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SPECIAL COMMITTEE ON PALESTINE

VERBATIM RECORD OF THE TWENTY-FOURTH MEETING (PUBLIC)

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

PRESENT:

CHAIRMAN:	Mr. Sandstrom	Sweden
	Mr. Hood	Australia
	Mr. Rand	Canada
	Mr. Lisicky	Czechoslovakia
	Mr. Garcia Granados	Guatemala
	Sir Abdur Rahman	India
	Mr. Entezam	Iran
	Mr. Blom	Netherlands
	Mr. Garcia Salazar	Peru
	Mr. Fabregat	Uruguay
	Mr. Simic	Yugoslavia
SECRETARIAT:	Mr. Hoo	Assistant Secretary-General
	Mr. Garcia Robles	Secretary

CHAIRMAN: I call the meeting to order. The agenda for today's hearing contains two points: Public hearing of representatives of the Jewish Agency and public hearing of representatives of Vaad Leumi.

I think we can adopt this agenda.

It is adopted.

Then we are going on with the questioning of the representatives of the Jewish Agency. First, I might ask if anybody wishes to put any questions to Rabbi Fishman.

Sir ABDUR RAHMAN (India): I have one or two questions.

Mr. KAPLAN (representative of Jewish Agency): Rabbi Fishman is not here. He was not informed that he was to be

questioned.

CHAIRMAN: Then we will postpone those questions. Will Mr. Horowitz, Mr. Kaplan and Mr. Bernstein come to the table.

(Mr. Horowitz, Mr. Kaplan and Mr. Bernstein took seats at the table).

CHAIRMAN: For my part, I only wish to repeat my requests for the maps we spoke of during your address.

Mr. KAPLAN: The scheme was sent to you, in eight copies. The other maps will be sent tomorrow.

CHAIRMAN: Does any other member wish to ask any questions?

Sir ABDUR RAHMAN (India): Yes.

In compiling data on infant mortality, did you calculate the rate of immigration among people in different economic strata or in different economic groups of Arabs and Jews?

Mr. HOROWITZ: My data on infant mortality was based on Moslem population. We did not give any data on the Jewish population, where the decrease is also very pronounced, but what it was intended to prove was that the infant mortality of the Moslem population decreased concurrently and in ^{exact} correlation with the increase in the share of the Jewish population. The data were given only for the Moslem population of Palestine. Although there is some immigration of Moslems into the country, it is so small that it could not affect the final figures to any considerable extent.

Sir ABDUR RAHMAN (India): That is not the answer to the question.

Mr. HOROWITZ: Maybe I misunderstood the question; please repeat it.

Sir ABDUR RAHMAN (India): Did you calculate the rate of infant mortality in the different economic strata or in the different economic groups of Arabs?

Mr. HOROWITZ: We took Moslem rural infant mortality. That represents the most representative cross-section of the Arab population, and the poorest one, the Arab fellahin, which represents

about two-thirds of the Arab population of Palestine.

Sir ABDUR RAHMAN (India): I do not think then that you have calculated infant mortality with reference to the grouping of each family.

Mr. HOROWITZ: No, there are no data for such an analysis. Moreover, we did not think that this was in any way relevant to the case.

Sir ABDUR RAHMAN (India): Did you calculate the economic returns from the capital that is being sunk in for the purpose of increasing the absorptive capacity?

Mr. HOROWITZ: Yes, sir,

Sir ABDUR RAHMAN (India): Is the increase of the present economic absorptive capacity commensurate with the vast amounts of money which have been invested for that purpose or with the return that you get from these investments?

Mr. KAPLAN: The cost of colonizing Palestine is less than the cost of colonizing in most other countries, for example, in Australia. If you take the cost per person or per family in Australia and Palestine, or in Canada and in Palestine, you will find that we invested here less than the Government or other agencies invested for colonizing there. Since you ask the question, certainly we are spending quite a good sum of money for colonizing, but otherwise, the Government should have done that. But if you ask me if the cost of colonization is commensurate with the increase in the absorptive capacity, my answer is yes.

Sir ABDUR RAHMAN (India): To what extent are the Jewish colonies indebted to the Jewish National Fund? I believe some figure was given by you to the Zionist Congress.

Mr. KAPLAN: When you say Jewish National Fund, there are two: One is with regard to land. With regard to land there is no question of indebtedness because they are paying only for the lease and they are paying a certain percentage in accordance with

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the cost of the land and the productivity. In the agricultural field it is mostly 2 percent. The indebtedness to the Palestine Foundation Fund and the other agencies connected with it is approximately four to five million pounds.

Sir ABDUR RAHMAN (India): was that the figure that you gave the Zionist Congress?

Mr. KAPLAN: No. You asked me what the indebtedness is to the National Fund. At the Zionist Congress, I discussed the total question of the agricultural debts of the Jewish Settlements in Palestine. That includes quite a lot of private loans and commercial loans.

Sir ABDUR RAHMAN (India): what was the extent of that loan.

Mr. KAPLAN: My approximate estimate now is about 11 to 12 million pounds. It may be of interest to add that it is less now than the agricultural products per year. If you take the agricultural output and compare it with the indebtedness, it is less than the agricultural output of one year.

CHAIRMAN: What is the difference?

Mr. KAPLAN: A very small one. Our estimates of the agricultural output of last year was about 14 million pounds. I am speaking of the Jewish mixed agriculture.

Sir ABDUR RAHMAN (India): are you not getting very large sums of money from America and other places and are you not concentrating your efforts to get Palestine as a Jewish State, regardless of the monies which are being spent on improvement of the country.

Mr. KAPLAN: I will have to divide that question into quite a few parts. I answered to the first part in my statement, and I do not intend to repeat it. May I remind you that I said in my statement that the collections made throughout the Jewish world are

very substantial and they are made in order to absorb new immigrants and to increase the absorptive capacity of Palestine. Among these countries, the United States plays a very substantial role. There are now five million Jews in America. It is the largest Jewish community and the richest. Therefore, we now receive the greatest part of our contributions from America. If you ask me whether we collect money in order to absorb immigrant and develop our country, the answer is yes, certainly. If you ask me whether we have taken into consideration the cost, if the implication is that we are investing or spending money without paying any attention to whether the cost is fantastic or not, my answer is no. We are trying to save the cent and the dollar and to invest it under the existing conditions in the best possible way. And we are giving an account to our contributors throughout the world, and to the Americans, in order to show, from our point of view, that it is quite a good investment. It is an investment to revive the Jewish people.

Sir ABDUR RAHMAN (India): Are there any Arab villagers who are entirely landless?

Mr. KAPLAN: I will call your attention, in connection with this question, to the Government Survey prepared a year ago. There is a chapter entitled Displaced Arabs, and there is quite a lot of information with regard to the registration conducted not by us but by the Government with regard to the displaced Arabs. You will find there the figure, which has been arrived at after long investigation, after years and years, the total number of acknowledged displaced Arabs are 666. The Government made certain facilities in order to resettle them. Only half used these facilities; the other half refused. You may receive more detailed information on this from Mr. Shertok, who will also answer to the question that the representative of India

/raised yesterday.

raised yesterday.. But all the figures that I am stating now can be found in the Government Survey. I mentioned the total a few moments ago, 666. Only half of them used the Government facilities to be resettled. The others thought it was not worth while because they found other occupations or sources of livelihood.

CHAIRMAN: Is there any indication of what became of the half that did not use the facilities of the Government?

Mr. KAPLAN: There are certain indications in the Survey. But we have some additional material that Mr. Shertok will prepare for you.

Sir ABDUR RAHMAN (India): Do you consider that the average Arab holding is adequate for the maintenance of the Arab family at a reasonable standard of living under present conditions?

Mr. KAPLAN: I tried to give quite a detailed answer in my address. I do not wish to go into the matter but I will say, if you compare the Arab holdings in Palestine and the Arab holdings in Trans-Jordan, and if you will compare the standard of living, you will find that the condition of the Arab fellahin is much better. If your question is whether the position of the Arab farmer or fellahin is a satisfying one, I will say no, but it is not connected with the question of the size of the land. His position was worse twenty years ago. It is in connection with the question of the use of the land. I may call your attention to what I said previously when I went into this at great length. I do not wish to repeat it.

Sir ABDUR RAHMAN (India): In view of the existence of a deficit and the gradual increase in the Arab population, which doubles its numbers in approximately twenty-seven years, is it not necessary to adopt a land policy to safeguard the rural population?

tion?

Mr. KAPLAN: Again, it is the same question that we are discussing. I am trying to make my point clear. Perhaps I did not succeed. First of all, the Arab agricultural population increased during the twenty-seven years. I do not know the exact figure for the twenty-seven years, but I can give you the figure for about fifteen years. In my figures, the agricultural population increase by about 30 percent. What I am trying to say is that it is not a question of land reserve. There are large land reserves in Palestine. They are now either uncultivated - they are even called uncultivable - and we have to convert them into cultivated land, or they are cultivated very extensively. If the Bedouin in Negeb is using 499 dunums of land, he is conducting a miserable living. He can conduct quite a good living if he will improve the form of use of the land and if we introduce irrigation. Therefore, there is a question of land tenure. I have also stressed the question of what I call the necessity of land reform. It is not a question of quantity. It is a question of legislation and a question of the use of agriculture. You have tremendous reserves of land in Trans-Jordan and Iraq that has probably been under cultivation for hundreds of years. What is the situation there and what is the situation here?

Sir ABDUR RAHMAN:(India): Was Palestine industry able, before the war, to compete with foreign industry?

Mr. KAPLAN: No, but I think Mr. Bernstein can give that answer, since he is the person to whom to address questions on industry.

Mr. BERNSTEIN: Palestine industry before the war was chiefly for the local market and could compete with foreign industry to the extent that this industry produced a good bit sold here in the country. Industrial export did not exist at that time. There was a certain margin between foreign produce and Palestine produce; but the margin was not so big that the local produce

could not be sold here.

Mr. KAPLAN: One moment, I would like to correct myself. I did not follow the question. I thought when you said before the war that it was the first war. Then there was no industry, so the question was the one to which Mr. Bernstein gave the answer.

Sir ABDUR RAHMAN (India): Have Lebanon and Syria developed during the past twenty-five years?

Mr. HOROWITZ: I do not know if we should deal with Lebanon and Syria, but there was a certain progress - however, in no way comparable with ~~the industry~~ ^{that} of Palestine.

Sir ABDUR RAHMAN (India): One more question, and I shall have finished. Were the Jewish settlements in general self-supporting before the war?

Mr. KAPLAN: I have one remark with regard to what we call the method of our colonization. The method of our colonization is that a group organizes itself and negotiates with what we call national institutions. The national institutions, together with the group, prepare the so-called coordination scheme, but the group is absolutely independent in fixing the form of its life. The execution of the agricultural colonization plan takes time. It is not a question of a year. Sometimes it takes quite a few years. When the scheme was executive, and they had a full colonization loan - because we do not give grants, but only loans - all the settlements were self-supporting, before the war.

CHAIRMAN: Before the last war?

Mr. KAPLAN: Before the last war all settlements were executive and they received what we call the full body or full loan for equipment, and were self-supporting. There were many settlements in the process of colonization.

I will give you an example. If it was a question of orange growing, establishing an orange grove takes five years, each

year you have to invest additional funds. They were receiving the additional part of the loan. But to the question that you asked me, my answer is yes. I say that in the last years we were trying to make general the total income and expenditure of Jewish agriculture. There was net surplus of income.

CHAIRMAN: Have you exhausted your questions?

Sir ABDUR RAHMAN (India): Yes.

Mr. HOOD (Australia): This is only a question related to the point just mentioned by Mr. Kaplan. Could we have some precision and rather more details on the term "self-supporting"? Would you, for example, include on that side the repayment, at ordinary rates, of capital invested?

Mr. KAPLAN: I shall try to give a few additional remarks. Maybe it will be of interest to state that of the payments due on the loans to the Jewish Agency in connection with the colonization mentioned a moment ago, about 85 percent were paid on time.

May I add a second remark, that hundreds of our settlers paid during the war, despite the fact that they were entitled to repay the loans ten, fifteen or sometimes twenty years later, and they settled the whole at once.

When you ask the question of being self-supporting, it is a very simple one. The question is, when we say we are taking the income, we are taking the expenditure. Then we are taking the payments to be paid as interest due in the first stages; the question is, does the income cover expenditure, and have they certain reserves for payments of their debts? Is that clear enough?

Mr. HOOD (Australia): Yes.

CHAIRMAN: Are there any more questions?

Mr. FABREGAT (Uruguay): You mentioned on page 8 of your evidence a draft law called the Irrigation and Water Bill, 1947. Would you consider that as restrictive and not creative? Would you

describe in general terms the provision of this law and the means of implementation provided by the Government of Palestine?

CHAIRMAN: Which laws?

Mr. FABREGAT (Uruguay): The Irrigation and Water Bill. Do you consider this law as restrictive and not creative?

Mr. KAPLAN: First of all, I wish to say I said it is a draft of a law, and we still consider submitting to the Government our criticism in detail, in writing, with the hope that this law may be changed. We consider it bureaucratic and restrictive. As I said, there is no recourse to the law. The officers are identified for what they may do. They cannot be asked for identification if it was ascertained that there was, say, some omission or some mistakes by depriving a person of water. You have no way of approaching anybody. There is only one possibility of appeal, to the High Commissioner of Palestine, and we cannot appeal directly, but through the Irrigation Officer, and his decision is final. You cannot explain, you cannot discuss it. There is a proposal to have a kind of advisory committee, but it is the right of the gentlemen in authority to ask the advice of the Committee or not to ask it, to accept the view of the majority or not to accept this view. In accordance with the law, the officer may decide how far you can use the water - sixty kilometres per hour, eighty, one-hundred, one-hundred and fifty - it does not depend upon the work, it depends upon his decision. He can prescribe to you how to use the water. You should use the water from your own well, or somebody else will use the water. You must give the water to the others. You see, it gives to the Government, or the Government authorities, very large powers, and as I said, on the strength of our experience we often meet doubts, because of the uncertainty. You cannot keep this part; you cannot use it; you cannot transfer the water.

Because of this experience we are afraid that the law will be used in a restrictive manner and not for development. If
/the law

the law becomes a part of a large development scheme under public supervision, we would discuss it in another way.

CHAIRMAN: Did I understand rightly that this point is of a draft law?

Mr. KAPLAN: I said in my statement it was a draft law.

CHAIRMAN: So it has no immediate interest, but for the future?

Mr. KAPLAN: I hope it will not have.

Mr. FABREGAT (Uruguay): I have another question, but addressed to Mr. Bernstein. Is this the moment for this question?

CHAIRMAN: Yes, if it is on the subject under discussion.

Mr. FABREGAT (Uruguay): In connection with your remarks on page 15 of your statement about oil concessions, is it possible to know the date on which those oil concessions were granted, to which companies and under which conditions?

Mr. BERNSTEIN: I do not have all the particulars here among my papers, but the information may be found in the Gazette of the Palestine Government.

Mr. HOROWITZ: There was a special Gazette published at that time. It was under Sir John Chancellor. It gives the concessions, the concessionaires, the dates and the names of the companies are clearly elucidated and set forth as well.

Mr. FABREGAT (Uruguay): May I obtain that Gazette?

Mr. HOROWITZ: Certainly.

Mr. FABREGAT (Uruguay): Will you supply it to me?

Mr. HOROWITZ (Uruguay): Yes.

CHAIRMAN: Can you indicate the approximate dates when these concessions were given? Was it at the beginning of the Mandate?

Mr. HOROWITZ: No, it was under Sir John Chancellor, *between*
about 1928 and 1930.

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CHAIRMAN: Does anybody else wish to ask any more questions?

Mr. BLOM (Netherlands): I would like to ask a question about the absorption of immigrants. I would like to know how the prospective immigrants are selected at the present time within the small quota provided by the regulations.

Mr. KAPLAN: A part of the so-called permits or certificates are appropriated directly by the Government - now, quite a substantial part - and therefore the selection is made ^{there} by the Government itself. A part is appropriated for displaced persons in the British zone. There the selection is made by the British Military representatives in consultation with the representatives of the Jewish Agency. A third part is now allocated for our people in Cyprus. The selection in Cyprus is also made by the Government Authorities in consultation with our people. We are trying to give first priority to children, especially orphans. Then there is the question of whether they have relatives, the question of their fitness for the country. The Government sometimes tries to allow older people to immigrate.

CHAIRMAN: How many are taken monthly from the Cyprus camps?

Mr. KAPLAN: About 750 per month.

Mr. LISICKY (Czechoslovakia): About 50 percent of the quota?

Mr. KAPLAN: Yes, and about 375 from the British zone. The others are mostly chosen by the Government.

Mr. HOROWITZ: ^{Certificates are also deducted for} ~~As regards~~ soldiers and soldiers' wives. People who enlisted in the British Army during the war and fought during the war against Hitler, if they were not legalized - they were admitted to the army, but not to Palestine - they had to get special certificates which were deducted from the quota; certificate for soldiers who fought in the British Army but came to Palestine before the war or during the war, without a legal certificate - they get a certificate now and it is deducted from the monthly quota

Mr. KAPLAN: I am ready to submit to you in writing the exact distribution of the certificates for the last five months or for the last fifteen months, in accordance with the categories, if you like.

Mr. BLOM (Netherlands): I would like to ask this: in all the documents and calculations about the economic absorptive capacity of this country, all the data concerned with conditions in this country are very carefully calculated and laid out, but my point is, do these calculations also take into account the average physical and mental ability and the standards of education of the prospective immigrants?

Mr. KAPLAN: Yes. Should I elaborate upon it? At one time we had quite a large training system in the different countries. Now we are trying to re-establish this training system and are trying to train people as much as possible, even during their stay in the countries of Europe, for their future work in Palestine. Sometimes we call the process of training a process of rehabilitation. It is a double process today. It is first of all what we call a human rehabilitation, because it is not an easy problem to bring people, after years in concentration camps back to an ability and a desire to work, to do hard work because they want to do so and not because they are compelled by Nazis or others.

One of the parts of human rehabilitation is a physical rehabilitation, a good many of them suffering because of what has happened to them.

Mr. BLOM (Netherlands): Are they suffering mentally too?

Mr. KAPLAN: For the moment I speak of the physical side. There is quite a large work of selection and medical aid. Please remember that it is by no means perfect. There is a great deal to do. We are trying to do our best but there will be many failures.

We are trying also to organize what we call a scheme of employment

employment, even in the camps, together with the Joint Distribution Committee. By chance last week we were negotiating with the Government of Palestine to organize such a scheme of vocational training and employment in the Cyprus Camps in order, as far as we could, to prepare the detainees. But we must recognize that there will be a certain percentage of people to arrive as invalids - what we call social cases, perhaps ^{because} of age or illness - and we will have to take care of them. But I can say that our experience lately - I mean after the time of the Nazis - is quite encouraging, especially amongst the youngsters. I would estimate that of the able-bodied people about 75 percent or 80 percent succeeded in finding work and integrating themselves, as I said in my address more or less into the economic life of the country. That does not mean that the work is finished. We are facing difficult problems but we are trying to meet them, and the result is quite encouraging.

Mr. BLOM (Netherlands): Do I understand that the Agency realizes that there will be, as a consequence of the sufferings most of the people went through, a certain percentage - difficult to estimate - of people who will not be able anymore to do a work of full value?

Mr. KAPLAN: Perhaps, but it is for the time being a small percentage. Among the refugees, here ^{there} are quite a lot of people who are skilled workers, even because of the hard work, in the camps only the fittest were able to survive. Therefore, among them there is quite a number of skilled workers and the process from the point of view of retraining will bring quite a number of refugees into the building trade. There was a scarcity of building workers, and we succeeded in bringing a large number of them in a short time into the building trade and thus expanded our labour force.

Mr. BLOM (Netherlands): Does the Jewish Agency at the moment have any reliable estimate of the total number of Jews from Europe who want to immigrate into Palestine, and do you know how

many of them are living in Assembly Centers?

Mr. KAPLAN: I think you will find all the figures in our book, "The Jewish Case".

Mr. BLOM (Netherlands): That was a year ago.

Mr. KAPLAN: I do not think there has been any substantial change. There were changes in two directions - I may say opposite directions. The number of people in what you call detainees camps, or maintenance camps - I mean displaced persons - has increased. It has not decreased but increased by infiltration of the people from Poland, from Hungary, and partly from Roumania. Mr. Earl Harrison, who was sent by President Truman about two years ago to investigate the situation in Germany - immediately after the war - thought that the number of displaced persons who were in need of settlement and desiring to go to Palestine then was about a hundred thousand. Now the figure, as Mr. Ben Gurion told you, is more than two hundred thousand, and the military occupation forces face this time, from the Jewish displaced persons point of view, a more difficult problem than two years ago, and our people already face the prospect of a third year.

With regard to the other countries, again there is a difference. There are many countries - and I do not wish to put any blame - where the number is still very great - say Roumania. The number of Jews who are willing and need to leave Roumania is not less today than it was two years ago. In the smaller countries perhaps a part of them succeeded in the meantime in settling or resettling. I do not think there is a change in the total figure.

Mr. BLOM (Netherlands): That was my point - whether there are substantial changes after, say, the last year.

Mr. KAPLAN: I regret to say no.

Mr. BLOM (Netherlands): I have a few questions to put

/to Mr. Bernstein.

to Mr. Bernstein. Mr. Bernstein, on page 3 of your address you said, "Jews regard themselves as entitled to a fiscal policy employing the gradually growing taxable capacity of the Jewish Yishuv for the benefit of those who were creating that capacity by their labour and investments, as well as for the benefit of those large sections of world Jewry who need and desire to immigrate to Palestine".

I was wondering whether the policy claimed here would really be a wise policy in any country - to use the taxes paid by one part of the population only for the benefit of that part of the population.

Mr. BERNSTEIN: I cannot say whether it would be a wise policy or not. At any rate, the policy was not conducted, so it is a hypothetical question. I only tried to indicate what were, at the time, the main differences of opinion with regard to conducting business or carrying out of the mandate.

Mr. BLOM (Netherlands) : It says here that the Jews regard themselves entitled to this fiscal policy.

Mr. KAPLAN : According to what we could expect from the Belfour Declaration and the Mandate, and if we take into account the process of colonization, I should like to remind you that we are asked a lot of questions - perhaps not all here in this room - in connection with the extent to which the Jewish Community was self-supporting, and we have heard a lot about the money which is coming from abroad. So if you ask yourself, how can a community which is being established, which is growing cover its needs and its services, then we must say that this must come from the growing taxable capacity of this community. The net result of investment and labour finds itself expressed in a growing taxable capacity, and it is only natural that if you embark on colonization you employ this taxable capacity for the community you are establishing. The fact that we were forced by Government policy to transfer a large part of this taxable capacity to another sector, had as consequence that we had to rely on foreign money for a part of our own services. But perhaps I did not fully understand your question.

Mr. HOROWITZ : Could I amplify the statement ? The situation is such that the statement does not mean that the whole amount of additional taxation must be used only for Jews; it is a different problem. If a third of the population pays two-thirds of the taxes and gets less than one-third - something like one quarter - of the services, the disparity is too pronounced and a part of the additional taxes is not really paid from income but from import of capital in the form of customs duties on various raw materials or means of production. Therefore, a part of the capital which would be used for colonization and expansion

and expansion of machinery for production, was transferred to the Arab population. That point of taxation is highly controversial if you consider the disproportion between the two sections, one-third of the population paying two-thirds of the taxes and using only one-quarter of the money. If it were entirely from income it would still be debatable, but it is partly a kind of taxation on import of capital which develops the country to the benefit of the two sections of the population. That part is to a certain extent unjustifiable. It hampers the process of colonization.

Mr. BLOM (Netherlands) : We know that the declared policy of the Jewish Agency is to raise the standard of living of the Arab population here, and I think therefore that this statement was perhaps put in too absolute a sense.

Mr. BERNSTEIN : It is a formulation with regard to retrospective criticism of the policy that was conducted. If I had to formulate what it would have to be, the formulation certainly would be less absolute.

I should like to add that the question depends to some degree on the general political situation. You asked whether it would be wise to follow that policy. As I pointed out, it would be wise in the sense that then, of our own free will, we could have transferred a part of this taxable capacity to the Arab sector. What I tried to point out in this passage was the fact that all these advantages came to the Arab sector quasi as a gift of the Administration and not as a consequence of Jewish colonization, not mentioning the goodwill which the Jews probably could have obtained from the Arab population by the fact that a considerable part of the taxes - the Jewish taxes - was transferred to the Arab population.

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Mr. BLOM (Netherlands) : We could finish this debate, I think, but I should like to make one remark. In any country where tax regulations impose heavier taxes on the wealthier people, and these funds are used for the poorer people, the wealthy people do not say "I should like to give it to them myself but now it looks like a gift from the Government". I think we could leave it at that.

I should like to put one last question. On page 11 of Mr. Bernstein's address, I read the following sentence : "Meanwhile it should be stated that import licenses have been granted with special liberality for industrial consumer goods that were also produced in this country at a time when it was clear that the transition from war economy to peace economy would severely test the young Palestine industry". Could Mr. Bernstein perhaps explain this with some examples - just elaborate a bit more on what the actual rules were.

Mr. BERNSTEIN : I believe I can do it. The import policy of the Government was to grant import licenses, largely for what you call consumer goods, with severe restrictions for capital goods and raw materials, while we should have thought it to be contrary, and the effect is at this moment that the country is rather swamped with industrial produce of the kind we are making here, while there is a lack of raw materials and machinery. The import was especially heavy in one of the branches most developed in the war years - the textile branch - to such an extent that we tried continually to put some restrictions on the import of those goods by agreements between the merchants and the industrialists.

Mr. BLOM (Netherlands) : Has this policy had as a consequence a decrease in industrial production here ?

Mr. BERNSTEIN :

Mr. BERNSTEIN : At present, at least in the textile branch, yes. There is, I hope, only a temporary reduction in production and work. I cannot tell you the exact percentage but I should say it is near forty per cent in the textile branch. In other branches it is not so much felt.

CHAIRMAN : Cannot the efficient import of heavy goods and raw materials be due to shortage of such materials ?

Mr. BERNSTEIN : It is due in part to shortages but it is due more to monetary difficulties. In fact, it is a question of availability of dollars. I believe we could have had practically all we wanted if we could have used our dollar earnings for purchasing in the United States.

CHAIRMAN : You know of course there is a great shortage of certain raw materials - for example timber.

Mr. BERNSTEIN : To tell the truth, that is one of the legends. There is not such a shortage of timber and we could get as much as we like to buy, and even twice the amount, if we only provide the dollars.

Mr. FABREGAT (Uruguay) : In connection with the immigration problem, has the Jewish Agency any plan in connection with the Jewish children from Europe ? I refer, of course, to those who escaped the Nazi persecution and are now in the Cyprus Camp. I asked this question because I want to know who is now taking care of those children.

Mr. KAPLAN : If you ask me if sufficient care is being taken, I would say no. But if you say who is taking care of them, they are actually taken care of in three institutions. One is a Government institution. I do not know exactly what the relation is but the Government is providing a minimum for the care of children. Then there is the Joint Distribution

Committee which is adding substantial sums. And then the Yishuv and the Jewish Agency have a special institution called "Youth Immigration".

Mr. FABREGAT (Uruguay) : What are the health and cultural conditions ?

Mr. KAPLAN : Very hard. The conditions are very difficult, and we beg for permission to take at least all the children to Palestine. Despite all efforts, the conditions are bad, and the cultural conditions especially.

Mr. HOOD (Australia) : I should like to know whether any estimate can be given, even in very broad terms, of the extent to which the development of the Jewish Community has necessarily relied on existing means of production, particularly foodstuffs, in the Arab community. To what extent has that been the case in the past, and to what extent can any calculations be given ? Is it a necessary factor in the future ?

Mr. HOROWITZ : Fifty per cent of the foodstuffs consumed by the Jewish Community in Palestine are produced by Jewish agriculture. Then, Jewish agriculture in Palestine produces foodstuffs for export, which provide an equivalent for a considerable proportion of the 50 per cent of foodstuffs which we do not produce. There is no difficulty in getting foodstuffs ^{imported.} ~~for import.~~ A part is purchased from the Arab community. At present that part is estimated at something like 15 per cent of Jewish consumption of foodstuffs. 15 per cent is purchased from Arab agriculture; 50 per cent is produced by Jewish agriculture; the rest is supplied through imports. That means the imports represent something like 35 per cent of our consumption of foodstuffs, for which we create a certain equivalent in our

citrus. So the foodstuff ^{trade} balance is almost balanced.

Mr. HOOD (Australia) : Does that mean a constant figure ?

Mr. HOROWITZ : No, the figure for the last year. Each year it changes. It depends on immigration and development of agriculture. In years when we have a large influx of immigration there is a certain ^{lag in} ~~lack of~~ production; it takes time to ~~catch~~ ^{catch} up. In years in which there is an expansion of agriculture we ~~catch~~ ^{catch} up more quickly. It depends on the two factors; on the one hand expansion of agriculture through the establishment of new settlements and expansion of agricultural production in existing settlements; and on the other hand on the increase of the Jewish population. It changes. The figure I provided was for last year.

Mr. KAPLAN : Before the war we produced about a third of our own foodstuffs. During the war we raised the percentage up to 50 percent.

Mr. LISICKY (Czechoslovakia) : I should like to go back to the discussion between Mr. Blom and the representative of the Jewish Agency about the claim put forward in the statement of Mr. Bernstein, that the Jewish community is entitled to get back in benefits for the Jewish community, their share in the taxes. I think the point which was raised by Mr. Blom is quite simple. It is uncontestable that the Jewish community is the wealthier part of the population of Palestine, and it is a common fact that the wealthier part of the population of any country pays the greater part of the taxes. It is common knowledge everywhere in our times, and I think it will be shared even by you because you are insisting - and rightly - on your progressive character. Bluntly speaking, the rich are paying the taxes not for their own benefit, but for the benefit of the poorer part of the

community. So I think it is time to finish with this claim and with this putting forward that the Jews are paying more in taxes than the Arabs. It is incontestable, but quite natural, because the Jews are the richer people here, and if you still hold this view that what you are paying in taxes should be reverted in benefits for your community, in this respect you are reverting to the feudal system. I think that it is not your intention, and perhaps it is time to correct, once and for all, this impression.

Mr. BERNSTEIN : I am afraid there is a bit of misunderstanding on this point. If it were a question of distributing the tax income of some population among the rich and the poor, then it is a fully accepted principle by all of us that taxes must be paid according to ability to pay and must be used according to the need of the different parts of the population.

Mr. LISICKY (Czechoslovakia) : Of the whole community.

Mr. BERNSTEIN : If you will allow me, on this principle there is no discussion at all. What we at the time thought and demanded, but did not get, was as follows. We said, how in this quite exceptional case - not of an existing population but of a colonization where we have to create a community from the beginning - can we find the means of developing this community ? There was a wide discussion on how to finance this colonization. Then the question had to arise, how to use the gradually growing taxable capacity of this community for the further expansion and for the needs of this community ? There were grave doubts in the beginning as to whether a new community would be able to pay its own way. And in this exceptional circumstance, not of an existing community but of a community being created through colonization, we thought to be entitled to use

the taxable capacity of this newly created community for that community. It was not so, and in retrospect I tried to say what we thought at the time. It is now in actual fact a question of proportion, but we do not want to give the impression here that we were not fully alive to the necessity to employ the tax income according to the needs. But I would like you not to forget that this use of taxes in Palestine is not only a question of social equity, but also a political question because the distribution of taxes has an influence on political relations, and this in fact was the point I tried to stress in my remarks.

Mr. KAPLAN : May I call your attention to the additional statement made by me ? I shall quote it : "The Government in its statement advocated the willingness of each to contribute according to his means and the need of the other". We accept this as a general principle, but a fair evaluation of needs and means is imperative to a just application of this principle. We questioned this relation implied by the Government statement. May I give two examples from my personal experience ?

There is a tremendous need for education in Palestine, and I stress that there is tremendous need for education in Palestine also among the Jews. It is also one of the legends that all the Jews are rich. It is not so. We introduced quite a lot of taxes - voluntary taxes, but nevertheless Palestine taxes. The Government issued a law in the 1930's, I think, about twelve or fifteen years ago, giving the municipalities the right to introduce special taxes for educational purposes. Actually, the municipalities are, as you know, under Government authority. For years and years we asked to introduce - I give an example /in this city

in this city of Jerusalem where we are now - an educational tax, and it is not true that the Arab community in Jerusalem is a poor one. It is sufficient to walk through the streets of Jerusalem and see the Arab houses to see there is a large number of very rich Arabs, as there is quite a large number of rich Jews. We begged to introduce such a tax. We could not achieve it up to a year and two years ago, and even now if you compare the taxes paid by the rich sections of the population - rich Arabs and Jews - and here I say by the rich sections for the sake of such essential needs - I dare say some Arab villages in proportion have paid more for their education than the rich Arabs of Palestine.

Now I will give you a second example. It was in the statement mentioned by our War Economic Advisory Council. I had the privilege of being among the War Economic Advisory Council and we discussed the question of taxation. There was a suggestion to introduce estate duties into Palestine. It is not a tax upon the poor and there is no racial discrimination. The Arabs opposed stubbornly the introduction of estate duties. They even quoted religious reasons, and then we asked if there was such a tax in Egypt and Iraq and said that we needed the money badly for a lot of social services in Palestine. But because of the opposition of the Arabs, - probably not the very poor Arabs - this draft, which was already started, was not introduced. What we question is the evaluation of the means. If you will take the income tax paid in Nablus - I think you visited Nablus - and compare it with a small township - a Jewish township - you will see the income tax paid there and see quite a difference; not a difference of wealth, but a

/difference in

difference in the execution of the law. We question the evaluation of the means. We do not question the principle that you stated, and we can give quite a lot of figures to show it because we said, as Dr. Weizmann said, sometimes it is an appeasement, but an appeasement in the tax field.

Mr. RAND (Canada) : I would like to ask Mr. Horowitz a question. He stated that about 15 percent of the food requirements in the Jewish community was furnished by the Arab community. Can he give an estimate of the total economic exchange between the Jews and the Arabs in all fields ? In other words, fifteen percent of the food consumed by the Jewish community is furnished by the Arabs.

Mr. HOROWITZ : I said that fifty percent of the foodstuffs consumed by the Jewish community is provided by Jewish agriculture and fifteen percent by Arabs.

Mr. RAND (Canada) : Well, that is what I said, - fifteen percent. Now, can you give me an estimate of the total economic exchange between the Jews and the Arabs in this country ?

Mr. HOROWITZ : It would be quite impossible to give in actual figures. We only know that if you have a kind of trade balance between Jews and Arabs, that trade balance would be greatly adverse to the Jews.

Mr. RAND (Canada) : Could you indicate the commodities ?

Mr. HOROWITZ : Yes, I can. First of all, there is agricultural produce. We do not sell any agricultural produce to the Arabs although fifteen percent of Arab produce are sold to the Jews, e.g. fifteen percent of the Jewish consumption of foodstuffs. In absolute figures, this is a very high proportion of agricultural surplus produce, our Arab population being a population with a high consumption of foodstuffs; it is in

absolute quantities of foodstuffs a very considerable item in the income of Arab agriculture. It is only fifteen percent of our consumption, but a very considerable item in the income of Arab agriculture, as is shown by the raising curve of the production of these foodstuffs.

Mr. RAND (Canada) : What do you mean by agriculture as distinguished from foodstuffs ?

Mr. HORCOWITZ : I mean food products. That is one thing. Secondly, we have fodder. ~~as we produce~~ We have intensive agriculture. We are related to Arab agriculture to a certain extent, like Denmark to countries from which it buys foodstuffs for animals. We concentrate on poultry raising, dairy products, and so on, and as we do not have enough land we do not produce enough feeding stuffs; here the proportion of our purchase of Arab agriculture is considerably higher.

The third point - again we buy from the Arabs but they do not buy back from us, we buy a considerable proportion of building materials from Arabs, stone, groundstone, and ~~that~~ ^a kind of ~~coarse~~ sand. This is a branch which employs many Arabs in the country. The produce is sold in a preponderant part to the Jews, as the Jewish building movement is doing the preponderant share of building in this country.

Fourth, a large proportion of the Jewish population lives in houses built by Arabs, who let them out to Jews, as it is a very profitable occupation.

Fifth, employment. For every Jew employed in Arab economy, if there are any, there are at least one hundred Arabs employed in Jewish economy, in Jewish services, in some Jewish industrial undertakings, Palestine Potash, etc.. For every Jew employed in Arab economy there are at least one hundred Arabs, and I think

the estimate is very conservative, employed in Jewish economy. Sixth, That is the next channel of transition. /a further channel of transition is revenue. Whether someone approves it or not, revenue is ~~a transition~~ ^{represents a transfer} in the balance of payment between the Jewish and Arab community. Seventh, the sale of surplus land which goes into millions of pounds is also one-way traffic. All these seven channels form a kind of combination of connected vessels ^{by} of which a considerable proportion of the import of Jewish capital is transferred to the Arab community. An additional factor is the relation in the foreign trade between Palestine and the neighbouring Arab countries which, in the course of a few years, created a deficit of LP 26,000,000 in the trade balance between Palestine and these countries. It is almost exclusively due to the development of the country by the Jews and the tremendous purchases by us from the neighbouring Arab countries, so that we not only provided capital for the development of the Arab sector of ~~the colony in~~ Palestine, but to a considerable extent we are the providers of capital ~~ization~~ and ~~financing of~~ ^{finances for} development in neighbouring countries. And, the larger the Jewish immigration, the larger these trade deficits, particularly so now, when the Arab boycott ^{decreased} ~~increased~~ particularly our exports to those countries. But we ~~are not alone,~~ and have not the power to use that deficit in trade balance as a means of a bargaining weapon - to say : if you continue with the boycott, we shall not buy from you. We cannot do it because we do not have the government authority. So, in that case, the ~~the~~ very reward for the boycott is the increasing profit to the neighbouring countries from the Jews of Palestine.

Mr. RAND (Canada) : These purchases that you say you make

from the neighbouring Arab countries, are they produce or transit goods ?

Mr. HOROWITZ : They are not transit goods. They are the produce of the country, mainly raw materials, foodstuffs, etc..

Mr. RAND (Canada) : Is there any perceptible interchange in Palestine in manufacturing goods between the Jews and the Arabs ?

Mr. HOROWITZ : There is a sale of Jewish manufactured products to the Arabs. That is the only item which goes the other way around, but it is in no way comparable with all these seven items which I mentioned. It would be a very small, almost negligible fraction in the balance of payments. Even now there is an official ~~boycott~~ in the country which is not effective. That ineffectiveness proves that the boycott would be even less effective in Egypt and Iraq. It is effective in these countries by the prohibition of the Government of these countries in the issuance of import licenses for Palestine goods. When the Arab buyer, purchaser or consumer has to decide for himself, he finds ways and means, which I cannot mention here for obvious reasons, to resort to subterfuge in ^{various} ~~obvious~~ ways to buy Jewish products, of course, in negligible proportion ⁱⁿ ~~to~~ the balance of payments, but it proved very conclusively that the boycott is very ineffective when the Arab consumer has to decide by himself.

Mr. RAND (Canada) : Is there any degree of reciprocable purchase by the Jew of Arab manufactured products ?

Mr. HOROWITZ : No, the Arab industry forms something less than 10 percent of the industry of Palestine. It is not an industry. There are small workshops which do not have ^{many} products for sale. The only industry in the Arab community is the soap industry in

industry in Nablus. This soap industry is a special product which has a ready sale only among the Moslem population, because for religious reasons they prefer having the pure vegetable contents in the soap. It has a guaranteed religious value and it does not contain any animal fats. It has a very coarse external appearance and is bought mainly in Egypt and Palestine by pious Moslems, because that is the only kind of soap which has the guarantee that it does not use any animal fats. Therefore, it is a kind of special product.

Mr. RAND (Canada) : You do not smoke the Arab tobacco ?

Mr. HOROWITZ : We do, in very considerable proportions.

Mr. BRILEJ (Yugoslavia) : Mr. Chairman, I was told that the taxes in Palestine are twice as high as, for instance, Lebanon, four times as high as Syria, and ten times as high as Egypt. Can you tell us something about this comparison ?

Mr. HOROWITZ : Per head or per population ?

Mr. BRILEJ (Yugoslavia) : Per head.

Mr. HOROWITZ : I could not tell you exactly whether the figures are correct but to a certain extent it is true, as two-thirds of the taxes are levied on the Jews - the revenue is much higher because the Jewish population has a much higher yield in taxation. But if you take only one-third and compare to the figures provided by you, you will find about the same taxation for the Arab population as in the neighbouring countries. But there is an additional yield of taxation from the Jewish population which, in its predominant part - I do not complain about it - goes to improve the service of the Arab population, so that this particular structure of the taxable capacity of the country is all to the benefit of the Arab population in Palestine.

Mr. BRILEJ

M. BRILEJ (Yugoslavia) : We had here a statement made by the Jewish Agency that the oil companies do not pay customs, and do not pay income taxes. I would like to know if only oil firms enjoy such privileges, or whether there are other firms in Palestine with such privileges.

Mr. HOROWITZ : There are no other items of that kind. That is a separate agreement between the Palestine Government and the companies which established the refineries. The pipeline was laid in 1929 or 1930. When the contract was concluded, these privileges were afforded to these companies exclusively.

Mr. LISICKY (Czechoslovakia) : Is this exemption of taxation temporary or for the whole duration ?

Mr. HOROWITZ : For the whole duration.

CHAIRMAN : Are there any further questions ?

(No response).

CHAIRMAN : Then we consider the questioning of you, gentlemen, as concluded. Of course, we reserve our right to return to questions on other matters, if we should like to, later on.

I now recall Rabbi Fishman.

(At that point, Rabbi Fishman took his place at the table, and his remarks which were made in Hebrew were interpreted by Mr. Kaplan.)

Sir Abdur RAHMAN (India) : Rabbi Fishman, I do not know the Bible, I do not pretend to know it, but I should like to get information from you, your point of view, and I hope you will enlighten me as to what you have to say in regard to a few matters which I will put to you.

Rabbi Fishman, what was "the Promised Land" ?

/Rabbi FISHMAN

Rabbi FISHMAN : The Promised Land was quite a large one, from the river of Egypt, up to the Euphrates.

Sir Abdur RAHMAN (India) : It included the whole of Syria ?

Rabbi FISHMAN : Yes, a part.

Sir Abdur RAHMAN (India) : The whole of Trans-Jordan and Iraq ?

Rabbi FISHMAN : No.

Sir Abdur RAHMAN (India) : The whole of Syria, Lebanon, present Palestine and Trans-Jordan ?

Rabbi FISHMAN : Yes, possibly part of Syria and Lebanon.

Sir Abdur RAHMAN (India) : When was the promise made by God ?

Rabbi FISHMAN : The promise was given to Abraham, Isaac and Jacob, about 4000 years ago.

Sir Abdur RAHMAN (India) : When was it confirmed by God ?

Rabbi FISHMAN : It was reaffirmed to Moses.

Sir Abdur RAHMAN (India) : Did God also promise that twelve tribes would arise out of Ishmael, son of Hagar and Abraham ?

Rabbi FISHMAN : It was definitely stated, the sons of Isaac would inherit the land.

Sir Abdur RAHMAN (India) : That was not the question. Did God promise that twelve tribes would arise out of Ishmael or not ?

Rabbi FISHMAN : He said not. Twelve tribes would arise only out of Jacob the son of Isaac.

Sir Abdur RAHMAN (India) : When did Cyrus, the Persian king order the Jews to return to Jerusalem ?

Rabbi FISHMAN : It was approximately 2400 years ago.

Sir Abdur RAHMAN (India) : Was not the promise of God made to Abraham and Moses fulfilled by Cyrus' order of return to Jerusalem ?

Rabbi FISHMAN : Cyrus gave only a part of the land to the Jews.

Sir ABDUR RAHMAN (India): And therefore, according to you, a part of the promise of God was redeemed.

Rabbi FISHMAN: Maccabeans enlarged the area that Cyrus gave back to the Jews. Cyrus put in his proposal to Jews only a part of the country and the Maccabeans later expanded that part.

Sir ABDUR RAHMAN (India): Did the Arab Prince Yoshan object to the Jews return with Cyrus' order and try to stop them?

Rabbi FISHMAN: After the exile, many of the neighbouring peoples occupying a part of Palestine resisted the return of the Jews. Among them was also the gentleman mentioned by the representative of India.

Sir ABDUR RAHMAN (India): According to the Jews, was their return to this country not to take place with the appearance of the Messiah?

Rabbi FISHMAN: No, in accordance with the Jewish tradition the Jews should return to Palestine before the Messiah comes, and Jerusalem should be a part of Palestine. Only then, after the return of the Jews to Palestine in accordance with the tradition, the Messiah may arrive.

Sir ABDUR RAHMAN (India): How long after the return of the Jews will the Messiah arrive, according to you?

Rabbi FISHMAN: That is a thing nobody can tell.

Sir ABDUR RAHMAN (India): How long has Rabbi Fishman been in Palestine?

Rabbi FISHMAN: Forty-one years.

Sir ABDUR RAHMAN (India): How many synagogues were there in Palestine up to 1917?

Rabbi FISHMAN: I cannot give the exact figure for the moment, but in Jerusalem there were about fourteen synagogues.

Sir ABDUR RAHMAN (India): And outside Jerusalem?

Rabbi FISHMAN: There were a lot in other places such as Jaffa, Hebron, some not existing now, at Safad, Haifa, Tiberias and in all the Jewish villages.

Sir ABDUR RAHMAN (India): Are there any Christian Jews in the country?

Rabbi FISHMAN: It is not for me to answer. There may be Jews who are converted, but I do not mix with them.

Sir ABDUR RAHMAN (India): But are there any?

Rabbi FISHMAN: I do not know, because I do not mix with them.

Sir ABDUR RAHMAN (India): I am asking you if you recognize Christian Jews to the Jews. The Government does not treat them as Jews.

Rabbi FISHMAN: I think that a Jew, even if he has been converted and has committed a sin, is nevertheless a Jew and cannot free himself from the bondages of Judaism.

Sir ABDUR RAHMAN (India): So according to you, a Christian Jew is a Jew?

Rabbi FISHMAN: I wrote a long article about that. Jews who have committed a sin and have been converted cannot free themselves from the bondages of Judaism.

Sir ABDUR RAHMAN (India): So, according to you, all the Christians and all the Moslems are Jews?

CHAIRMAN: Are there any more questions?

Rabbi FISHMAN: That is your opinion, not mine.

Sir ABDUR RAHMAN (India): I am asking your opinion.

CHAIRMAN: We will content ourselves with this answer. Are there any more questions to be put to Rabbi Fishman? Then I thank you, and we will now conclude the hearing of the Jewish Agency.

I suspend the hearing for ten minutes. After the suspension, we will hear representatives of the Vaad Leumi.

(The meeting was suspended for ten minutes).

CHAIRMAN: I call the meeting to order.

We will now hear representatives of the Vaad Leumi. I understand Mr. Ben-Zevie, the President of the Vaad Leumi, is going to give the opening address.

Mr. BEN-ZEVIE (Vaad Leumi): We are a delegation of four.

CHAIRMAN: You may come up as you are going to speak. It is not necessary for all to stay on the platform while one is speaking. You will be called up in your turn.

Mr. BEN-ZEVIE: Permit me, first of all, to extend the greetings of the Yishuv to you, the representatives of the United Nations who came here from west and east to establish the truth about this land and its particular problem, which is unique in the world. We appreciate the trouble you have taken and particularly the interest you have shown in the Jewish settlements, both agricultural and urban. You saw the Holy Places reminding you of millenia of the history of this country, of Jewish history past, and you saw the pioneering generation, paving the way of the future. Be greeted in your task of bringing before the forum of the United Nations the problem of the people of Israel and the Land of Israel.

The Vaad Leumi, the General Council of the Jewish Community of Palestine, represents the entire organized Yishuv of over 600,000 Jews. Every single one of the 340 settlements, rural and urban, are units of the Knesset Israel, as the organized Jewish Community is called. Every four years general elections are held for the Elected Assembly, the supreme parliamentary body of the Yishuv. The last national elections were held in August 1944, when the number of electors amounted to 300,000, of whom 67 per cent went to the polls. We are the only body elected on a democratic basis authorized to speak on behalf of Palestine Jewry.

/We submitted...

We submitted to you a number of memoranda, dealing with history, local autonomy, social services and features of Emergency Legislation, and my colleagues here will supplement the memoranda and reply to questions arising therefrom: Dr. Eliash, our honorary legal adviser and member of the delegation, here on my right, will speak on the attitude of the Yishuv to the problems now confronting Palestine, Dr. Katznelson, member of the Vaad Leumi Executive in charge of Health and Social Welfare, will follow and Mr. David Remez, the Chairman of the Vaad Leumi, will sum up and conclude our evidence.

I for myself wish to supplement here the historical memoranda.

Our right to Palestine is based upon our national history. Like any other nation we claim the elementary right to independence and we identify ourselves with the Jewish Agency demanding the establishment of a Jewish State in Palestine. Although in the course of our history we lost independence, we never gave up our entity as a nation, we never ceased hoping for our return to the Land and the restoration of our State. Only once in its history has this land had its independent statehood, and that was the Kingdom of Israel. The inhabitants who lived in the Land before the children of Israel came here never succeeded in laying the foundation to one political and cultural unit in Palestine. The Holy Scriptures and the living historical tradition of our nation tell us of the Jewish State established not only on the basis of common origin and background, but also of religion, culture, language and ideals. The Jewish State of Palestine existed for almost eleven centuries with small interruptions, from the days of Saul and David up to the darkest days of the destruction of the Temple by the Romans in the year 70 C.E. In spite of the fall of the independent state, the bulk of the Jewish population in Palestine survived for almost another six centuries and shattered remainders clinged to their land and persisted in carrying on the tradition of their people. None of the conquerors in the history of the country, be they Romans, Arabs, Mongols, Mamelucks, or Turks, cared or succeeded in establishing a State, with the exception of the Latin Kingdom which only for ninety years formed a unity of the Land.

We firmly believe that the restoration of independence of the Land of Israel is the historical destiny of the entire Jewish people. In our paper called "Three Historical Memoranda" we prove that the Jewish nation never interrupted its connection with Palestine. In a special chapter, dealing with the continuity of Jewish settlement in Palestine, we prove that there was a Jewish population in existence in Palestine throughout the generations who never departed from the Holy Land and its soil. Moreover, waves of immigration kept coming from the Western as well as the Eastern and Oriental Diaspora.

It is ...

an historical fact that for centuries during the Arab rule, the Crusaders' and the Turkish period, the country remained a waste and disease-stricken Land and a population amounting previously to 3,200,000 in the beginning of the seventh century dwindled down to 673,000 on the eve of the British occupation. Since then the population increased threefold, the whole population increased threefold; the Yishuv, that is the Jewish population, rose from some 60,000 to 640,000. A similar figure of increase was reached by the Arab sector, due both to natural increase and to immigration from neighbouring Arab countries. This was increased by nearly 600,000 during this time. It is remarkable that no similar increase and development took place in the neighbouring Trans-Jordan, originally under the same British Mandate, where general conditions are not very much different from western Palestine and where natural resources are even more plentiful than here.

What is Palestine for us and what is it for the Arabs? For us, it is the sole refuge, the harbour of salvation and the sole hope for our dispersed nation, whilst for the Arabs it is a negligible part of the vast Arab territories. Compared with the Arab territories in Asia alone it represents 0.8 per cent, if we include Arab countries in Africa, Palestine is only 0.4 per cent. Even Arab countries with such natural resources as Iraq have a density of 8 per square kilometre, Syria, 15 per square kilometre. The vast Arab territories and their natural resources leave space for an enormous increase of the Arab population, and for their development they do not rely on this small country of 27,000 square kilometres, while the Asiatic Arab countries alone consist of 3,226,000 square kilometres with a total population of only about 14,000,000.

During the period of the Mandate the Jews made their supreme efforts to build up the country, believing that the process of reconstruction would be favoured and encouraged by the Mandatory according to the letter and the spirit of the Mandate. Instead, the policy of the White Paper of 1939 aimed at stopping further development, immigration and colonisation of the country. We are convinced that if we had had the liberty of taking charge of our own affairs, hundreds of thousands might have been brought to Palestine and been saved. Now we face the fact that over one million of those who survived the Nazi inferno are condemned to utter despair if they are not granted immediate facilities of immigration. The strong links between them and us, among them there are many of their own families, and the wish to be reunited increase their anguish. The homes of the Yishuv are kept open, in every settlement, in every village, in every town dwelling to receive saved brethren.

At the same time the position of Jewish minorities in the neighbouring countries is rapidly deteriorating, politically, culturally and economically. The development during the past twenty-five years of the newly established

Arab States does not provide any chance for non-Arab minorities, be they Assyrians, Kurds or Jews. The sole hope of the Jewish minorities is the exodus.

Our appeal to you is: Open the gates of our country.

Permit me, Mr. Chairman, to conclude with a citation of a prophet who prophesied three thousand years ago, Isaiah: (62.10 ff.) "Go through, go through the gates; prepare ye the way of the people; cast up, cast up the highway; gather out the stones; lift up a standard for the people. Behold the LORD hath proclaimed unto the end of the world, 'Say ye to the daughter of Zion, Behold, the salvation cometh.'"

CHAIRMAN: I thank you, Mr. Ben Zevie.

I recognize Dr. Eliash.

Dr. ELIASH: It was about sixteen months ago, in March 1946, that this delegation sat before this very table and pleaded the same cause which it has come to do today. It then endeavoured to explain the attitude of the Yishuv in matters of general policy, and it is today again to explain its attitude to the problems confronting Palestine today.

I am sure that after all you have heard from the various witnesses who presented the Jewish case, you will be convinced that had anyone predicted sixteen months ago that the people who are pining away in the concentration camps, now called centres of assembly, would pass another winter and would be faced now with a third winter, we would have called them in this country "false prophets", or perhaps, in these modern times, I should say "false experts". But we are again before you to explain the attitude of the Yishuv in these matters.

Now the Yishuv, as the Jewish population of Palestine is generally called, is on the one hand a link, ^{link} to the present day, being in that long chain of Jewish generations in Palestine, which goes back to ^{its} the national ~~race~~ ^{life}, ~~of~~ ^{to} that very national home, which is to be reconstituted in Palestine.

On the other hand, it represents the embodiment of the modern national home called into being by the Balfour Declaration and as a result of that process of rebuilding the Jewish nation to which our sons and our daughters have responded from east and west, from north to south, they have contributed to creating the present-day Yishuv.

You may well ask yourselves why we, the handful of Jews in Palestine, assume to come before you to state a case after it has been so eloquently stated by the representatives - the fully-accredited representatives - of the Jewish people as a whole. I may say, it is because we in Palestine consider ourselves trustees over certain values, certain created and recreated values for the Jewish people outside.

I see that in the Report of the Anglo-American Committee it is stated that one Jewish witness stated to the Commission that the people in Palestine consider themselves "a vanguard of an army which is to follow." I am afraid this statement does not rightly represent what the Yishuv feels about itself. We are here as the beginners of a task, as those to whom the privilege has fallen to start and make it easier for those to come. And that is why we think that the discussion as to whether the national home is already established is both idle and irrelevant, in the same way as it would be idle and irrelevant to discuss whether a child has already reached manhood; ^{so that} it should now be put into a concrete ^{case} ~~case~~. For that is how we see the departure from the policy of the Mandate, that the national home is to be considered crystallised so that it may be petrified; it is ^{to be} considered sufficiently grown so it may be stultified; it is to be considered sufficiently developed so it may now be maimed and crippled.

We, in Palestine, the Yishuv, have come to see that immigration to Palestine is regarded by us as our very life blood, as the very essence of our continued existence and development. It may, perhaps, be strange that an economic entity should not consider itself in a position in which it should advocate the elimination of competition, in which professions, trade unions, merchants, artisans should not come and say, we do not want anyone to come in and compete with us. And perhaps it is also another unique feature among the unique features of the Palestine case that you find that the Yishuv not only suffers through the White Paper in that its next of kin cannot be rejoined, its families and those people have been waiting now for years to see remnants, sole remnants of families who survived the holocaust of Europe, but that it also feels itself stunted in its growth, that it feels itself deprived in the influx of fresh blood, fresh energy, forces which help it to exist and to continue in its growth.

/The position

The position is at present such in Palestine that if a man welcomes in his home his own wife, who may have come into Palestine from a concentration camp, but has not obtained the necessary permit, he would be liable for helping an illegal immigrant and would be facing a penalty of eight years imprisonment and a fine of one thousand pounds. This is laid down in our Emergency Defence Regulations, and the anomalous position has been created that if you harbour a murderer in your home you are only liable to three years imprisonment. What is more, if that murderer happens to be a close relative, you would not be prosecuted at all, but for harbouring an illegal immigrant, whoever he may be, the penalty which faces the wicked person so doing is eight years imprisonment and a fine of one thousand pounds.

It is in these conditions that the Yishuv has been living for the last eight or nine years, and it is this that we have come forward to tell you. The same White Paper has left about two and a half per cent of Palestine where land could be acquired by Jews. You may wonder why the figure is two and a half and not five per cent as was mentioned by other witnesses who have addressed you; it is because half of that area already belongs to Jews, half of the free area, as it is called. But the remarkable provision is also this: it is not as if the legislator, in his wisdom, decided that a certain part of Palestine should be reserved for Jewish development and another part for Arab development. This legislator excluded entirely Jews from the 95 per cent., but left the 5 per cent. - or the two and a half per cent., as I called it - to free competition, not only to free competition in Palestine, but to any Syrian or Egyptian investor who desires to invest his money in land which is bound to rise in price, because the Jews must buy it one way or another. It has so arranged matters that the entire Arab energy, both financially and politically by the way of propaganda can be directed to prevent the sale to Jews of these two and a half per cent. That anyone placing his land on the market can be either persuaded or intimidated not to sell it to the Jews who are free to buy it if they can.

/And in addition

And in addition to that, the Yishuv is at present regarding, as has been stated already to you, with the gravest apprehension new proposed legislation as to the water resources in Palestine. Not the surface water resources, which are ~~invested~~ in the High Commissioner, and as regards which no legislation has yet been proposed, but the underground water resources, which are created by special effort; and as regards these, too, the ~~wide open official views~~ ^{widest possible powers} will be ~~prescribed~~ ^{exercised} by officials whose word will be final and the Yishuv gravely fears lest this be another means of curbing its activities and of restricting its expansion. This White Paper has been introduced to the Yishuv as an introduction to a minority status in Palestine, and I think the Anglo-American Committee of Enquiry have used the word "terror", by saying "community lives in the terror of remaining a minority, and perhaps a steadily diminishing minority in this country." The minority was offered safeguards, and perhaps it may not be amiss if I mention one case of safeguards which has turned out to be of very little protection.

The Mandate of Palestine, which was approved by fifty nations, contained a safeguard in its Article 15, that no legislation shall be passed in Palestine which tends to discriminate between the inhabitants of Palestine on the grounds of race or religion. The Palestine Order-in-Council provided a further safeguard by providing in one of its sections - in fact, in three of the sections - in one of its sections that the Legislative Council of Palestine should not be able to legislate in a manner which discriminated between the inhabitants. In another place, that the High Commissioner should not be able to legislate in that manner, and finally, in Section 89, that His Majesty reserves himself the right to legislate in Palestine only in accordance with the Mandate.

And yet the very same Order-in-Council was amended by the insertion of this Article 16 (d) which discriminates between the people of Palestine on the ground of race and religion and limits the right of the Jews to buy land, even from fellow Jews if they ^{land} happen to be in Zone A.

We are living now in a period where history is rapidly giving new forms to peoples and to governments, and we see before our own eyes how two sections of a great people ^{who joined} ~~were forced~~ to struggle together for their freedom, one of them containing a very large and powerful minority, decided not to rely on safeguards for its future. It may be a very indicative pointer to the Jewish people as to whether safeguards could help a minority living among a majority. Moreover, this Yishuv has real state functions imposed upon it. It has to provide its own social services, and in that connection may I say a word about this question of taxation, which served as a subject of interrogation this morning.

The position in Palestine is not such that the Jewish community is taxed and then the services are equally divided, as a result of which the Arab community benefits by sheer weight of its numbers. If one applied the principle that the rich have to be taxed so that the poor may have their services, one would still wonder whether in any country the rich are taxed and then they are told, "Oh, water? We are not going to give you. Schools we are not going to give you, because you are rich. Hospitals we are not going to give you, because you can provide them for yourselves." It seems to me that if the principle of taxing the rich is common, so also is the principle of giving the essential services to the rich and poor alike. And even if this myth of the Jewish community being the rich and the Arab community being the poor were fully and scientifically established, the iniquity of taxing the Jewish community and then telling it to provide for its own education, its own health and its own necessities, does, in my submission, call for some comment.

But in addition to these functions of maintaining the community as such, it is obvious that the Jews of Palestine will have to do their share -- and the lion's share it will be -- in reestablishing the shattered remnants of Jewry now in Europe. They will have to do it as a people and not as a community. /They will-

They will have to find their place among other nations who are being helped by the richer, the happier of nations to rehabilitate their own people, and as we stand now, a community only without a standing in ^{the} world as a people, we shall certainly not be able to perform that duty.

We also stand entirely defenceless in matters of political action and reaction by others of our neighbours. You have heard about the boycott of our goods; you have heard about the difficulty one has to get across a neighbouring country, the impossibility of procuring a visa for a child if it has to get across a country which does not like any more Jews coming to Palestine. We stand entirely defenceless in that regard. We cannot either suggest reciprocation or appeal to our own practice as Jews for the abolition of those practices against ^{us} it, and it is only when we shall be one day able to act as a people that we shall be able to defend ourselves against these discriminations.

There is another result of this policy - perhaps the most tragic one for us, the people of Palestine - and that is the cancer which is growing in our flesh, the terror of which one hears the Jews as a whole so often accused, with the result that our own children have turned away from the precepts of their fathers. Generations of Jews have taught them the great Command: "Thou shalt not kill" ; and ^{the Yishuv} ~~that issue~~ is rent and torn between ^{the} desire to eradicate the cancer and the impossibility of cooperating with a Government which has proclaimed as its declared policy to condemn us to the status of a minority in this country. As a result, we have lived now for years in a regime of defence regulations. You will find that these regulations have become quite a substantial part of the Statute Book of Palestine. They have been given the dignity of a special edition by the Government, in which they are all collected until 2 March 1947. Since then they have again been increased, ^{improved} ~~approved~~ and amended. You will find in them that laws can be promulgated even orally without any publication; that they can be contrary to any other law of the country and yet would prevail. That other law may even be the Order-
/in-Council itself

itself-that great source of safeguard. You will find that property and liberty are not properly protected. As a result hundreds of people are in detention camps. That many of them are innocent is obvious from the fact that some of them get gradually released as investigations proceed.

Is this the regime which is to be perpetuated ? Is this the regime to which no solution is to be found ? We have come here to pray that the solution may be a radical one and an early one. The organised conscience of mankind has found it possible to do justice to the Jew individually in almost every nation. The great ideals of the French Revolution have taught the world liberty, equality, fraternity as regards individual Jews in each of these countries. Perhaps the great ideals which now animate the United Nations will teach the organised conscience of mankind to do justice to the Jews as a people. And then we in Palestine shall be given the status not of a religious community merely, as we are now, but of the People of Israel in the Land of Israel.

CHAIRMAN : I thank you, Dr. Eliash.

I recognise Dr. Katznelson.

(Dr. Katznelson took a seat at the table.)

Dr. KATZNELSON : Mr. Chairman, Members of the Committee : In our memorandum "The Jewish Community of Palestine and its Social Services", which we have submitted to you, we described the structure of the Jewish Community of Palestine, its authority and functions, as well as the development of its social services: Education, Health, and Social Welfare. In the memorandum it was explained that the burden of these services, which have reached the accepted standards of a civilised community, is borne almost entirely by the Yishuv, without appropriate aid from the Government Treasury, and without even the necessary authority to raise funds by means of progressive taxation, such as the imposition of a special income tax upon the members of the community.

The object of my evidence is to illustrate this peculiar state of affairs
/by further

by further factual description of the situation.

The Social Services have always been the deep concern of the Jewish community and its local and national authorities. Care for the education of the younger generation, for the health of the inhabitants, and for the relief of the needy, has long ceased to be regarded by the Yishuv as the concern of private organisations and philanthropic societies. The Yishuv regards this as a public duty incumbent upon the central and local authorities, and claims a just distribution of the financial burden involved between these two factors. But in vain. The Government of Palestine looks upon the Yishuv mainly as a source of Government revenue, and upon its readiness to fend for itself as sufficient reason for depriving it of the aid due to it from such revenue.

Here are a few figures.

Over 6 million pounds were spent in 1945-6 by the Jewish social services; that is, some ten pounds per capita - a sum normal in a progressive community, and certainly not high considering the conditions under which the Jewish community is living and developing in Palestine. How do Government and the Yishuv share in providing this sum? Not on the fifty-fifty basis normal, for example, in England and other countries, but in a proportion of ~~5-95~~^{5 to 95}. And this 95% is not, as many seem to believe, largely derived from outside sources; only 13% of the total sum comes from abroad, the remainder being provided by the Yisuv itself.

Here is a diagram illustrating this proportion, or rather, disproportion, of revenue from various sources. Here is the expenditure on Jewish social services 1945-46.

It is divided according to sources of income. The Jewish community of Palestine provides 82% ; Jewish sources abroad - mainly American sources, including Hadassah - 13% ; Government of Palestine 5 %.

This disproportion is even more marked in the Yishuv's health budget, if taken separately. Out of the 3 million pounds spent on this service, only 1.6% is provided by Government. In this budget, too, the income from outside sources is

sources is small. You have seen Hadassah's University Hospital on Mount Scopus, and have learned something of its splendid work, but the contribution of Hadassah in America towards the health budget of the Yishuv is less than 10% of the total. Nor does this contribution come from rich people in America, but is the result of the voluntary effort of Hadassah's 200,000 members. The main sources from which our health services derive their income are the health insurance fees paid by Jewish workers.

Here you see the health budget of the Yishuv (see diagram page 16 of "Palestine's Health in Figures") that is included in the previous sum of 6 million pounds. The health budget amounts to some ~~30~~³ million pounds a year and is derived ^{90.2%}~~90%~~ from the Yishuv, 8.2% from Jewish sources abroad - almost entirely American Hadassah - and 1.6% from the Government of Palestine.

As I said, the main sources from which our health services derive their income are the health insurance fees paid by Jewish workers - members of the Workers' Sick Fund, named in Hebrew Kupat Holim - from patients' fees and, to a lesser extent, municipal rates. In 1946 the expenditure of Kupat Holim which covers practically the entire Jewish working population - nearly 50% of the community - amounted to LP 1,900,000. The health of the worker is a national asset - a definition accepted in international labour conventions, and it would have been natural to divide this expenditure equally among the three factors concerned: the Worker, the Employer, and the Government. Instead, the proportion is 82:16:1, and even this one percent has been obtained only recently in the form of a small grant to the Kupat Holim Hospitals.

Here is the ^{diagram}~~background~~ illustrating the position of this chief medical institution in this country, spending, as I said, last year, 1946, LP 1,900,000. 82% is paid by the workers themselves; 16% by employers - voluntarily, because there is no legislation at all in this respect - 1% by the Government; 1% from other sources.

In our memorandum to you it was pointed out that the Government has been requested in vain by the Vaad Leumi to come to the aid of Kupat Holim both by means

both by means of appropriate social legislation and by contributing towards the cost of maintenance of their services. The following extracts of letters addressed by the Government Department of Health to the Vaad Leumi, in reply to the latter's representations in this matter, are characteristic of Government's attitude:

"...It is the opinion of this department -- that is the Department of Health -- that legislation that involves compulsory contributions towards health insurance, however desirable it may be for the Jewish workers, would not be accepted favourably by the majority of the labourers of this country"...and

"...In the opinion of Government, the stage of development so far reached in Palestine is not such as to admit of the establishment of a general health or social insurance scheme, and in the absence of such a scheme it will be appreciated that Government cannot properly make contribution to a fund maintained for the benefit of only one section of the population."

This attitude, in effect, means that Government shirks its elementary duties towards the health of a large working community and has placed on the shoulders of this community the entire burden of providing its medical requirements. The readiness of the worker to pay excessive dues, in relation to his limited earnings, in order to ensure medical facilities when he falls ill, is a strange reason for withholding from him his share of assistance from public funds.

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As to the extent which the Yishuv benefits from Government's social services - Government's education system, as you know, is purely Arab, and Government's health services meet the Yishuv's requirements only to a small extent. Less than six percent of all Jewish patients admitted to hospitals, and only three percent of all Jewish out-patients attending clinics receive treatment in Government institutions.

Here is the diagram illustrating the position of the hospitalization of Jewish patients in Palestine (page 12, "Palestine's Health in Figures"). Some 52,000 Jewish patients are treated in hospitals yearly. Out of this 52,000, 48,000 - 92.1 percent - are treated in Jewish hospitals; less than 3,000 - or 5.5 percent - in Government hospitals, and ~~2.84~~ 2.4 percent in non-Jewish hospitals - that is, missionary hospitals. That is the position with regard to hospitalization of Jewish patients.

The next diagram (page 13 of "Palestine Health in Figures") illustrates the ~~percentage of medical facilities for out-patients.~~ *great shortage of beds in our hospitals.* It would be of interest to know that we have not plenty of action in our hospitalization. We are not so rich in money nor in hospitalization, and here this diagram illustrates the position in the Jewish hospital Government hospitals and missionary hospitals. In the Jewish hospitals the daily bed occupancy is over a hundred percent, and that is the average. That means there are days ~~when some twenty~~ *when many* additional beds are put in the corridors, ~~and~~ in Government hospitals, the bed occupancy ~~is~~ is seventy-five percent, and in the missionary hospitals only about fifty percent. ~~N.A.A. That is a daily~~ *This shortage of beds is a constant* source of suffering for hundreds of patients, including many serious cases which must be refused admission to hospitals. The distribution of Jewish out-patients ^{*treated the*} in dispensaries of various institutions ^{*can be seen from the*} ~~see~~ diagram on page 14 of "Palestine Health in Figures": 95.4 percent are treated in Jewish clinics, 3.1 percent in Government clinics, and 1.5 percent in missionary clinics - non-Jewish clinics.

I wish to mention here that all these figures given here are

Government figures. In our booklet distributed among the members of the Committee, these figures are included and the sources are indicated there; they are all official sources.

Most characteristic of Government's health policy is its attitude to the Jewish medical profession. Jewish doctors constitute some 90 percent of Palestine's medical profession, but what is their share in Government's medical services? Out of a total of 13 senior medical officers, there is not one Jew - all being Britishers and Arabs; and of the twenty-five medical officers, Grade I, twenty are Arabs and only five are Jews, the latter having been appointed only a few months ago, ^{possibly} ~~I may assume that was~~ a result of some pressure on behalf of the Vaad Leumi.

Here is a diagram illustrating the position (page 15, "Palestine's Health in Figures"). ~~This is the medical profession of Palestine.~~ You see ^{that} from among 2,700 doctors in Palestine, some 2,400 - nearly 90 percent - are Jews, and some 10 percent non-Jews.

~~Here is~~ ^{However, among 13} Government Service Senior Medical Officers, ^{there are no at all,} ~~Jews~~ ^{and among 25} ~~non-Jews 13;~~ ^{there are only} Medical Officers Grade I, ~~Jews 5.~~ ^{non-Jews 20.}

This is at a time when Jewish doctors have earned great popularity among Arabs in Palestine as well as in the neighbouring countries. According to the official figures available, some 2,500 non-Jewish patients are treated yearly in Jewish hospitals and many thousands of non-Jewish out-patients in Jewish dispensaries. In this connection it is of interest to note that even after the official boycott on Jewish doctors, proclaimed some time ago by the Arab Medical Association, Arab patients continue to attend the Jewish medical institutions as before. ^{I would} ~~It may be of interest to add that in Jerusalem there are more Arabs in the Hadassah Hospital than there are Jews in the Government hospital.~~

Government's health policy places the Yishuv in a most serious dilemma: either to cut down its essential services, educational, ^{medical}

medical and social welfare, or to increase more and more the rates and fees already over-burdening the members of the Jewish Community. The Yishuv endeavours to follow the latter path, raising health insurance dues and municipal rates, as well as payments for services, such as patients' fees, tuition fees in schools, and maintenance fees in social welfare institutions, etc. The latter recourse is contrary to the social character of these services, and greatly affects the poorer sections of the community. This is particularly felt in the mixed towns where practically no aid is forthcoming from the municipal authorities towards the social needs of the population.

Whereas it is

~~I think while~~ the Government's policy as regards the Jewish community ~~is~~ not to help those who help themselves; its policy as regards the Arab community is the reverse - to help those who do not help themselves. All the Arab social services are maintained, with a few exceptions, by Government. The contribution towards these services from local taxation and fees is insignificant. Instead of educating the Arab community towards financial and administrative responsibility through participation of their local authorities in the maintenance and administration of their social services, Government absolves them from this responsibility. Instead of encouraging Arab initiative, ~~rather~~ Government discourages Jewish initiative. In this way Government cannot, naturally, meet the health needs of the population with the small funds at its disposal for health purposes, even after disregarding its duty towards the Jewish community. Outstanding is Government's failure in two fields of public health which should have been its main concern: The fight against tuberculosis, and the care for mental diseases.

In 1935 a Government expert who made an inquiry into the state of tuberculosis in this country reported as follows:

"The problem of tuberculosis among all communities in Palestine is of sufficient gravity to warrant systematic attention on modern lines, the valuable time lost by the inability of Government to take active measures in the past making the position all the more urgent."

Since that report nothing has been done to carry out its recommendations. Moreover, when the Vaad Leumi last year submitted to Government a plan for the erection of two tuberculosis hospitals - a total of 400 beds - which are badly needed to meet the most pressing demands of the Jewish community, and asked for a capital grant of twenty-five percent of the total cost involved - that means taking upon itself seventy-five percent - their request was rejected by Government.

The shortage of beds for mental patients sometimes takes on an aspect of a public scandal. The decision taken by Government some twenty years ago to establish a large mental hospital in Jerusalem has not yet materialized. Government's failure to respond to these vital requirements of the community is even more striking in view of the fact that Government's estimates of revenue and expenditure for the year 1947 - 1948 show, on 31 March 1947, a surplus of six million pounds.

It is regrettable that Government's health budget is relatively small, constituting only five percent of its total expenditure. Government, as is known, argues that it is unable to set aside larger sums for social services owing to the large expenditure on security; but it is also a fact that in peaceful years, for example, 1931 - 1935, the percentage of expenditure on health services was not higher than at present. However, even granting Government's argument, one asks oneself whether it is indeed for the Jewish taxpayer to bear the heavy burden of taxes in order to enable Government to maintain a regime in Palestine devoid of any moral or constitutional basis.

These are the political and administrative conditions under which the Yishuv has to meet its ever-growing needs; to provide educational facilities for every Jewish child in a land where education is not compulsory; to care for the health of the worker in a country where health insurance is, again, not compulsory; to maintain welfare

services in a country where there are no legislative provisions for social security. The voluntary funds established for these purposes by the General Federation of Jewish Labour, such as the Unemployment Fund, the Invalidity Fund, Pensions Fund, etc., receive no assistance whatsoever either from Government or from employers.

Under such conditions the Yishuv has not only to care for the maintenance of its normal services, but had, from the very beginning, to overcome the obstacles which beset the path of the early settler, and first and foremost, to eliminate the dangers which threatened his health and very life through the diseases prevalent in the country. The few maps and diagrams which I am going to present to you illustrate some of the achievements in this field.

Taking first the great problem of malaria: you see here an official map taken from a Government survey published before the war (last map in "Palestine's Health in Figures"). It is Palestine in 1920. The blue areas are the highly infected areas, ^{malaria} with malaria. In the blue area the rate of infection was, in ^{1920, 50-100} ~~1905~~ two hundred percent. The rest of the country was ^{also} malarial, but the percentage was from ten to fifty percent. That is the ^{malaria rate} figure of Palestine in 1920 as presented by an official map of the Government of Palestine.

Now comes another ~~on the same~~ map - the map of Jewish settlements in Palestine since 1920. ^{From} ~~In~~ the brown ^{spots} part you can see that the Jewish settler almost closely followed the highly infected areas of malaria. What it meant ^{to} for the Jewish settler and the Jewish health service during the twenty-five years is quite obvious.

The next diagram illustrates the results of Jewish ^{anti-malarial work} ~~malarial war~~ during the twenty-five years (page 9, "Palestine's Health in Figures"). ^{This work} ~~As a matter of fact,~~ it started in 1922 ~~on a systematic line~~ with the ~~establishment~~ ^{erection} of a special institution for malaria research. Here you can see ^{some of the} ~~three~~ areas - ~~not all the areas~~ settled by the Jews; the Huleh, the Beisan and the Emek Hefer; and you can see how malaria incidence in these areas dropped during the years to an almost ~~negligible~~ negligible

negligible percentage. ^{Even in} ~~That is~~ the Huleh area, which is far from being ^{re}claimed, and ameliorated.

Here we come to another disease, ^{trachoma} (diagram, page 10, "Palestine's Health in Figures"), which was severely endemic in Palestine after the First World War and now ^{has dropped to} reaches almost a negligible rate among the Jewish population. It is also decreasing constantly among the arabs. Here are two lines: one, the Jewish community as a whole, and the other, the Oriental Jews, such as the Tiberias community, which ^{had} have a percentage of 80 percent of trachoma among the school children, ^{and} ~~It~~ is now nearing almost the average rate of the Jewish community in Palestine.

Here is the arab line showing the decrease in ^{trachoma} incidence, ^{from which} ~~But it~~ ^{it appears} seems that the work of the Government in the arab schools was less successful, at any rate, than the Jewish, and trachoma came again among the Oriental Jews where the same rate of trachoma among the school children was as among the arabs.

I now refer to a diagram entitled "Mortality from Typhoid in Various Countries" (Page 11). This chart ^{shows that} ~~includes only typhoid and~~ the results ^{of the anti-typhoid measure} are ~~very~~ disappointing. The reason why they are ~~very~~ disappointing is because we had no control, ~~first of all~~, of the Arab sector, and ~~we had no control~~ over the sources of the disease. You will see here that while in the Western countries typhoid is ^{at a low ebb - and} ~~almost limited - it~~ does not exist as a serious disease - the Palestine Jewish community here belongs to the backward countries, and the arab community has the highest percentage of typhoid ^{mortality} - nearly two per thousand of population. The Jewish community has about one case per thousand a year. But, that includes also a lot of cases of typhoid which could be prevented by an effective campaign against it, by measures of sanitation, etc. Now, we are compelled, almost every year to provide mass inoculation against typhoid; similar to the method used in the army during the war, in order to prevent the ~~disease.~~

For example, we
disease. ~~We~~ tried to prevent this disease by inoculating all our school children, but it certainly is not a means to eradicate it - it is only a means to prevent ~~the attacks.~~ *outbreaks.*

I now refer to a diagram entitled "Death Rates" (Page 3). Here you see death rates per one thousand population. The lowest line indicates Palestine Jews. The next line just above indicates Palestine Moslems. The top line indicates Egypt. You can see here that the Jewish mortality rate dropped from some 16 to some 6 1/2 per thousand of the population. The Moslem mortality rate again dropped very rapidly and is now nearing the European mortality rate. There was a time when the Moslem mortality rate, twenty years ago, was higher than the Egyptian mortality rate. At the same time the Egyptian mortality rate is almost on the same level as it was twenty years ago. All these diagrams, as I mentioned, are based on official figures. With regard to Egypt, the official figures are those of the Egyptian Government. I now refer to a diagram entitled "Death Rates in Thirty Countries" (Page 4). This diagram, and I am referring to the one indicating ^{the situation} ~~after~~ ^{the First} World War One, shows the position of Palestine among thirty countries. Below you see Palestine's position immediately before or after World War II. After the First World War, some twenty-five years ago, you see the Palestine Jews in the middle of these thirty countries. Now, ~~at present~~, it has advanced to first place. As I have mentioned, the Jewish mortality rate in Palestine is one of the lowest in the world - 6.5. Also, the Moslem mortality rate advanced from second place to much nearer to the European countries, leaving behind almost all the oriental countries.

I now refer to a diagram entitled "Infant Mortality in Palestine and Egypt". (Page 6). Here again you see the decrease, almost parallel, in the Jewish infant mortality with the Moslem infant mortality for the past twenty years. The Egyptian mortality rate

again remained as it was some twenty years ago.

I now refer to a diagram entitled "Infant Mortality among Oriental and European Jews in Palestine" (Page 7). Here is an important picture, illustrated by this diagram, showing what can be achieved by modern health work, and particularly by modern infant health work. As you know, there is in Palestine a considerable proportion of Oriental Jews. These Oriental Jews had a very high infant mortality rate. It was almost as high as it was in the Arab sector of the community. Now, due to the constant efforts by the Infant Welfare Services, by the Hadassah Medical Organization, and by other bodies, it dropped almost to the rate of the European part of the Jewish community. Here are Jewish children of European origin, and here are Jewish children of Oriental origin - you can readily see the difference. Once again it must be stressed at this point that among the Oriental Jews the percentage of the very poor is very high, I may say even higher than the average. But ^{the diagram shows that} ~~I say~~ the difference in mortality rates in the richer classes and in the poorer classes can be abolished by systematic and

extensive medical work.

I now refer to a diagram entitled "Child Mortality in Palestine" "Palestine Health in Figures". (Page 8/ This is a diagram showing child mortality up to the age of five years. Here are Moslems and here are Jews. Among the Moslems, out of one thousand new born children about five hundred died before the age of five. That was the position ^{fifteen} ~~twenty~~ years ago. Now you can see that it ^{has} ~~had~~ dropped to nearly half, only two hundred and fifty. This refers to all towns of Palestine. ~~You can see that the Moslem mortality rate dropped to two hundred and fifty death cases before the age of five.~~

Mr. FABREGAT (Uruguay) : Did you say two hundred?

Mr. KATZNELSON : No, two hundred and fifty--nearly half the previous rate. Now here we have again the Moslem mortality among children in purely Arab districts. You see it as it was ^{fifteen} ~~twenty~~ years ago and as it is now. But, if you compare that with mixed districts, Jaffa rural sub-district and Haifa rural sub-district, you can see ^{the beneficial effect of} ~~now why before the~~ Jewish settlement ~~it~~ ^{on} ~~Arab child mortality.~~ ⁱⁿ ~~was always the same. Now, it is always decreasing, and~~ the purely Arab districts ^{the rate is} ~~are~~ much higher than ⁱⁿ ~~the~~ mixed districts ^{of} Jaffa and Haifa. Jewish mortality among children is certainly lower, but still one hundred are dying before the age of five. It is quite clear that the mortality rate among the Moslem people can be dropped even more if Jewish settlement is allowed to continue.

Now to conclude my evidence. What conclusions are to be drawn from the above facts? A. The Jewish community of Palestine has proved by a quarter of a century of constructive work its ability to establish and maintain, under the most unfavourable conditions, public services on a national scale for the benefit of the Jewish population and the country as a whole. B. The political conditions in this country are in complete contradiction to the progressive character of the Jewish Community, and shackle its constructive ability to develop this country for the absorption of immigration on a scale ^{appropriate} ~~appropriate~~ to the needs of the Jewish people. C. The present state of

affairs involves the Yishuv in a tragic and constant conflict between its social requirements, which are those of a civilized state, and its potentialities which are those of a voluntary organization. There is only one remedy for the present intolerable situation, and that is to grant the Jewish community of Palestine a status which will enable it to fulfil its historic mission by establishing a Jewish State in Palestine.

CHAIRMAN : I thank you, Dr. Katznelson, and I recognize Mr. David Remez.
(At that point,
Mr. David Remez took a seat at the table)

Mr. REMEZ (Chairman of the Vaad Leumi) : On coming here to sum up the testimony which has been submitted in the name of the Yishuv, I should like to mention first of all that the news of the visit here of the United Nations Special Committee on Palestine was received by the Yishuv with hope and faith, even though we are weary of enquiries. More than two years have passed since the end of the World War against Hitler, and we have seen only broken pledges and unfulfilled promises as far as the Jewish people is concerned. We said, "At last the question has reached the judgment seat of the United Nations, and the day for pronouncing an international verdict has come." You took the trouble to travel North and South; you did not mind undertaking tiring journeys on our hot summer days, and we are grateful for it. We believe that what you see with your own eyes is the best testimony to our enterprise. You have seen for yourselves by what a powerful urge to live and by what a strong creative impulse are moved those who bear the main burden of the work of our revival. These are not destructive, but creative forces which have never been frightened of sand or swamp, of rocks or desert. Through much pioneering labour all this has been turned into agricultural land which can support a thriving population. We have actually only one prayer: that you, the delegates of the United Nations, will understand this great constructive endeavour which derives from the hopes of generations now at last being fulfilled. The responsibility which falls on you and those who sent you is all the greater precisely because, internationally approached, the problem is not difficult of solution.

solution.

2. The historical connections of the Jewish people with its land are not mummified memories of the past; they are those of a living people which has ever kept its faith in its deliverance and restoration. The associations of the past and the hopes of the future are inseparably bound together. On these two shores, the past and the future, beat the waves of Jewish immigration from all parts of their exile and at all times, defying the perils of the journey and the various oppressive regimes in this country. The world acknowledged this unique connection and the League of Nations gave it its express approval in the Palestine Mandate.

3. The Yishuv is a hardy community, educated to independence and self-defence from its very inception. From the days of Ottoman rule in Palestine it has undergone severe trials. Those responsible for the government of the country were not always able or willing firmly to defend the Jews. Nevertheless, the Yishuv struck root; it created a new agriculture and industry, revived its language, set up scientific institutes until, today, it represents a self-contained economic and cultural entity, capable of carrying out its historic mission, sanctioned by the Nations of the World - that of gathering together the dispersed of Israel in their home. If a man does not take his homeless and afflicted brother into his home, then he is no real brother or his home is not a home. ~~Our~~ home, our National Home, is closed to us from the outside, and for two years we have been battering our heads against the doors guarded by fleets and aeroplanes. It would be your privilege, delegates of the nations, to open these gates at once. Do not let the poison sink further into the souls of these outcasts and into our own souls. And these outcasts in Europe are not the only ones.

4. We know that the anvil of our work is the waste-lands. It is within our power to fertilise them and drive out desolation from all corners of the country. We are thankful to Providence that our work does not despoil others

/but adds

but adds something to what they have. It raises us and our neighbours; and our neighbours, the Arabs, cannot rightly obstruct our return. You, delegates of the nations, know that five Arab States are already represented in the United Nations, the sixth stands outside of his own free will, and the seventh, whose territory was originally included within the boundaries of the Mandate, is seeking admission. The area of land which is in the possession of these States is enormous, but all sparsely populated. Is there really any international law that even the poor man's ewe lamb, his only one, should be given to the rich ?

5. The Yishuv and the Zionist Movement have declared in explicit terms that an independent Jewish State will be based, from the beginning, on the assurance of full civic, cultural and religious rights for the Arabs, whether as individuals or as a community. A threefold safeguard will here be operative; the presence of the Arab peoples around us and our sincere wish to live in peace with them, the existence of scattered Jewish communities throughout the world, and the adherence of the Jewish State to the principles of the United Nations. But you cannot reverse this claim and suggest to the Jews that instead of political independence in their own country - the only one they have in the world- they should accept minority rights while the Arabs should receive yet another State in addition to the seven they already have.

In conclusion, Mr. Chairman, may I be allowed to indicate the following three essential points:

- a. No more delay. No more letting the bitterness of disappointment seep into the hearts of Jews. The most cruel feature of this situation is delay.
- b. No solution that is not a real solution. What use will any constitutional arrangement be to us if it makes us dependent on those who deny the essential principle - our right to return to our country and develop it as our homeland ?

/No further patronage

c. No further patronage. We have reached the point where the consummation of our enterprise as well as the creation of friendly relations between ourselves and the Arabs are contingent on our independence. Once a Jewish State has come into being, reciprocal relations between it and its neighbours will follow. Give the constructive genius of the Jewish people a proper chance and one of the sorest international problems will have found a just and happy solution.

CHAIRMAN : I thank you, Mr. Remez. Now, I would like to put to you some questions. You have indicated certain general principles, but if you should try to put these general principles into a more concrete form what solution would you propose ?

Mr. REMEZ : Our President, Mr. Ben-Zevie, has declared in his opening address that we identify ourselves entirely with the political demands of the Jewish Agency which has largely been explained, I believe.

CHAIRMAN : So you want to promote the same solution as the Jewish Agency ?

Mr. REMEZ : Yes.

CHAIRMAN : What about the partition scheme which has been discussed here so many times?

Mr. REMEZ : We identify ourselves also in this respect with the declaration made by the Chairman of the Jewish Agency, Mr. Ben Gurion. We are ready to negotiate a proposal for establishment of a Jewish State, without prejudice to our main claim.

CHAIRMAN : Does any Member of the Committee want to ask any question ?

Mr. BLOM (Netherlands) : I would like to ask if the problem of Palestine and the solution the Jewish Agency is presenting has been discussed in the representative bodies of the Yishuv in Palestine and, if so, whether we could then get some information on the results. Have you taken votes on any decisions which have been reached ?

Mr. REMEZ : Yes, sir. There were many discussions, naturally, in the elected bodies of the Jewish community. But, as a part of the Jewish people, /we are included

we are included in a World Organization, and we accept the decisions made by the Zionist Congress as binding for us as well.

Mr. BLOM (Netherlands) : You said there have been discussions in the representative body of the Vaad Leumi. Was it then decided that whatever the Zionist Congress and, on their behalf, the Jewish Agency would present as the opinion of the Jews all over the world would be accepted by the Yishuv also, or with specific proposals and specific solutions by your representative body before the discussions came up ?

Mr. RELEZ : One of the fundamentals of the Yishuv and of the elected assembly of the Yishuv is that they are included and consider themselves as a part of the World Jewish Organization. I would say it is a constitutional basis accepted forever. But, we have also identified ourselves with the request for a Jewish State. That is a resolution accepted by the elected assembly of the Yishuv identifying the Yishuv with the establishment of a Jewish State. If you like we could provide you with the resolution.

Mr. BLOM (Netherlands) : It is not quite clear to me yet. If it is constitutional that the Vaad Leumi should not present its own separate view, why then discuss it in the representative body of the Vaad Leumi ? My first question was if the problem had been discussed and the answer was, yes.

Dr. ELIASH : If you will be good enough to glance at the very last page of the Supplement presented to the United Nations by the Government you will find there that the Yishuv has sent 79 delegates to the last Zionist Congress, and that these delegates belong to various political parties. The same political parties, most of them, are also represented in the elected assembly of the Jewish community. There can be no doubt that the question which so vitally affects the future of a community would merit the liveliest discussion in its representative assembly. But at the same time, it cannot constitutionally pass a resolution which would be binding on the Jewish people. On the contrary, a resolution to the contrary would be binding on the Jewish population of Palestine which considers itself politically affiliated with it.

Therefore, while there is a discussion of the current thought in the country and the opinion of the Jewish community is considered and given due weight by the Zionist World Organization, the actual resolution which is presented on behalf of the Jewish people is on behalf of the Jewish Agency and not of the Vaad Leumi.

CHAIRMAN : I want to put a question in connection with the one put by Mr. Blom. I read here in the opening address of Mr. Ben-Zevie the following: "The Vaad Leumi, the General Council of the Jewish community of Palestine, represents the entire organized Yishuv of over 600,000 Jews. Every single one of the three hundred and forty settlements, rural and urban, is a unit of the Knesset Israel, as the organized Jewish community is called. Every four years general elections are held for the Elected Assembly, the supreme parliamentary body of the Yishuv. The last national elections were held in August 1944, when the number of electors amounted to 300,000, of whom 67% went to the polls. We are the only body, elected on a democratic basis, authorized to speak on behalf of Palestine Jewry." How many members does this elected parliamentary body consist of ?

Mr. BEN-ZEVIE : One hundred seventy-one members.

CHAIRMAN : And does this body elect representatives to the Zionist Congress ?

Mr. BEN-ZEVIE : Not exactly. This body elects only the Vaad Leumi, the Executive Council which is called General Council or National Council, consisting of forty-two members. This Council, which meets every month or so, elects a permanent executive of 11 to 13 members who work daily, most of them, in the office. Now, about the delegates in the Zionist Congress--they are elected separately, not through this Assembly, but by popular elections.

CHAIRMAN : Do you, in the Yishuv, discuss these political issues ?

Mr. Ben-ZEVIE

Mr. BEN-ZEVIE : Yes, certainly we discuss them in our Assembly, and after discussing we came to the same conclusions supporting the views of demands of the Jewish Agency towards the big issue, the Jewish State in Palestine. That is the only solution we accepted in our Assembly, and we are entitled, on behalf of the Vaad Leumi, on behalf of the communities, to express the views here which were presented by the Chairman.

CHAIRMAN : Was that a unanimous vote on the question to which you refer ?

Mr. BEN-ZEVIE : Of course that happens very seldom in any parliament; it was not unanimous, but there was a very large majority. The minority remained a minority but accepted the views of the majority. The decision of the majority prevails. It may be that minorities still have their opinion, but they accepted the majority and the majority prevails, as in every other government. The majority of the government or the parliament prevails, although minorities may remain with other views.

CHAIRMAN : Did you take this vote before or after the Zionist Congress ?

Mr. BEN-ZEVIE: It was before the Zionist Congress.

Mr. BLOM (Netherlands) : I have one more question. I would remark that Mr. Ben-Zevie just said that as in every other government, the majority prevails.

My last point is this : I would like to know which labour conventions are in force here in Palestine. Is the policy of the Government with regard to the application of labour conventions the same as either in the United Kingdom or the Colonial territories, or is it different from both ? Can you tell me that ? I mean, what is the trend of it ?

Mr. ELIASH : As regards real social legislation in Palestine, Palestine is still in its infancy. We have a Workmen's Compensation Ordinance which has recently been drafted. This is about the only thing on the Statute Book of Palestine in the nature of labour legislation.

Mr. BRILEJ (Yugoslavia) : You told us that Vaad Leumi has the same point of view as the Jewish Agency in regard to partition or establishment of an independent state in Palestine. Does that mean that all groups within the Jewish Agency have the same point of view, or are there some groups which do not have the same point of view in regard to partition ? Is there only a numerical majority or minority against or for partition ?

Mr. ELIASH : Well, there is no doubt about it, that not all parties regard the solution with the same eyes. There are parties who would exclude partition as a possible solution because they ask for the whole of Palestine as a Jewish State. Others ~~exclude~~^{exclude} it because they prefer parity and a bi-national state. The matter has certainly been very thoroughly discussed for years. But in all such matters, Jews, as a coalition government, eventually arrive at a policy. A coalition government eventually arrives at a platform which it presents on behalf of its entity and not on behalf of the group which advocates it.

Mr. BRILEJ (Yugoslavia) : May I ask which groups between the Jewish Agency and the Jewish Community are in favor of establishment of independence of Palestine as a Jewish state in the whole of Palestine ? Which groups are in favor of establishment of a state in an adequate territory ? Which groups are for a bi-national state ? We would like to have the situation clear.

Mr. ELIASH : If I may say so, some part of this information is contained in the statement which has been prepared by the Government, which more or less accurately represents the position. You will find there stated that the Hashomer Hatzair are the protagonists of the bi-national independent state in Palestine based on the principles of Zionism and socialism, as it is stated here. You will also find here that some of the parties share part of these views. The matter really cannot be stated with great brevity. It has taken the Government about half a dozen pages to state it.

If the Committee desires, the Vaad Leumi will present a statement which accurately sets out the views of the various parties. We will also give their numerical proportion.

Mr. GRANADOS (Guatemala) : I should like to put a few questions to Dr. Eliash.

The Vaad Leumi has submitted a memorandum on the Emergency Defense Regulations of Palestine. Furthermore you, yourself, Mr. Eliash, mentioned in your exposition some features of the Emergency Regulations. The first question I have is : Do you know of a similar legislation in any part of the world or in any time or in any epoch of humanity ? Do you, as an excellent attorney, an expert in Palestine law, know of a similar law anywhere else ?

Mr. ELIASH : Well, I would not claim such a wide knowledge of legislation all around the globe, particularly when I sit before an assembly in which so many nations are represented. But I think one can add it to the unique features of Palestine. You have heard so much about the Palestine case being unique. To the best of my knowledge, the entire combination of all these provisions is certainly unique.

CHAIRMAN : We might perhaps clear up that question in the Committee when we come to the stage of writing our report.

Mr. GRANADOS (Guatemala) : I am interrogating a witness who is an expert on Palestine law. I am entitled, I think, to know everything he can say about it.

Now, Mr. Eliash, on what legal grounds was that law enacted ?

Mr. ELIASH : In 1937, there was a special Order-in-Council which has given extremely wide powers to the High Commissioner to enact these regulations. As a matter of fact, I have it with me, and I can refer to it if you wish me to.

The Palestine Order-in-Council, 1937, which was gazetted in Palestine on the 20th of March 1937, gave power to the High Commissioner to make such regulations as appear to him, in his unfettered discretion, to be necessary or expedient for securing the public safety, the defense of Palestine, the maintenance of public order, and the suppression of mutiny, rebellion and riot, and for securing the essentials of life to the community. It was under this Order-in-Council that the present Regulations have been published in 1945.

Mr. GRANADOS (Guatemala) : Can you explain to me, Dr. Eliash, how can an Order-in-Council be applied to Palestine ? I mean, on what legal grounds are the Orders-in-Council based ? Is that on the Parliament Act of 1890 ?

Mr. ELIASH : His Majesty ^{enacted} ~~registered~~ it in Palestine, mainly under the Foreign Jurisdiction Act of 1890, and it has been recently held by our courts in Palestine that the Municipal Courts in Palestine cannot question whether these enactments are or are not contrary to the Mandate; the courts having held that the Mandate, being in the nature of a treaty or a covenant between the Allied Powers and His Majesty, it is only

the Allied Powers or their successors that can raise an objection to the legislation being contrary to the Mandate, but not the people of Palestine before the Municipal Courts.

Mr. GRANADOS (Guatemala) : Do you have there the text of the Mandate ?

Mr. ELIASH : I have.

Mr. GRANADOS (Guatemala) : Have you noticed that in several articles of the Mandate they make a distinction between the Mandatory and the Administration of Palestine ?

Mr. ELIASH : Yes, Sir.

Mr. GRANADOS (Guatemala) : Could you read Article I of the Mandate ?

Mr. ELIASH : Yes, it is before me. "The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this Mandate."

Mr. GRANADOS (Guatemala) : Will you please read Article 7 now ?

CHAIRMAN : Mr. Granados, what are you aiming at now ?

Mr. GRANADOS (Guatemala) : I am going to ask Mr. Eliash's legal opinion.

CHAIRMAN : On the formal validity of these Orders-in-Council ?

Mr. GRANADOS (Guatemala) : Yes.

CHAIRMAN : But there has been no contention on any side that they are or are not valid.

Mr. GRANADOS (Guatemala) : It is not a question of contention; it is a question of wanting to hear the opinion of an attorney who is an expert on the legislation of Palestine.

CHAIRMAN : This is not a question of the legislation of Palestine. It is a question of the Legislation of the Mandatory Power.

Mr. GRANADOS (Guatemala) : Well, it is the application of the Mandate.

Mr. FABREGAT (Uruguay) : It is a question for the Committee.

Mr. GRANADOS (Guatemala) : The Mandate is the basis of everything that has been done in Palestine.

CHAIRMAN : I could understand the question if it had been suggested from any side that it was formally not valid.

Mr. GRANADOS (Guatemala) : I am sorry, Sir. I have noticed that in that case of the legislation of Palestine there is some kind of reserve, and, as I exposed it in one of the private meetings of the Committee, I had the intention to prove, or at least to show that most of the legislation of Palestine, in my opinion, is invalid. I feel that I am entitled to ask the opinion of one of the outstanding lawyers of Palestine. I just want to ask him two more questions.

First, will you please read the first part of Article 7 of the Mandate ?

Mr. ELIASH : "The Administration of Palestine shall be responsible for enacting a nationality law".

Mr. GRANADOS (Guatemala) : Do you not think that it is only in that case that the Administration of Palestine can enact laws if, according to the first Article, the limitation of the terms of the Mandate are for the Administration of Palestine?

Mr. ELIASH : With all respect, it has always been regarded that Article 7 makes it a specific duty incumbent on the Administration of Palestine to enact a nationality law. It was never understood to mean that the Administration of Palestine shall be limited in its powers of legislation only to nationality law. It is understood, and always has been understood, that the Mandatory legislates in Palestine, through the machinery of the local administration, but that such legislation is limited to the provisions of the Mandate and can in no case be contradictory or be in antimony with the provisions of the Mandate.

Mr. GRANADOS (Guatemala) : Is that Act of Parliament of 1890 something that is to be applied to the colonies ?

Mr. ELIASH : The Foreign Jurisdiction Act gives power to His Majesty to legislate in any part of the world for which His Majesty is in any way responsible, either as a sovereign or, in the present case, as a Mandatory.

Sir Abdur RAHMAN (India): Can you tell me what was the extent of the immigration from the Arab neighbouring countries?

Mr. BEN-ZEVIE: I could not state in that regard any sure figures. I know it is spoken about as 30,000.

Sir Abdur RAHMAN (India): When was that?

Mr. BEN-ZEVIE: For the last year, 1945-1946. I am not responsible for the figures. This includes, of course, a very small proportion of legal immigration. As to the the remainder, I would say that we are admitting in the towns, in the villeges, people who are coming from Svria, and they are employed in different capacities. We have admitted them -- I cannot state how many exactly -- but that is the figure that is mentioned by different people.

Sir Abdur RAHMAN (India): Do they come here for a temporary period, or do they come here permanently?

Mr. BEN-ZEVIE: There are certain cases where they come for seasonal work, but there are many cases of men who come for seasonal work and remain permanently. For instance, around Haifa, you will see large numbers of tents and barracks built by Haurani people who remained for years and years. They built up temporary quarters but they remained for years and years.

Sir Abdur RAHMAN (India): I suppose it is not possible for you to give a definite idea about the numbers.

Mr. BEN-ZEVIE: No. I would not do that, but the general numbers are known. There has been an increase of about 600,000 Arabs, in comparison with what it was 25 years ago. That does not represent natural increase alone; it represents a large number of

immigrants. Otherwise, such a large increase could not be explained as a natural increase. There was only a population of nearly 680,000 in Palestine, including 80,000 Jews. This figure includes Bedouins and Christian Arabs. Now you have another nearly 600,000 Arabs. That increase could never be explained by natural increase. It includes a large number of immigrants.

Sir ABDUR RAHMAN (India): Now is it correct that the Government give you 27 per cent of its financial budget towards education and that you provide the rest?

Mr. KATZNELSON: No.

Sir ABDUR RAHMAN (India): How much,

Mr. KATZNELSON: The Government contribution for the financial year 1945-1946 to the Vaad Leumi was nearly a quarter of a million pounds. The public expenditure on the Jewish educational system was a million and three quarters.

Sir ABDUR RAHMAN (India): 27 per cent of the whole of the educational budget.

Mr. KATZNELSON: Of the Government?

Sir ABDUR RAHMAN (India): Of the Government.

Mr. KATZNELSON: There is a specific formula governing the allocation from Government funds for Jewish education. The formula is based on the proportion between the Arab children of school age and Jewish children of school age, from the ages of five to fifteen.

Now, the present percentage is about 30 per cent. The Jewish community is receiving some 30 per cent of the Arab educational expenditure. That means some 25 per cent of the total Government expenditure on education.

Sir ABDUR RAHMAN (India): What is the Arab education expenditure that is being incurred by the Government in employing government employees, inspectors, and so on.

Mr. KATZNELSON: The expenditure on Government education includes the entire staff. The teachers are almost all Arabs. That

is among the inspectorial staff.

Sir Abdur RAHMAN (India): Is it Arab staff?

Mr. KATZNELSON: The directorate of the department has some British staff but in general the Arab educational system is staffed by Arab teachers and Arab inspectors. A few among them, as far as I know, are Britishers.

Sir Abdur RAHMAN (India): I heard that the sum of 226,000 pounds was given to the Jews in regard to Huleh lands, for clearing the malarial disease; is that correct?

Mr. KATZNELSON: By whom?

Sir Abdur RAHMAN (India): By the Government.

Mr. KATZNELSON: Not as far as I know. The terms of the commission on the Huleh land were, first of all, that the Jewish authorities had to allocate one-third of the older lands of the Huleh for the Arab inhabitants. That is the first thing. The second, we had to reclaim all the swamps in the Huleh area, including the Arab part -- one-third allocated by the Arabs. I do not know about any other application of Government funds for Jewish re-settlement.

Sir Abdur RAHMAN (India): You do not understand my question. Was the sum of 226,000 pounds given to the Jews for malarial campaign in the Huleh lands?

Mr. KATZNELSON: No, not a penny was given to the Jews. On the contrary, the Jews had to spend funds on Arab lands.

Mr. FABREGAT (Uruguay): May I ask my questions tomorrow?

CHAIRMAN: Is it not better to try to concentrate the questioning at the same time?

Mr. FABREGAT (Uruguay): But I would like to formulate my questions tomorrow.

CHAIRMAN: But the representatives will have to come back tomorrow and we hold up our work.

Mr. FABREGAT (Uruguay): I shall have to write my questions for tomorrow.

Mr. BLOM (Netherlands): I suppose the Vaad Leumi organization is broken up in several departments, the Executive, the Health, the Educational, and so on. Are these departments still in regular contact with the corresponding Government departments?

Mr. KATZNELSON: First of all, the technical departments of the Vaad Leumi, Education, Health, Social Welfare, are in close contact with the corresponding departments of the Government.

Mr. BLOM (Netherlands): Is that still the situation today?

Mr. KATZNELSON: Yes. There is a contact with the Government regarding the common affairs of the community in all branches of social services.

Mr. BLOM (Netherlands): Is the cooperation going along on smooth lines?

Mr. KATZNELSON: You can see from our memorandum and from the diagrams presented here that the cooperation was merely one-sided. On our part, we provided a very considerable proportion of the Government revenues, but we had to continue almost a constant, permanent fight for every penny allocated to the Jewish community. I was personally connected with this work for some twenty or twenty-five years, and I must say that nothing is more difficult and more disappointing than arguing with the Government about the provision of adequate facilities, both in services and in money for

the requirements of the Jewish community. If that is called cooperation, it may be, but I cannot accept it.

Mr. BLOM (Netherlands): I have one additional question. I am afraid I did not **make myself** clear enough when I first asked the question about the labour conventions. I was referring to International Labour Conventions, conventions of the International Labour Organization. Did you understand that at the time?

Mr. ELIASH: I understood your question to be whether there is any similar provision in law in Palestine for treating, let us say, labour unions or relations between employers and employees similar to that in England, or whether it follows the English pattern. To which my reply was: the only thing which has taken shape and form of an ordinance in Palestine is the Workmen's Ordinance in Palestine.

Mr. BLOM (Netherlands): Are there any labour inspectors here?

Mr. ELIASH: Only under the Workmen's Compensation Ordinance. There is inspection of machinery in connection with that. But social legislation in Palestine is certainly still in its infancy.

Mr. BLOM (Netherlands): How does it compare with the British Colonial territories?

Mr. ELIASH: There may be places which are even less advanced than Palestine; we certainly do not head the list.

Mr. LISICKY (Czechoslovakia): I do not intend to put any questions about the political issue because, in this respect, the position of the Vaad Leumi is quite clear and can be expressed in one sentence. They endorse all that was or will be said by the Jewish Agency; so it is quite unnecessary to discuss that aspect.

I have only one question. On page 1 of the opening statement

of Mr. Ben Zevie, I see that the last elections for Vaad Leumi were held in August, 1944, and ~~that~~ only 67 per cent of the voters went to the polls. This means that a full one-third of the voters abstained from voting. That is rather surprising to me in view of the highly developed political sense of the Jewish community in this country. May I obtain the explanation of this fact, which I think is rather surprising?

Mr. BEN ZEVIE : I think that in general 67 per cent is a fair per cent of attendancy. However, I would like to take this opportunity to mention that we have an organized Jewry of over 600,000, while the actual figures may be over 630,000, or something like that. However, we have a number of Jews who have left the community for two reasons; some of them have left for reasons of principle, and some have left for financial reasons, because they did not want to pay the rates. Anyway, all of those groups together may comprise something like 5 per cent. I would say we have about 600,000 organized Jews, including children and infants. We do consider the number of voters to be something like 300,000. There were some abstainers for political reasons, and some naturally abstained because they were not willing to vote or they were too busy and they could not get the time off. I think we may consider 67 per cent a fair proportion of voters. If you take other countries and other places, you may find an even greater proportion of absentees.

Mr. LISICHY (Czechoslovakia): Yes, it is true in other countries where the situation is more normal, but given the special character of this country on which so much is insisted by every speaker, I must stress myself this great personal issue of absenteeism, because it is, as you say, the only democratic way of expressing an opinion.

Mr. BEN ZEVIE: May I also remind you that after these elections, after the first elected Assembly, we received a letter from the High Commissioner in which he said he was satisfied it was a sufficient and fair amount of attendancy.

Mr. LISICKY (Czechoslovakia): I am not speaking for the High Commissioner.

CHAIRMAN: Are there any more questions?

Mr. Fabregat wants to put some questions tomorrow to Dr. Elish and Dr. Katzenelson. Will you please be here and answer those questions.

Mr. FABREG T. (Uruguay): Excuse me for being unable to question you today.

CHAIRMAN: We have gone through the agenda for today, and the meeting is adjourned until tomorrow morning at 9 o'clock.

The Committee will meet in private session in the Conference Room.

(The meeting adjourned at 1:30).