had assumed the role of a full blown Administration. For full details reference must be made to the despatch of Sir Louis Bols filed in the exhibits: it will be sufficient here to point out certain special features of the organisation. It amounts to this that every

department of the official administration is duplicated in the Zionist Commission. The organisation consists of no less than a hundred individuals and it is clear from an examination of the details given that a complete administrative machine is in active operation.

26. To take a few instances: the Peace Courts, an ancient Jewish system of arbitration, have been developed into a complete system of Judicature within the country. There are 23 Judicial Courts with 245 Judges, a Court of Appeal and a regular system of procedure. They charge fees and execute judgements, entirely independent of the Civil Courts of the country. There is reason to suspect moreover that submission to these courts is not always voluntary.

Police. The Zionist Commission have taken up the position that they are entitled to have all Jewish candidates pass through their hands and it is still more remarkable that the Administration should have admitted the claim which must tend to make all such [p30] candidates look to the Commission for their orders. This is on all fours with the disastrous system of permitting the Commission to subsidise police and other officials in the service of the Administration, a system which could only have one possible result, as came out very clearly in the Cornfield case. One would have thought that the Scriptural Admonition as to the impossibility of serving two masters might have presented itself to the minds of the Administration. Such a divided loyalty could only have one result and this is doubtless seen in the efficiency of the Zionist Intelligence Service to which reference will be made later.

Defence. The organisation of this force is another instance of the determination of the Zionists to act independently of the Administration, but there is a certain excuse for their action in the circumstances which induced it. It will be necessary to refer to this matter further in connection with the riots and the Jabotinsky case. It is a little singular that a business which was openly carried out - they drilled in public places and marched through the streets - and which was known and adversely commented on by the populace at large should only have become known to the Military Governor of Jerusalem immediately before the outbreak.

Intelligence. This department of the Zionist organisation is admitted to be extremely efficient. It is the common talk of the people, not without evidence to back it, that this department has access to all postal and telegraph matter and that no documents of the Administration are secret from it. One of their agents was arrested in Hebron a short time ago in [p31] possession of a pass issued by the Zionist Commission secret agent, Blumenfeld; this pass certified the bearer to be on C.I.D., O.E.T.A.(S) duty. Dr. Weizmann recently cited to Brig. General Waters Taylor, the Chief of Staff, the preamble of so confidential a document as the 8th Brigade Defence Scheme and abruptly refused to say where he had obtained it. The Zionists' system of intelligence evidently knew a great deal more about the inner working of the Administration than the corresponding department of the Administration did about the Zionists.

Public Health. This department is run by the American Zionist Medical Unit. It is admitted they have done excellent work, but they have shown a marked tendency to try and work independently of the Public Health Department of the Administration and to annex all the credit for sanitary work done in the country. This was very noticeable even in the evidence given before the Court. While Colonel Heron, who was able to refute practically every allegation made against his department by Dr. Rubinow, the head of the A.Z.M.U., gave a generous recognition of the assistance rendered by the A.Z.M.U., Dr. Rubinow on the other hand could find nothing but grievances and was very grudging in his admission of good work done by the Administration.

It is unnecessary to go further into detail with regard to the working of these rival departments, for they are very fully dealt with in Sir Louis Bols' despatch. It is difficult, however, to resist the conclusion of the Chief Administrator that this state of affairs cannot continue without grave danger to the public peace and to the prejudice of the Administration. The situation is, in truth, intolerable. [p32] 27. Two further examples may be cited to show the extent to which the Zionists ultimately carried their autocratic method of dealing with the Administration. At the second demonstration in March last, the Mayor of Jerusalem, Musa Qasem el Husaini Pasha was present. No

very definite evidence is to hand as to what he did, but the Zionists strongly resented his action, with the result that a letter was sent to him directly, signed by Mr. David Yellin, practically dismissing him from his post. (A copy of this letter is attached). Mr. David Yellin is the head of the Council of Jerusalem Jews and though not a member of the Zionist Commission is in close touch with that organisation. Subsequently El Husaini Pasha was dismissed without inquiry by Colonel Storrs, the Military Governor of Jerusalem. No doubt the Governor was within his rights in doing this. The decision to dismiss the Mayor had already been made owing to his incapacity, and the reasons assigned by Colonel Stores for not suspending the execution of that decision are certainly powerful. It was unfortunate, however, that it had to be persisted in after the dictatorial letter of the Jerusalem Council, a letter which called forth a reproof from the Chief Administrator and an assurance from the Chief of Staff, Brigadier General Waters Taylor to the Mayor that "until correct procedure is followed and results endorsed by the Administration, your position as Mayor of Jerusalem is unimpaired." The subsequent dismissal of the Mayor without his being heard and the appointment of Mr. David Yellin as the new Deputy Mayor, had a profound effect on his co-religionists, definitely confirming the conviction they had already formed from other evidence that the Civil Administration was the mere puppet of the Zionist organisation. This particular instance is a very good example of the want of liaison which is frequently to be noticed between the Military Government of Jerusalem and O.E.T.A.(S). It is scarcely credible that Colonel Storrs was made aware of the assurance of Brigadier General Waters Taylor or we imagine that he would at least have given the Mayor a hearing. It was, moreover, peculiarly unfortunate [p33] that this man's dismissal from office should have been notified to him the day following his giving his evidence before the Court. Colonel Storrs in his evidence gives other instances of this lack of cohesion which frequently placed him in an awkward position, owing to decisions being arrived at by O.E.T.A.(S) which concerned his office, but of which he was not kept informed.

28. The other example is the series of letters addressed to the Chief Administrator and certain of his officials after the riots. These letters are set out in the despatch of Sir Louis Bols to General

Headquarters dated 21st April, 1920. The tone of these letters is, as Sir Louis Bols complains, peremptory and dictatorial, and such as no administration could be expected to tolerate. It must, however, be borne in mind that they were written at a time of great excitement and that the Zionists had then taken up an openly hostile attitude towards the Administration.

29. It is difficult to resist the conclusion of a calm review of the evidence before the Court that the Zionists' attitude justifies the description of one of the witnesses, Dr. Paterson, an old resident in Hebron, as arrogant, insolent and provocative. To the native, they seem to have adopted an attitude at first contemptuous and peremptory, and later, when they became aware of the growing feeling aroused by their attitude, a resentment not unmingled with fear.

Cet animal est tres mechant
Si en l'attaque il se defend.

Towards the Administration they adopted the attitude of "We want the Jewish State and we won't wait", and they did not hesitate to avail themselves of every means open to them in this country and abroad to force; the hand of an Administration bound to respect the "Status Quo" and to commit it, and thereby future Administrations, to a policy not contemplated in the Balfour Declaration.. It is not to be wondered at that the Arab population complained of bias on the part of the Administration in favour of the Jews. They see the Administration [p34] repeatedly overruled by the Zionist Commission; they see the Zionist Commission intermeddling in every department of Government, in Justice, Public Health, Legislation, Public Works, and forcing the Administration as in the case of the Wilhelma Concession to interfere in their favour, in a purely business transaction. They see Jews excluded from the operations of the Public Custodian with regard to enemy property: they have seen the introduction of the Hebrew language on an equality with Arabic and English: they have seen considerable immigration not effectively controlled: they see Zionist stamps on letters and Zionist young men drilling publicly in the open spaces of the town. Finally they have seen them proceeding to the election of

a Constituent Assembly. What more natural than that they should fail to realise the immense difficulties the Administration was and is labouring under and come to the conclusion that the openly published demands of the Jews were to be granted and the guarantees in the Declaration were to become but a dead letter?

30. Another indiscretion of the Jews, moreover, had succeeded in adding fuel of the most combustible kind to the growing fire. Christians and Moslems alike have the deepest concern for the Holy Places of Jerusalem. Rightly or wrongly they suspect the intentions of the Jews with regard to these, the Roman Catholics more particularly with regard to the Christian Holy Places and the Moslems with regard to the Haram el Sherif, which they can never forget is the site of the Jewish Temple. Now previous to the war, the Jews had already entered into negotiations to secure a piece of land for a Jewish meeting place close to the Wailing Wall, the land in question being a Waqf of the Moroccans. [p35] The scheme was taken up again in 1918, but opposition had then been raised and the scheme had to be dropped.

The Wailing Wall is in reality the Western Wall of the Haram, the bottom courses consisting of huge blocks certainly dating from the time of the Jewish Temple, though whether Herod's or Solomon's is not clear. This wall the Jews claim as their possession, but it is almost certain that they have no claim in law, the wall together with the rest of the Haram being the property of the Sultan of Turkey in his sovereign capacity. Recently the question has arisen in a more acute form through the attempts of the Moslems to repair certain of the upper courses of the wall. The correspondence which has ensued between the Jews and the Administration with reference to this subject throws considerable light on the extent of Jewish claims in this direction. The Rabbi Kook in his letter of 30th May declares that the Temple area and the whole of the Mount are "bound in the end to revert to us" and asks the Government to entrust the Wailing Wall "to the care and control of the Representatives of Jewry: and any reparations that shall be required we shall carry out ourselves." The Zionist Commission in their letter to Colonel Storrs of May 16th 1920 declare the act of repairing the wall by the Moslems a 'Sacrilege', and the Council of Rabbis writing to Colonel Storrs on

June 2nd 1920 say "The Holy Wall, the Wailing Wall is the property of Israel as far as the heavens and no other person or persons is allowed to touch it. At the same time we beg to declare our right to recognise the sacredness of the whole Moriah and Temple area; we are sure that the day will [p36] come and God will deliver his people; and our Holy Temple will be rebuilt in its glory as in the days of old" Such language may doubtless be considered as nothing but the pious expression of millennial hopes by deeply religious men. The Moslems, however, will be inclined to look to the practical activities of the Zionist Commission and to suspect that the less spiritually minded among them may be tempted to hasten the fulfilment of prophesy. In view of the sanctity of the Haram in the eyes of all Moslems, such a suspicion is enough to fire not only the Moslems of Palestine; but the whole of Islam.

31. It may be said that, once the Balfour Declaration was published, the native population should have recognised its finality and trusting in the guarantees it contains, ceased to agitate or to feel alarm. A number of factors, however, created doubts as to whether the Balfour Declaration would ever come into operation, not only in the minds of the public but in those of officials of the Government. Firstly the Administration was at one period (the date is uncertain) instructed to send out a circular asking various localities and communities how and by whom they would prefer to be governed. Secondly there was the announcement of an inter-Allied Commission which was also to enquire how Palestine would wish to be governed. This commission never arrived in its inter-Allied form, the American portion coming alone in June 1919 to report to President Wilson. They held, according the Major Waggett, a sporadic plebiscite all over the country. Then the American Zionist [p37] Commission is said to have maintained the general notion that things were being examined from the outside. Again there was the Angle-French Declaration (date not given) which said that the Allies had no intention of imposing upon any part of the Turkish Empire any institutions which they do not want.

All these fitful essays tended to confuse and exasperate the people. Then the Peace negotiations dragged on interminably inviting every kind of speculation as to the possible issue, and finally no definite

pronouncement was made by the Administration, so that the people were never squarely faced with a chose jugee, a thing which in the East often works miracles in persuading the people to accept the inevitable.

32. This raises the question of the wisdom of withholding the Foreign Office pronouncement on Zionism, which was eventually issued on 28th April 1920. This declaration or one similar to it, has been forwarded to General Money, the then Chief Administrator, who in the exercise of his discretion and with the assent of General Headquarters, declined the responsibility of publishing it, a course subsequently followed by both his successors, General Watson and General Bols. Both General Money and General Watson considered, and presumably the High Command agreed, that there were military dangers in the publication of the declaration during their tenure or office: General Bols considered the announcement would awaken antagonism. The question was [p38] doubtless one of extreme delicacy, but in the light of subsequent events and misunderstandings, it would probably have been better to have published the declaration and risked the consequences.

33. We have then arrived at a condition of affairs where the native population, disappointed of their hopes, panic-stricken as to their future, exasperated beyond endurance by the aggressive attitude of the Zionists, and despairing of redress at the hands of an Administration which seems to them powerless before the Zionist organisation, lies a ready prey for any form of agitation hostile to the British Government and the Jews. Such agitation was not and is not wanting. Firstly there is the movement for a United Syria with which the Emir Feisal is directly associated as chief. This is the principal movement openly advocated by the clubs such as the Moslem-Christian, Muntada el Araby, etc., and the main object of the demonstrations which took place early in this year. The declaration of Emir Feisal as King of United Syria, including Palestine, gave an immense fillip to the movement. The country, moreover, was infested with Sherifian officers carrying on an active propaganda. It is impossible to follow the movement in all its ramifications in this report and for a true appreciation of the formidable dangers it discloses, recourse must be had to the reports

of Colonel Bramley, the Assistant Administrator (Police) on this and kindred subjects.

The attitude of the Administration towards this declaration of the Emir Feisal has been criticised. We find the Chief Administrator, and the High Commissioner in agreement with him, contemplating a recognition of [p39] Feisal as King immediately after the declaration. Such a policy was in intention to give Feisal a mere nominal suzerainty over Palestine and Mesopotamia: its attractions from certain points of view are evident, for it would have quieted a good deal of foreign anti-Zionist propaganda in the country, as well as afforded a sop to the irritated susceptibilities of the Arabs. On the other hand such a policy at such a time of tension might have had the effect of encouraging the native population in its opposition to the Balfour Declaration and would be considered as dealing a blow to Zionist aspirations. It is not certain how far this contemplated recognition became public generally, but the Zionists certainly got to know of it. Mr. Herbert Samuel, on it being broached to him, entered a vigorous protest. We will refer to this question again later one

34. Closely interwoven with the United Syria movement is the Pan-Islamic agitation, which seeks to unite Islam from India to the Mediterranean. This again connects up with the Pan-Turanian ideals which favour the aspirations of their Turkish co-religionists. All these movements are now definitely anti-British and Anti-Allies, and their combined efforts are directed to fan the flame lit by the discontent of the Palestinian population.

A more subtle undercurrent runs through all these movements on the one side and within the Zionist movement itself on the other. Russian Bolshevism is undoubtedly working underneath the surface both southwards from the Caucasus to Damascus and in Palestine itself in the very [p40] heart of Zionism. Large numbers of the Jewish immigrants hold Bolshevik views and the Paola Zion Club of which Lt. Jabotinsky is said to be the organiser, is a definite Bolshevik institution. Attention is particularly drawn to the remarkable circular issued by this club and printed by Volpert and Company of Jaffa, subsequent to the riots, which definitely throws

over the Zionist leaders and declares for the "world Proletariat and the Social Revolution." The appeal is to the Arab fellah and worker and it is said that the same kind of appeal is being made to the same classes on the other side of the Jordan.

The Jewish Case.

35. Having examined in considerable detail the case made by the Arab population against the Government and the various causes which may have been said to have given rise to the intense feeling which culminated in the outbreak on Easter Day, it is now necessary to pass shortly in review the case against the Administration as presented by the Zionists. This case was presented and pressed with a degree of bitterness by the Zionists remarkable even after making due allowance for the injury and alarm their compatriots had suffered in the riots. They persist in describing the events of these days as a "pogrom", a word which clearly imputes connivance to the Administration: Dr. de Sola Pool gave as his definition of the word that it meant "an attack on the Jews of the city carried out by the lower lawless elements who were given free play by the non-interference of the police and those charged with the keeping of order. Not necessarily with the connivance of the Government, but almost invariably of the lower police officials."

The Zionists also allege that the Administration and its officials have been steadily biassed against the Zionists and [p41] disloyal to the policy laid down in the Balfour Declaration: that by the exhibition of this bias they encouraged the Arabs to think that a massacre of the Jews would be pleasing to the Administration: that they failed to make adequate preparations to meet a premeditated attack in spite of repeated warnings, and that by their coquetting with the Sherifians and the Emir Feisal, they precipitated the catastrophe. The question of the behaviour of the police and the question of premeditation and want of preparation may best be left for consideration when we come to discuss the actual occurrences of Easter week. The questions to be examined here are how far the allegations of bias and encouragement of the Arabs can be said to be justified.

36. In order to understand the situation, it is necessary to have a clear idea of what the position of the Administration was. The Administration is a military organisation acting under a Chief Administrator who takes his orders from the Commander-in-Chief, (Lord Allenby) through the General Officer Commanding (General Congreve). The latter consults the Commander-in-Chief on major questions and acts for himself in other respects. The War Office is ultimately responsible for the execution of the policy dictated, but they do not lay it down. They act on instructions from the Foreign Office.

Now the instructions given to the various Chief Administrators who have directed the Administration, have always been to follow out exactly Chapter 14, Articles 353 et seq of the manual of Military Law, which lays down the proper procedure for the occupant of occupied enemy territory. This is in principle the maintenance of the Status Quo: in the words of Article 354 "it is no longer considered permissible for him to work his will unhindered, altering the existing form of Government, upsetting [p42] the constitution and domestic laws and ignoring the rights of the inhabitants."

Such an administration has hitherto been expected to be of a purely transitory character, not enduring for more than a few months at most. The protracted peace negotiations, however, have necessitated the prolongation of this temporary form of administration during several years and it has become increasingly difficult to follow the strict rule and maintain the Status Quo. These difficulties have mostly been caused by the instructions emanating from the Foreign Office in favour of the Zionists and have resulted in certain proclamations such as that introducing the Hebrew language, clearly at variance with the Status Quo. The permission given to the Zionist Commission and the increasing pressure placed upon the Administration has made it excessively difficult to follow out the definite instructions under which its officials act. It will be remembered that the Zionist Commission, while making continuous demands which amounted to violations of the Status Quo, did not hesitate to fall back on the Status Quo when it suited their purpose and ultimately by their abuse of their influence at home with the British Government induced the Foreign Office to add further to the

harassment of the Administration by its direct interference, a state of affairs which became even more impossible when the late Chief Political Officer, Colonel Meinertzhagen, claimed and exercised the right to deal directly with the Foreign Office, irrespective of the opinions of his military chiefs. The condition became one of perpetual conflict between the Administration attempting to follow out its definite instructions and the Zionists seeking in every direction to commit the Administration to a policy favouring their pretensions. [p43]

37. Now the accusations of the Zionists as to bias shape themselves roughly under three heads. (1) Indiscreet remarks by various officials showing personal bias against the Jews; (2) definite acts showing bias on the part of the Administration and its officials; (5) dealings with the Emir Feisal indicating disloyalty to the policy laid down by the British Government. Under the first group the Zionists have collected a number of chance exclamations and expletives which have fallen from the lips of exasperated officials at odd times and have been zealously noted down by attentive Jewish witnesses for future use. It will occur to most people that any community under like conditions might collect a similar batch of trivialities capable of suggesting ill feeling. It does not seem to have occurred to the Zionists that it is possible for an English official to have a personal dislike for a type and yet do his duty conscientiously in spite of it. As a matter of fact nearly all the instances cited concern four particular officials who on representation being made to the Administration as to their attitude were relieved of their functions. The principal of these officials was Colonel Gabriel, the late financial adviser, whose budget came in for a severe criticism from Dr. Eder for what he called its "tendencious language." Colonel Gabriel did not encourage Zionism in this budget and he certainly made use of one offensive expression when he talked of "exotic Jews." He paid the penalty in removal from office. To say that this handful of instances proves persistent bias on the part of Administration officials is surely an extreme deduction.

It is necessary, however, to examine the evidence of a witness of much more serious importance, who undoubtedly is the chief support of the Zionists in their contention - that is [p44] Colonel

Meinertzhagen, the late Chief Political Officer. It is unfortunate that the Court was obliged to call Colonel Meinertzhagen very early in the Inquiry owing to his impending departure for England and had no opportunity of recalling him at a more developed stage: a more searching cross examination might have shed much necessary light on this witness' instructions from the Foreign Office and his personal attitude.

38. Colonel Meinertzhagen's view of his countrymen's attitude towards the Zionists is so damnatory that it had best be quoted in full. He says "I believe that most Englishmen have inherited a dislike for the Jew I do not think any normal body of British officers could hold the scales equally between Jew and Moslem. I do not think any civil administration could do so unless it had a certain sympathy with the Jewish cause." A sweeping statement of this character is extremely difficult to meet: it might with at least equal justice be said that no nation has shown itself more widely tolerant of the Jew than the English, and it ignores the proved capacity of Imperial officials to maintain a high standard of equal justice throughout the Empire irrespective of their personal likes and dislikes. Indeed it is fairly clear from Colonel Meinertzhagen's own statement that what he demands is not this equal holding of the scales, but a definite bias in favour of the Zionists. He is wholly unable to appreciate the justice of the native case, which he dismisses contemptuously as "superficially justifiable", because in his view, the Arab is a very inferior person.

A glance at other portions of this witness' evidence gives a possible scale by which to estimate it. He states that "the correct Zionist policy has always been misrepresented to the Arabs, in some case deliberately, the main anti-Zionist [p45] argument being that Zionism means a Jewish State, which is a phrase I've only heard used by the Administration and by anti-Zionists among the population Zionism has never contemplated a Jewish Government in Palestine." No doubt this is the correct interpretation of the Balfour Declaration and that put forward by the Zionists when on their best behaviour, but all the evidence adduced before the Court points to a mental reservation quite opposed to Colonel Meinertzhagen's statement and the most violent expression of this

intention comes from men, who if not official Zionists, are certainly Zionists. Again this witness gives as one of the causes of the strained relations between the Administration and the Zionists the fact that "the British Administration has been asked to administer a policy which they consider unfair and unjust as it involves, in their opinion, the minority ruling the majority." The British Administration had definite orders to maintain the Status Quo, a fact which Colonel Meinertzhagen himself admits a little later on.

It is not really necessary to analyse Colonel Meinertzhagen's evidence to disclose the contradictions in which he has involved himself. It is fairly clear that, just as in one or two unfortunate cases certain individual officials have betrayed anti-Zionist bias, so Colonel Meinertzhagen arrived with a definite anti-Arab bias and a prejudice in favour of Zionism and took his views from the Zionists alone. It is possible that the unfortunate example of Colonel Gabriel threw him violently into the opposite camp; there is something significant in his admission to Brig. General Waters Taylor that he believed that he was Dr. Weizmann's nominee.

A careful examination of Colonel Meinertzhagen's reckless championship of the Zionist cause fails to convince the [p46] Court that he has added materially to the proof of general bias charged against the O.E.T.A.(S) officials, while Colonel Meinertzhagen's own indiscretions on a tour which was apparently intended to conciliate the Arabs, reveal him as an agent who, however capable of doing good work in other spheres is singularly out of place in the East.

A much juster view of the situation can be obtained by the examination of the evidence of Lieut. Colonel Bentwich, Senior Judicial Officer of the Administration. Lieut. Colonel Bentwich is an English Jew and an ardent and convinced Zionist, and he impressed the Court as being a most fair minded and reliable witness. This is what he says "I don't think there has been a general bias. There have been one or two cases of officers in the Administration who had - Colonel Gabriel had, and one or two others were anti-Jewish. These officers have been dealt with. I think the Jews are a little out to seek offence. They are too sensitive and ready to take offence and there is action and re-action accordingly. The Jews regarded the

declaration of 1917 as something which was to be fulfilled immediately and have been worried and disappointed by the delay. I think also there has been too much ostentation and demonstration irritating to the populace." This evidence deserves the profoundest consideration for it really sums up the whole matter.

39. Coming to the allegations of definite acts showing bias on the part of the Administration, three principal witnesses give evidence in detail: Dr. Rubinow, head of the A.Z.M.U., Captain Samuel, an official of the Legal Department, O.E.T.A.(S) and Dr. Eder, Political Officer of the Zionist [p47] Commission. Taking Dr. Rubinow's evidence first, the following are his principal allegations:- (1) Difficulties placed in the way of the work of his hospital instanced by the cutting off of the water when he disputed the water rate. Colonel Grey Donald denies that this was ever done intentionally. The water supply is not a constant service and is frequently cut off from causes out of control of the Jerusalem authorities. (2) The arrest of a midwife in Tiberias. The details of this case are given in the appendix from which it is clear that this woman was using a forged diploma. (3) Unfair treatment of personnel in the taking over of anti-malarial work by the public Health Department. Colonel Heron shows conclusively that the arrangements for taking over were made in agreement with the A.Z.M.U. and that the posts offered to the Zionist officials were refused by them as being too poorly paid. (4) That the work of the unit was ignored by the Public Health Department in the first report of the Administration. Colonel Heron has shown that the Public Health Department made no report that year and the omission, if it was not an oversight (the unit had only been working a few months) was the work of Colonel Gabriel. On the other hand Colonel Heron is able to demonstrate (1) that the unit received continual help from the Public Health Department, and (2) that they were not generous in their attempts to obtain credit for work in which they only participated. Dr. Rubinow's evidence was marked throughout by a want of fairness, to say the least of it, an interesting instance of which is his account of the reason for Colonel Storrs going to pass the night in the hospital during the riots, which should be carefully compared with Colonel Storrs' own account of what actually occurred.

40. Captain Samuel's allegations are as follows: (1) The failure to arrest Mohamed Zaid Nati. This man is a Sheikh of the Ghazzawieh Tribe of Bedouins, and the arrest would have [p48] required something like an expedition. As a matter of fact actual fighting with this tribe did occur on April 22nd last. (2) Failure to stop the Tiberias anti-Zionist demonstrations. This evidently was a question of policy for the local authority. Riots ensued in which the blame was more or less equally divided between the Jews and the Arabs as may be seen from the table of convictions in the appendix. The so-called demonstrations were ostensibly wedding parties and difficult to handle. (3) Removal of a Zionist shield from a shop in Safed. Again the local authority probably used its discretion, this town being in a district in which the Arab population is very excitable. (4) The fishing rights on the Lake of Hoolah - unfair preference of an Arab. There appear to have been certain irregularities over this auction on both sides. The Administration eventually confirmed the contract to the Arab, which was only for one year, probably considering that in all the circumstances it was best kept undisturbed, there is no special reason to suppose they were influenced by a fear of annoying the Arabs, as suggested. The officer concerned with the action, Captain Flynn, was subsequently dispensed with over another matter. While on the subject of Captain Samuel's evidence it is interesting to note that he himself complains of unwarrantable interference during the investigation into the Tiberias riots of a Zionist representative, a Russian named Benjamin Grad.

41. Dr. Eder, whose evidence from his position and reputation carried the most weight, cites the following examples: (1) The tendentious language of the Budget statement of 1919-20. It has already been admitted that the paragraphs complained of may bear some such interpretation and one at least is offensive. Colonel Gabriel was responsible [p49] for this Budget, which he published without submitting proofs to the heads of the departments for approval, and his services have since been dispensed with. (2) Jaffa Chamber of Commerce - failure to give proportional representation to Jewish merchants. This may have been an error of discretion or a desire to maintain the Status Quo. (3) Stein's machine shop. There seems to have been good reason for hesitation here in the

managing directors' admitted bankruptcy (or liquidation, as Dr. Eder prefers to call it). Eventually they were allowed to take possession. (4) Wagner's factory, and (5) Hardegg's Hotel. Any discrimination there may have been in these cases seems to have been exercised in favour of English demobilised soldiers and not to Arabs. The reason propounded by Dr. Eder that the Jews were refused the Hardegg Hotel "because it was near the Protestant Church" remains an explicable mystery. (6) Egyptian Bonded Warehouses. This has been already explained. The Company were equipped and experienced and ready to do the work which was urgent. The Jews were not. The contract was for the shortest possible period. (7) Leasing of land at Yachtihvah and Ben Shemen. Here there was an apparent differentiation owing to local causes only. The Arabs appear to have put in a possessory title and the confirmation to the Jew would undoubtedly have led to disturbance. (8) The Sand Dunes, Richon le Zion. Reference to the appendix will show that a very difficult legal question was involved in this case, which neither side was prepared to take into court.

42. This practically exhausts the specific incidents of alleged bias, and it is evident that in all but one or two instances there is no question of unfair discrimination at all, [p50] while even in those as to which there may be some doubt, the discrimination was not influenced by any preference for Arab as against Jew, but was dictated by questions of local policy and the anxiety to avoid disturbance over doubtful cases. On this issue as on that of general bias, the Zionists completely fail to make good their contention.

43. It remains to examine the third allegation that the dealings of the Administration with the Emir Feisal indicated a disloyalty to the policy laid down by the British Government and encouraged the Arabs to attack the Jews. Reference has already been made to this action of the Administration; it will be necessary to follow the political situation a little more closely to appreciate what was occurring. In January 1920, the Emir Feisal was conducting a campaign in favour of a French mandate over Syria, including Palestine. This was by arrangement with M. Clemenceau, the terms of which appear to be (1) a United Syria, including Palestine, under French assistance; (2) an autonomous Lebanon; (3) an autonomous

Hauran (both, however, included in the Syrian Kingdom); (4) the withdrawal of all French troops from Syria; (5) the acceptance of French political and expert advisers who are to be considered public servants of the Syrian Kingdom. Sheikh Fuad-el-Khati, the Emir's Director of Foreign Affairs, who is thoroughly pro-British, informed Brig. General Waters Taylor that a violent anti-British propaganda was going on not only in Syria, but in Palestine, Mesopotamia and Persia and that it was actively supported by French funds: that the Emir Feisal was now completely under the influence of the French. The Sheikh foretold not only disaster to Syria, but unrest all over the British Moslem world.

It is admitted that the Administration were not taken by [p51] surprise by the declaration of Kingship by the Emir Feisal; it was recognised as the culmination of French intrigue. The French were prepared to recognise Arab independence and to evacuate their zones provided the British evacuated Mesopotamia and Palestine. They stated that they recognised that they were not wanted by the people and would only stay because the British were staying, and that they would claim their zone, whilst recognising Feisal, if the British remained.

It was to meet this situation that the Chief Administrator and his advisers deliberated as to the advisability of extending British recognition of Feisal as ruler of an Arab State, including the English Provinces of Mesopotamia and Palestine. The proposition was exceedingly tempting - it would probably put an end to French intrigue, satisfy the pride and national spirit of the Syrians by giving a nominal overlordship to Feisal, which would not interfere with the actual control of either ourselves or the French in our respective zones, and generally pacify the Arab States. The suggestion was viewed with favour by both Lord Allenby and Lord Milner and in the face of such support, it must be presumed that there were grave and weighty reasons of general policy affecting the near and middle East which justified deliberation on such a proposal, even though, were such deliberation to become public, it might tend temporarily to elate the Arabs and depress the Zionists. The one thing certain is that the consideration of such a policy was not taken up out of any disloyalty to the Government Policy or distaste for the Zionism aims,

but as a hopeful and possible solution of the grave difficulties which were then afflicting the near and middle East. [p52]

44. We have dealt elsewhere with the possible error made by the Administration in not publishing the statement of policy at an earlier date: we have also made reference to the grave difficulties in maintaining a condition of 'Status Quo' caused by the inordinate delay in concluding the Peace Treaty with Turkey. One other disadvantage under which the Administration found itself remains to be mentioned - the constant state of flux in which the personnel was involved owing to the gradual demobilisation of the army. It is only necessary to mention in illustration of this that since Colonel Storrs' appointment as Military Governor of Jerusalem, there have been four Chief Administrators, nine A.A.Gs., five C.Cs Police, four D.A.D.M.S., three Staff Captains "A", six Deputy Military Governors, Ramalleh and four Deputy Military Governors, Jericho.. It is easy to see that under such conditions continuity of policy can only be maintained with difficulty. This cause may also have something to do with the defects of organisation already commented on - the occasional failure of liaison between O.E.T.A.(S) and the Governate of Jerusalem and the defective intelligence system which resulted in their being ignorant of the Zionists' duplication of Government until informed by Mr. Herbert Samuel and of the daily drilling of "Jabotinsky's army" when that proceeding was the common talk of the town.

45. After the examination of the allegations made under the headings before mentioned, the Court is clearly of opinion that no case of general bias has been made out against the Administration and only such cases of individual bias as have been dealt with by the Administration itself. The Court is of opinion that while no doubt occasional mistakes have been made, such as might [p53] be expected in an organisation of ordinary human beings acting under conditions of extreme difficulty, the Administration has loyally carried out the policy laid down for it, endeavouring to hold the balance with the greatest exactitude between the warring sections of the population, with results on the whole to the welfare of people and country which ought to be the subject of sincere gratification to the British Government.

B.

CIRCUMSTANCES WHICH GAVE RISE TO THE DISTURBANCES
WHICH TOOK PLACE AT AND NEAR JERUSALEM ON THE OCCASION
OF THE NEBI MUSA PILGRIMAGE ON 4TH APRIL AND FOLLOWING
DAYS.

46. We have now arrived at a stage at which we are able to appreciate the condition of affairs during the weeks immediately preceding Easter 1920. The whole native population, Arab and Christian, was in a condition of active hostility at once to the Zionists and the British Administration, their sentiments inflamed by a sense of their own wrongs, their fears for the future, and the active propaganda of various anti-British and anti-Zionist elements working freely in their midst. The signs and warnings had not escaped either the Zionists or the Administration. The Zionists were seriously alarmed and repeatedly referred to the Administration. The Administration were in receipt of full information from their agents, both as to foreign activities and as to the propaganda carried on by the various clubs. It is not denied by General Bols that he and his officials had ample warning of the extreme danger which threatened and though Colonel Storrs inclines to consider the actual danger at the Nebi Musa Festival itself was greater in the preceding year, the majority of witnesses are not of his opinion.* It seems to have been evident to everybody [p54] that a storm was beating up and might burst at any moment.

47. A greater difficulty with which the Administration was faced was the inadequacy of the police force. As far back as June 1919, Colonel Bramley, Assistant Administrator of Public Security, had drawn attention to the makeshift nature of the existing force and the imperative need for an early and thorough re-organisation of a permanent police force, especially in view of the contemplated reduction of the garrison. Several schemes were put forward by this officer, but financial considerations intervened and an actual reduction in the force appears to have been in contemplation: Colonel Gabriel in his letter of the 8th September 1919, while approving of the scheme propounded, stated "It appears to me, however, that beyond improving what we have got, any re-organisation should now be deferred till the peace settlement

there are no revenues in the country to meet the excess of expenditure involved in the proposals and no funds can be raised as in time of peace". Colonel Bramley continued to press the matter and to point out the dangers involved in an inadequate and half trained force. It is unnecessary to go into Colonel Bramley's figures in detail, full particulars of the scheme being set out in the appendix, but it suffices to state that the absolute minimum establishment for the Jerusalem district is set out as fourteen officers and three hundred and seventy other ranks, according to the memorandum in Colonel Storrs' exhibits. The actual numbers available at the time of the riots were eight officers and one hundred and eighty three other ranks with five men attached from Headquarters. This number Lieut. Howes, formerly O.C. Jerusalem Police, states, and he has not been contradicted, is totally inadequate even to [p55] police Jerusalem in normal times.

As regards the material of the police, it appears to have possibilities, but at the time of the riots it suffered from insufficient training and control: furthermore, it was not considered reliable in cases where their patriotic or religious sentiments might be involved. This comes out markedly in the Defence Scheme which expressed the view of the G.O.C. where it is stated that "In the case of universal internal trouble the three thousand police must be reckoned with as a potential hostile factor".

48. The garrison of Jerusalem at the time of the riots is stated to have been as follows :-

- 1st Bn. The Yorkshire Regt.
- 20th Punjabis (less 2 coys.)
- 51st Sikhs (less 2 coys.)
- 10th I.M.A. Brigade (less 1 battery).
- 1 Sec. 35rd Machine Gun Bn.
- No.9 Light Car Patrol.
- 18th Coy. Sappers and Miners.
- 110th Combined Field Ambulance.

It appears however that the machine gun section had been previously disbanded and eight guns handed over to the Yorkshire Regt. which regiment found the personnel. The Defence Scheme

contemplated the evacuation of the Jews from the Jewish Quarter within the city. In the actual event this was found impracticable. [p56]

49. On February 27th 1920 occurred the first of the two great political demonstrations which preceded the events of Easter week. It was held with the knowledge and permission of the authorities. The Zionists were alarmed and two days before the date fixed, Dr. Eder saw General Bols and suggested the inadvisability of permitting a demonstration in view of the tension in the country. General Bols took the view that organised processions of this kind could be controlled and that they acted as a safety valve. The demonstration which was attended by between two and three thousand persons, passed off quietly and the police kept the people well in hand, in spite of a provocative incident by the Jews in starting the Hatikva, the Jewish National Anthem as the procession was passing the Jewish Blind School.

The second demonstration was fixed for the 8th March. The fears of the Zionists were at this time aggravated owing to a raid of Arabs and Bedouin which had just taken place in a Jewish colony in the French zone. Dr. Eder again waited on the Chief Administrator and urged the prohibition of the demonstration. On that occasion he made the significant statement that "I could not be responsible for holding back the Jewish youth if they got out of our control". The Chief Administrator maintained his view as to the policy of allowing these demonstrations and the demonstration took place. There was considerably more excitement on this occasion, the Emir Feisal having recently issued his proclamation declaring himself King of Syria and Palestine. The speeches were of a violently political character and there was a good deal of shouting against the Jews, and the temper of the mob was "decidedly nasty". There was an incident said to have been [p57] caused by a Jewish boy trying to force his way through the procession. This started a quarrel and there was some stone throwing. A few Jews were injured, but the police quickly regained control and the demonstration dispersed without further accident. On the other hand it is only fair to state that Lieutenant Colonel Popham, A.A. for Jerusalem expressed his appreciation of the exemplary behaviour of the Jewish Communities

in avoiding all forms of provocation. There is no doubt that the attitude of the mob on this occasion was seditious and extremely threatening and the only satisfactory feature was the success of the police in maintaining control. The complaints made against the police on hearsay by Dr. Eder at this time seem to have been quite unfounded. As a result of these incidents Dr. Eder wrote on the 9th March formally protesting against the policy of permitting these demonstrations and pointing out their danger to the Jewish Community. The Chief Administrator was convinced that the time had arrived to put an end to them and issued the prohibition dated the 11th March 1920.

50. The approach of Easter week with its inevitable religious disorders and the coincidence of the Christian and Jewish festivals with the Moslem Nebi Musa Pilgrimage was the cause of serious anxiety both to the Jewish Community and the Administration. There is certainly evidence that an indefinite presentiment existed among the people that an attack might be made on the Jews at some time during that festival. Threats were uttered and warnings given to individual Jews both in Jerusalem and in the country. It is necessary to observe here, however, that it is not an uncommon occurrence for the Moslem population in the East, when relations are strained, to indulge in vague menaces of this character and the approaching gathering of Moslems in Jerusalem would naturally suggest itself as a suitable occasion[p58] for their execution. Apart from the intelligence reports put in by Dr. Eder which are not evidence, there is little more than individual warnings and threats of this character to be relied on. Subsequent events, however, do point to the conclusion that the determination had been come to by the firebrands of the political agitators to take advantage of any occasion which might offer to raise a disturbance and that agents provocateurs were present at the pilgrimage with that intention. There is, however, no evidence of any definite plan on the part of an organised body of rioters and the whole affair has the appearance of spontaneity. We will refer to this aspect of the outbreak again on considering the actual occurrences.

51. The Nebi Musa Pilgrimage is said to have been ordained by the Sultan Salah el Deen. It is not a feast of the Moslem year, but is

fixed to coincide with the Jewish Passover and the Christian Easter. The probability is that it bears a similar relationship with these two festivals to an ancient spring festival to be compared with the Egyptian Shem el Nessim held on Easter Monday and that the Sultan Salah el Deen gave it a religious character. On the other hand it is said that this Sultan, observing the crowds of Jews and Christians who flocked to Jerusalem at this time of the year desired for political reasons to attract a large force of Moslems to the city who might be relied upon to counteract any attempt by the rival pilgrims to seize the city. The feature of the pilgrimage is the assembling of pilgrims, bearing their local banners from the surrounding villages at Jerusalem. Those from the nearer villages and Jerusalem itself assemble on the Friday before Easter. The proceedings start with a reception by the Military Governor of the Sheikhs of the Haram el Sherif with their flags; a procession is formed and proceeds to the house named [p59] Dar el Kebireh in the city, where the flag of Nebi Musa is kept. The flag is taken out, the procession proceeds to the Haram el Sherif where prayers are said and at the close of the service the procession proceeds through the city debouching by St. Stephen's Gate. At the bifurcation of the Jerusalem - Jericho, Jerusalem Abu Dis roads, a tent is erected, where the Administration officials, notables and guests await the procession. After the ceremony a portion of the pilgrims proceed to the tomb of Nebi Musa, which is midway between Tilaat el Demin and the Dead Sea; the rest camp or return to their villages if near by, or to Jerusalem. No ceremony is performed on Saturday, but on Saturday or Sunday the main body of the Hebron pilgrims comes along; they are late owing to the distance they have to come. Monday is the big day at the tomb of Nebi Musa itself and all the pilgrims reach the tomb that day. The pilgrims return on Thursday.

52. The pilgrimage has always been officially recognised by the Government who used to provide the necessary troops and a band in honour of the ceremony. The proceedings are under the direction of the Grand Mufti of Jerusalem. A certain amount of turbulence has always characterised the pilgrims and the Turkish Government made excuse of the ceremonial troops provided to take elaborate precautions to prevent disorder. The city was customarily garrisoned with a battalion and the O.C. usually brought in from two

thousand to three thousand additional troops into the City in Easter week as emergency guards, making a total of about four thousand troops. Under pretext of doing honour to the procession, the Nebi Musa pilgrims were completely surrounded [p60] by troops whereby contact was avoided with the spectators and quarrels confined to personal differences between the members of the pilgrimage. Such quarrels were smothered at once and no general outbreak was possible. The wisdom of the Turk, based on long experience of the wrangling sects, preferred prevention to cure, a point which neither the Administration nor the local authorities seem to have properly appreciated, although there is no doubt that the authorities looked forward to the pilgrimage with serious anxiety.. They actually expected trouble either on the Friday or on the return of the pilgrims on Thursday.

53. The actual police precautions taken by the local authorities were as follows: The force available irrespective of troops was eight officers and one hundred and eighty eight men. On the Friday as many as could be spared of these were distributed between the Haram and the Ras el Awood, one officer and fifteen men being sent to Nebi Musa. The Police Authorities had protested against the insufficiency of the force but no more were forthcoming. It must be remembered that in addition to this special duty, the police had to provide for the ordinary posts and for special Easter guards at the various Holy places. On the Sunday, the day when the Hebron pilgrims came in, the force at the disposal of the Officer in Charge of the procession was two officers, ten mounted men and five dismounted men of the Hebron police force and one officer and ten mounted men and five dismounted men of the Jerusalem force. A question arose as to the ceremonial troops and the band. In the first instance both these were refused. This called forth a vigorous protest from the Grand Mufti which was strongly backed up by Colonel Storrs, the Military Governor. The [p61] principal point at issue seems to have been the provision of the band though Colonel Storrs states that he did consider the grant of ceremonial troops would have had the additional effect of assisting the police in the preservation of order. General Bols, however, states that he was not asked for troops for the sake of keeping order. The band was eventually conceded and the Chief of Staff informed Colonel Storrs

that if he required troops to aid in keeping order, the Chief Administrator would apply for them, but would not allow the use of troops for ceremonial purposes. Their use in this way had been the subject of protest from some of the other religious communities and Lord Allenby had issued an order forbidding such use of the military. The offer was to ask for troops to be supplied without arms. Colonel Storrs made no further application and it is fairly clear from this that he did not seriously consider they were necessary for keeping order.

54. The Friday ceremony passed off without incident and it would seem that the success of the small police force in dealing with this day's procession and the two earlier demonstrations had an unfortunate effect in instilling a false sense of security into the minds of the authorities. Nothing seems to have been seriously anticipated on the Sunday. The arrival of the Hebron pilgrims is not specially noted in the table of police duties made out for the Easter fortnight, nor in Colonel Storrs' note of the procedure to be followed on Friday, the 2nd, and on the return of the pilgrims on Thursday the 8th. The Hebron pilgrims started from Hebron on the Saturday, camped outside Jerusalem and marched in on Sunday morning, April 4th. There appears to have been no unusual excitement, and in the view of Dr. Paterson, an old inhabitant [p62] of Hebron, who had seen many pilgrimages, there was nothing to suggest anything like a design to cause disturbance. The ordinary route followed by the pilgrims on their arrival at Jerusalem appears to be the Jaffa road to the Damascus Gate and thence to the Haram. By this route they pass almost entirely through the Moslem quarter of the walled city. On this occasion the procession halted in the Jaffa road outside the Jaffa Gate to hear speeches delivered by a Sheikh named Aref el Aref. They also halted further up the road to hear more speeches delivered from the balconies of the municipality and the Nadi el Araby Club by the Mayor and other prominent Moslems.

It is said that the practice of delaying the procession to hear speeches came in for the first time last year. Prior to that the ceremony was purely religious as were the songs of the pilgrims. On this occasion, however, the speeches were of a flagrantly political character, culminating in the exhibition of the portrait of the Emir Feisal, who was greeted as "King of Syria and Palestine". The

portrait was later carried in the procession with the flags. The crowd at this point was gradually worked up into a highly inflammatory condition and it seems extremely probable that there were agents provocateurs intermingled with them here awaiting their opportunity.

55. Nevertheless the crowd was turned back by the police and successfully started through the Jaffa Gate on its road to the Haram. It has been suggested that there was a deep design on the part of the police in this changing the route so as to make the crowd pass by the Jewish quarter. The police, however, state that the change was made owing to the delay caused by the speeches and there is no sufficient reason to suppose this untrue. It is clear that the first part of [p63] the procession had passed the Jaffa Gate without any untoward incident. A cinematograph film, which by happy chance was taking the procession just opposite the Androusky Hotel (inside the Jaffa Gate) shows the crowd marching along quite peacefully with little groups dancing and giving the sword play in the usual fashion. This certainly supports the evidence to show that as far as the general body of pilgrims is concerned, there was no preconceived intention to make an attack on the Jews at any rate on that day.

56. It was while the first half of the procession was passing through the Jaffa Gate that the explosion occurred at a point outside the gate somewhere between Christaki's Pharmacy and the Credit Lyonnais Bank. The exact incident which caused the explosion has not been clearly ascertained - possibly there were more than one. The attempt to fix the responsibility on a Jewish Chemist employed at Christaki's did not satisfy the Court, the evidence being contradictory and unreliable. There is some evidence to show that the attitude of the Jewish spectators was in certain cases provocative, but it appears much more likely that the mine was deliberately fired by some agents provocateur raising the cry of an insult to the banner by a Jew. On the other hand the evidence of Messrs. Russell and Perrott points to the origin of the affair being in an attack by a pilgrim on some person in the crowd whose part was taken by a Jewish soldier. This man was not produced, but it is interesting to note that [p64] such a man is described by Mr.

Abrahams as being in flight from the mob immediately after the trouble broke out. It is quite evident, however, that in the excited condition to which the pilgrims round the Nadi el Araby Club had been wrought by the speeches of the political orators and the exhibition of Emir Feisal's portrait, the most trivial incident would be sufficient to cause an outbreak.

57. The immediate consequence of the explosion was a volley of stones directed against the shops in the vicinity of Christaki's Pharmacy, an incident which points to the true "locus" of the exciting cause being in this neighbourhood. Some of these shops were immediately looted and a number of persons were beaten and hit with stones. The excitement immediately communicated itself to the portion of the procession which had already entered the Jaffa Gate, and in front of the Neri Grand Hotel several Jews were beaten and at least one stabbed. It is said that the Jews retaliated from the roof of Androusky's Hotel with volleys of stones, but the evidence as to this is not conclusive. The crowd then passed down into the city looting Jewish shops and assaulting Jews and one Jew at least was shot about this time.

58. The point as to the retaliation by Jews is of importance because it seems to have impressed the Military [p65] and led them to imagine that the Jews were to some extent responsible for provoking the rising. There is some evidence to show that a few of the Jews were armed and occasionally retaliated by firing on the mob. A case in point is the firing from the house by the two elderly Jews on Tuesday the 6th, which resulted in their both being shot by the Indian troops - a tragedy which it seems probable was due to an unhappy misunderstanding, the Indians being mistaken for Arabs. There were also some incidents in which groups of Jews attacked the police and Arab looters. But it is perfectly clear that with these few exceptions the Jews were the sufferers, and were, moreover, the victims of a peculiarly brutal and cowardly attack, the majority of the casualties being old men, women and children. There is some reason to believe that this impression that the Jews were conducting a species of guerilla warfare from the houses was actively fostered by Arab agents and the case cited by Lieutenant Horridge is very significant. The presence of a number of Sherifian

agents and officers in the town at this time, among them Hag Ameen el Hussein, is also extremely suspicious and leads the Court to suspect that the agitators took immediate steps to make the most of the disturbance when it had broken out, even though the mob was [p66] not intelligently in the plot.

It is a little surprising that the speeches were not stopped by the officer in charge of the police in view of their inflammatory character. Although demonstrations had been stopped, it does not appear that any definite orders had been given by the Military Governor as to speeches and the officers on the spot evidently thought it best in the absence of definite instructions not to interfere.

59. As soon as the trouble broke out, Lieutenant Howes of the police, took immediate action and drove the crowd into the town as being easier to handle there than at large. He and Sergeant Major Harrington then turned out the Yorkshires who were in church at the time. The troops were out in about five minutes and the town was picketed and patrolled, a patrol being sent up Heret el Yahoud whence trouble was reported. The Military Governor arrived about eleven and he and Lieutenant Howes went round the town. The pilgrims by this time had arrived at the Haram el Sherif; they were subsequently collected and kept for the night at the police barracks. The trouble appears to have been practically over by midday, but during that short time occurred the great majority of actual injuries, no less than 118 cases being treated on this day at the Rothschild Hospital alone. With the exception of a reported shooting from a house about [p67]5:30 p.m. the rest of the day passed quietly. Colonel Bramley's record gives the time that he received the message that all was quiet and the situation in hand as 1510 hours.

The conduct of the police at the outbreak of the trouble seems to have been reasonably satisfactory. They did their best to cope with what, owing to their paucity of numbers, was the rather hopeless task of controlling the mob. It is evident, however, that they rapidly drifted into a condition of helplessness which has been described by one witness as being equally assignable to either fear, incompetency or sympathy. There is certainly evidence that they at

times went beyond a mere passive indifference and were not above listening to appeals to their race sympathy or even to giving active assistance to looters. It is evident that after an early hour on Sunday morning they had practically ceased to have any value as a force. On the other hand the various allegations made against the force by the Jews, such as that of being aware of the plan and giving a signal for the outbreak and of removing the Jewish police from the interior of the city of design, are certainly not established, nor do they seem at all probable. An unsatisfactory feature, however, is the fact that several of the Arabs arrested during the riots for offences and Arab policemen charged with misconduct seem to have escaped without prosecution. The officers of the force did their best, but as had been anticipated, the instrument broke in their hand.

60. The Jews in the city, as was to be expected, were in a condition of complete panic, while their compatriots of the Zionist Commission and others outside the walls added to their fears for their fellows a fierce resentment against the Administration and the local authorities, to whom they ascribed all their misfortunes, which made them somewhat [p68] difficult to deal with. This was increased later on, when a certain number of the Jews began to get into trouble with the Military. They showed a strong desire to assist, but in their own way and as usual to work under their own chiefs rather than assist the Administration. The Public Health Department had been early on the spot attending to the injured and were soon joined by the officials of the A.Z.M.U. to whose hospital, at their own request, the greater part of the wounded were conveyed.

A singular incident was the offer by Mr. Jabotinsky and Mr. Ruthenberg to place at the disposal of the local authorities the volunteer bands which had recently been raised by these two gentlemen in anticipation of some such catastrophe as had occurred that day. The whole history of this movement is extremely unsatisfactory. It seems scarcely credible that the fact that these men had been got together and were openly drilling at the back of the Lemel School and on Mount Scopus should have been known as it undoubtedly was, to the population during the month of March - it was organised after the demonstration of the 8th - and yet no word

of it reached either the Governorate or the Administration until after the riots. Yet this is what is alleged and this ignorance can only be attributed to the curious defects in the intelligence system which the evidence occasionally reveals. There was no attempt at secrecy. Mr. Ruthenberg actually went to Brig. General Waters Taylor in March and asked permission to arm the force. Brig. General Waters Taylor's answer to this is that he understood Mr. Ruthenberg to be referring to the question of arming outlying colonies of Jews. He admits that towards the end of March Colonel Bramley reported that the Jews were drilling on Mount Scopus, but neither of them appear [p69] to have associated this with the idea of a defence force. At any rate as the result of his interview, Mr. Ruthenberg appears to have understood that he must not arm his force. After this, Lieut. Jabotinsky asked Colonel Storrs for permission to arm the force - he was at the time drilling daily behind the Lemel School- but he also appears to have left Colonel Storrs under the impression that what he wanted was arms for outlying colonies and to have failed to have made it clear that he had raised a defence force. Dr. Eder in backing this application apparently made it no clearer. The organisers decided to arm their men in spite of the Administration although they were unable to raise more than about thirty pieces - so convinced were they that trouble was coming. It is claimed that the force kept guard in the city on the 2nd, but the police deny all knowledge of this.

61. On Sunday morning, as soon as they heard of the trouble, Messrs. Ruthenberg and Jabotinsky went to the Military Governor and offered the services of themselves and the force they had raised to assist in restoring order. What actually took place is narrated by Mr. Ruthenberg and as Colonel Storrs admits its general accuracy, it may be accepted. In the course of conversation both men admitted having arms; Mr. Jabotinsky as an ex-British officer - Mr. Jabotinsky was principally concerned in raising the Jewish Battalions which served with the Egyptian Expeditionary Force in Palestine - surrendered his arm when ordered to do so. Mr. Ruthenberg was persuaded to give his up and it was not returned to him. A discussion ensued in which Ruthenberg and Jabotinsky refused to surrender the arms their men possessed but asked for the men to [p70] be armed by the Administration and used. Colonel

Storrs said he must refer the matter to the Chief Administrator and arranged a meeting for the afternoon. At 4 p.m. they again met and Colonel Storrs tried to restore confidence in the Administration by relating the measure taken to protect the Jews. Messrs. Ruthenberg and Jabotinsky approved, but insisted on the Arab police - against whom by this time there were many complaints - being disarmed and the Jewish youth being armed under their responsibility if the Administration considered it necessary. As a compromise Colonel Bramley suggested the formation of a body of special constables to which Ruthenberg and Jabotinsky agreed, but Colonel Storrs refused. A number of other propositions were discussed and agreed on. During the evening and night the Jewish leaders made use of their men in a limited way as Colonel Storrs had promised that nobody should be arrested if they did not collect in bands. (It is only fair to state that Colonel Storrs denies giving any such promise), They patrolled the city and collected information. The events on Monday and Tuesday decided the authorities to use the force and on Tuesday Mr. Ruthenberg was summoned to the Governorate and informed by Colonel Storrs and Colonel Beddy, O.O. Troops, that the Administration had decided to use his men and asked how many he could produce. It was explained they were to be used as special constables not armed. Late that night Mr. Ruthenberg was asked for a hundred men to be presented at 8 a.m. the next day. These they succeeded in presenting at the time and place named. Two companies of about fifty men were actually sworn in when the Administration decided to suspend the order and it was not proceeded with. It was Mr. Jabotinsky who selected the men and he was in constant consultation with the officials up to the time of his arrest on April 7th. [p71] On the 18th April Mr. Ruthenberg writes to Colonel Storrs stating that calm having been restored to the city, he had demobilised the "Self Defence", to which Colonel Storrs replied with the decidedly disingenuous letter of the 21st April, asking what was meant by "Defence Corps" as the Administration had no cognisance of such a body. Mr. Ruthenberg admits that in arming the corps "the wishes of the Administration were disregarded for the reasons already alleged - but subsequent events proved we were right". The Administration disclaims all responsibility for Mr. Jabotinsky's arrest and places the onus upon the Military - yet the Legal Officers of the Administration were

employed to draw the charges. This Court is unable to extend its mission into an inquiry into the conduct of the subsequent Military Court; but in view of the preceding circumstances into which the Court has been obliged to probe very thoroughly: the undoubted cause for anxiety among the Jewish Community, the admitted purely defensive intention of the organisers of the force, the constant consultation into which both the local officials and the Military entered with its leaders after the disturbances had broken out, the actual enrolment of a portion of the force as special constables with the active help of Mr. Jabotinsky: taking all these matters into account, together with Mr. Jabotinsky's record as the organiser of the Jewish Battalions for the service of the British Army, the Court feels itself obliged to record its opinion that the arrest and prosecution of Mr. Jabotinsky was ungenerous. No doubt the persistent impression that the Jews were in some way concerned as aggressors as well as the Arabs, in spite of the fact that the Arab casualties were practically negligible, is largely responsible for the attitude of the Military Authorities; and [p72]undoubtedly the repeated attempts of the Zionists to take action irrespective of the Authorities was embarrassing and a cause of exasperation, but other and milder methods might well, in view of all the circumstances, have been adopted.

62. At 4 p.m. on the 4th a conference was held at the Governorate at which were present Colonel Storrs, Military Governor, Colonel Bramley, Lieut. Howes, Colonel Beddy, O.C. 8th Brigade, Major Burrows, O.C. 51st Sikhs and Captain Condon, Brigade Major, 8th Brigade, to discuss the situation and make the necessary military dispositions for the night. It is important to bear in mind that previous to this conference, both Colonel Storrs and Colonel Beddy had received warning that further trouble might be expected in the town the next day. As a result of this conference all troops were removed from the central quarters of the walled city next morning at 6 a.m. with the exception of one platoon which was left in the Haram enclosure. The inner picket consisting of two platoons was concentrated in the old Turkish Barracks just inside the Jaffa Gate. The British guards were left on the gates. This removal of the inner pickets proved to be a very serious error of judgment.

As to how this decision came about there is, unfortunately, a direct conflict of evidence. Colonel Beddy admits that the withdrawal was militarily unsound but states that he yielded to the strongly expressed wish of the Military Governor that all troops should be withdrawn early in order to enable "business to proceed as usual". Colonel Storrs on the other hand, while admitting his anxiety to re-open the city, declares that the decision was that only the outer cordon should be withdrawn so as to enable the market produce to come in and that he intended the inner pickets to remain until further notice and cites Colonel Bramley's record of events in [p73] confirmation. Colonel Beddy relies on the definite recollection of all his officers and points to his letter dated April 8th protesting against the inaccuracy of Colonel Bramley's record. If Colonel Storrs' and Colonel Bramley's record is correct, it is curious that we find Dr. de Sola Pool giving evidence to the effect that he met Colonel Storrs late on Sunday night and was assured by him that he found everything quiet and proposed to take off the military guards next morning early. It is also singular that all three of the military officers who attended the conference should have left with the same impression of what had been decided. In view of these facts, the Court can do no more than record the conflict of evidence. The result was unfortunate.

63. During the night of Sunday - Monday, everything appeared quiet. Early on Monday morning the Hebron pilgrims who had been confined for the night in the Police Barracks were conducted to the Haram and thence out of the city by St. Stephen's Gate on their way to Nebi Musa. They made a good deal of noise, shouting according to one witness for "Emir Feisal el Sultan", but no incident occurred as they were closely guarded by troops. Disorder, however, broke out in the city again at about 8.30 a.m. Great panic again prevailed amongst the Jews and the officers in charge on this and subsequent days complain of having been considerably harassed in their work by false intelligence given by the Jews, probably not intentionally, but under stress of excitement and fear. A certain amount of retaliatory shooting occurred on this day and there is evidence of attacks and arrests by Jews of Arab fellaheen suspected of looting. A man named Mordecai Malchi was arrested for shooting Arabs on this and the previous day from the balcony of

his [p74] house. The Indian escort of the prisoner was attacked by a crowd of Arabs led by an Arab policeman, intent on lynching the prisoner and on this occasion, three N.C.Os of the escort were stabbed by some persons among the attacking mob. Several murders and violent assaults on Jewish men, women and children are reported. Various cases of looting occurred, the most important being the looting of the Talmudic College, a building which was set on fire in some way not definitely established the following day. Martial law was proclaimed at 3 p.m. on this day and the police, against whom a number of serious charges had been preferred, were then withdrawn.

64. On Tuesday, notwithstanding that the Military were now in control, conditions of panic prevailed and a considerable number of Jews came in from the Arab quarters and were accommodated in a synagogue in the Jewish quarter. Two fires were recorded on this day, one being in the Talmudic College previously mentioned. Looting and violence continued. Major Hedog-Jones states that "in the absence of both police and soldiers, the breaking open of shops in the New Bazaar, and looting was absolutely unrestrained". Two cases of rape were reported - a Moslem girl was killed by a chance shot and some shooting was reported by Jews from the houses. It was on this morning, however, that the case of the Moroccan arrested by Lieut. Horridge occurred and it is quite possible that other alleged shootings by the Jews were really the work of agents provocateurs of this character. It was on this day that the two elderly Jews fired upon the Indian troops and were both killed. In the Moslem market near New Street, the Arab mob had to be fired on by the troops before the patrol could get to the house where the cases of rape occurred. By the evening of this day the position would seem to [p75] have been got under control. After this date occasional incidents are reported. Slight panic on Friday, the 9th, and looting of an empty Jewish house on Saturday, the 10th. Except for this the situation would appear to have become normal.

65. It is somewhat remarkable that so much looting should have been carried on even after the declaration of Martial Law. A good deal of this no doubt was due to the intricacy of the streets in the old city and the difficulty of efficiently patrolling what is really a

species of labyrinth. There seems also to have been a tendency to rely on fixed posts and a certain want of initiative in interpreting the orders given with respect to these posts. The evidence given in the case of Samuel Haramaty certainly seems to establish that this man's life might have been saved if the officer mentioned in the evidence, whose identity it has not been possible to fix definitely, had realised the position and permitted medical aid to be given to him without delay. Once the situation was got under control, it was effectively maintained, but it was undoubtedly too long a time before effective control was attained.

66. The total casualties reported amount to 251, of which 9 died, 22 were dangerously wounded and 220 slightly wounded.

The heaviest sufferers were the Jews who sustained the following losses:-

- 5 killed,
- 18 dangerously wounded,
- 193 wounded, making

a total of 216. Of the five killed, two were killed by the troops in circumstances previously related. The wounds of two others were also due to bullets. The rest were victims of the Arab attack with knives, sticks and stones. [p76]

The Moslems sustained the following losses:-

- 4 killed, all by firearms,
- 1 dangerously wounded,
- 20 others wounded,

making a total of 25. Among the four killed was the Moslem girl, who seems to have been the victim of a random shot.

In addition to the above casualties, 5 Christians (two wounded by firearms) and 7 soldiers are reported wounded - all apparently at the hands of the Arab mob.

From these figures it is clear that the incidence of the attack was against the Jews and that the attack against them was made in customary mob fashion with sticks, stones and knives. All the evidence goes to show that these attacks were of a cowardly and treacherous description, mostly against old men, women and children and frequently in the back. The total retaliatory efforts of the Jews and the Military Authorities resulted in only 25 recorded casualties.

It is said that a number of fellaheen suffering from slight wounds may have escaped to the country, but the small number of casualties recorded against the mob is significant.

The alleged use of firearms by the Jews does not seem to have been very effective, the total number of non-Jews suffering from bullet wounds being 8, i.e. 6 Moslems and 2 Christians. It must be borne in mind that the military patrol on at least one occasion fired on the Arab mob and although the officer in charge states that he did not see any casualties, it is scarcely probable that none actually occurred in view of the fact that 15 rounds were fired at a range of about 25 yards. [p77] It is interesting to add that no attack was made at any time against the officers and men of the British regiment, nor were British officers molested if we except one or two attempts at rescue of prisoners: the attack was entirely directed against the Jews.

67. The Compensation Committee appointed to estimate the losses by looting, etc., had not quite completed its work when the Court rose, but up to the 7th June, the total claims put in amounted to £.E.74,414, of which sum £.E.62,515 was for goods and £.E.12,198 for cash. The claims examined up to that date amounted to £.E.59,763, of which £.E.49,976 were for goods and £.E.9,786 for cash. The total amount at present approved of is £.E.22,500 for goods; of the cash a certain proportion has been established by proof, but there is no evidence to establish the remainder and the Committee was still considering the course it ought to adopt as to this. The goods recovered amounted to the value of £.E.333 odd. Practically all the losses were experienced by the Jewish Community: only four Moslems and one Christian putting in claims

apart from a claim for £.E.500 put in by some gipsies as damages resulting from an attack made on them by some Jews. Details of the various losses will be found in Major Hedog-Jones' report. Claims for losses through death, wounds, or loss of labour have not been considered to be within the province of this commission nor has one for [p78] £.E.2,000 from a man for the violation of his two daughters. Major Hedog-Jones also says: "I personally saw many houses which had been cleared of everything, even the cupboards being torn out of the walls and the woodwork of partitions, doors and cupboards and windows completely removed. Some very pitiful cases were encountered where whole families had been bereft of everything and young couples just starting life had lost all they had collected for their homes".

C.

EXTENT OF RACIAL FEELING IN PALESTINE.

68. It is impossible to exaggerate the gravity of the position erected in Palestine by the various misunderstandings and indiscretions narrated in the foregoing report. On the one hand we are faced with a native population thoroughly exasperated by a sense of injustice and disappointed hopes, panic stricken as to their future and as to ninety per cent of their numbers in consequence bitterly hostile to the British Administration. They are supported and played upon by every element in the Near East of an anti-British character and are ready to throw in their lot with any leader who will rise in revolt against Allied Authority. Already it is said that elaborate plans are being discussed and dates fixed for an insurrection which may involve the whole of Islam in the Near East. In this connection the [p79] evidence of Dr. Paterson and Colonel Bramley is worthy of careful consideration and although a good deal of plotting and conspiracy of this character may be said to be endemic in the East, the signs and warnings openly displayed cannot safely be ignored. It has been said by the Zionists that the popular excitement is purely artificial and largely the result of propaganda by the effendi class, which fears to lose its position owing to Jewish competition. It is sufficient to quote the evidence of Major Waggett with which the Court finds itself in full accord, when he says: "It is very important to realise that the opposition is by no means superficial or

manufactured, and I consider this a very dangerous view to take of the situation".

On the other hand we have the Zionists, whose impatience to achieve their ultimate goal and indiscretion are largely responsible for this unhappy state of feeling, now bitterly hostile to the British Administration and suffering under a sense of injuries inflicted, which, in their view, ought to have been anticipated and avoided. They are ready to use their powerful foreign and home influence to force the hand of this or any future Administration. If not carefully checked they may easily precipitate a catastrophe, the end of which it is difficult to forecast. While it is certainly not a case for despair, it is equally certain that what is needed is a very firm hand exercised by the Mandatory Power, making it quite clear to all parties that while the Balfour [p80] Declaration is a chose jugee which will most inevitably be executed, the Administration will nevertheless hold the scales as between all parties with rigid equality: that the Zionists must be content to exercise patience and gain their National Home by such gradual and reasonable methods as the country is capable of supporting and that the native population must cease from allowing themselves to become the catspaw of anti-Allied and anti-Christian conspirators and learn to acquire a perfect confidence in the Administration's firm resolution to protect them and their interests in the country which they have an undoubted right to consider their own.

D. CONCLUSIONS.

69. The following are the considered opinions submitted by the Court:-

1. That the causes of the alienation and exasperation of the feelings of the population of Palestine are:-
 1. Disappointment at the non-fulfilment of promises made to them by British propaganda.
 2. Inability to reconcile the Allies' declared policy of self-determination with the Balfour Declaration, giving rise to a sense of betrayal and intense anxiety for their future.

3. Misapprehension of the true meaning of the Balfour Declaration and forgetfulness of the guarantees determined therein, due to the loose rhetoric of politicians and the exaggerated statements and writings of interested persons, chiefly Zionists.
 4. Fear of Jewish competition and domination, justified by experience and the apparent control exercised by the Zionists over the Administration.
 5. Zionist indiscretion and aggression, since the Balfour Declaration aggravating such fears.
 6. Anti-British and anti-Zionist propaganda working on the population already inflamed by the sources of irritation aforesaid. [p81]
2. That the Zionist Commission and the official Zionists by their impatience, indiscretion and attempts to force the hands of the Administration, are largely responsible for the present crisis.
 3. That the Administration prior to the riots on the whole maintained under difficult circumstances an attitude of equal justice to all parties and that the allegations of bias put forward by both sides, Arab and Zionist, are unfounded.
 4. That the Administration was considerably hampered in its policy by the direct interference of the Home Authorities, and particularly by the fact that the late Chief Political Officer, Colonel Meinertzhagen, acted as a direct channel of communication with the Foreign Office independent of the High Commissioner and submitted to the Foreign Office, advice, not only independent of the High Commissioner, but at times contrary to the latter's considered opinion.
 5. That the non-publication of the Foreign Office declaration of policy, though rejected for serious reasons, was an error.
 6. That although the deliberation over a policy of accepting the Emir Feisal as titular King of Palestine might have aggravated the local situation, had it become publicly known, there is not sufficient evidence to show whether it did so become known to other than the Zionists, who undoubtedly were alarmed at it.
 7. That the Military Governorate of Jerusalem failed to make adequate preparations for a possible disturbance at the Nebi Musa Pilgrimage in spite of the receipt of warnings and ample knowledge of the situation, such failure being probably due to

over confidence induced by the success of the police authorities in handling earlier demonstrations.

8. That in spite of the prohibition of political demonstrations no definite instructions were issued by the Military Governorate to the police to prevent the delivery of inflammatory speeches on the occasion of the Nebi Musa pilgrimage.
9. That the decision to withdraw the troops from inside [p82] the city at 6 a.m. on Monday, April 5, whoever was responsible for it, was an error of judgement.
10. That the Military were slow in obtaining full control of the city after Martial Law had been proclaimed.
11. That the situation at present obtaining in Palestine is exceedingly dangerous and demands firm and patient handling if a serious catastrophe is to be avoided.

(Signed)	P.C. Palin,)	
	Major General)	President.
"	G.H. Wildblood,)	
	Brigadier General)	
)	Members.
"	C. Vaughan Edwards,)	
	Lieutenant Colonel)	
"	A.L. McBarnet,)	
	Judge Courts of)	Legal
	Appeal, Egypt.)	Adviser.

Port Said.
1st July, 1920.

* The Defence Scheme prepared by his G.O.C. troops actually contemplated an attack on the Jewish population.