

White Paper of 1939

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The **White Paper of 1939**, also known as the *MacDonald White Paper* after Malcolm MacDonald, the British Colonial Secretary who presided over it, was a policy paper issued by the British government under Neville Chamberlain in which the idea of partitioning the Mandate for Palestine, as recommended in the Peel Commission Report of 1937, was abandoned in favour of creating an independent Palestine governed by Palestinian Arabs and Jews in proportion to their numbers in the population by 1939 (section I). A limit of 75,000 Jewish immigrants was set for the five-year period 1940-1944, consisting of a regular yearly quota of 10,000, and a supplementary quota of 25,000, spread out over the same period, to cover refugee emergencies. After this cut-off date, further immigration would depend on the permission of the Arab majority (section II). Restrictions were also placed on the rights of Jews to buy land from Arabs (section III).

The White Paper was published as Cmd 6019. It was approved by the House of Commons on 23 May 1939 by 268 votes to 179.^{[1][2]}



London Conference, St. James's Palace, February 1939. Arab Palestinian delegates (foreground), Left to right: Fu'ad Saba, Yaqub Al-Ghusein, Musa Al-Alami, Amin Tamimi, Jamal Al-Husseini, Awni Abdul Hadi, George Antonious, and Alfred Roch. Facing the Arab Palestinians are the British, with Sir Neville Chamberlain presiding. To his right is Lord Halifax, and to his left, Malcolm MacDonald

Contents

- 1 Background
- 2 Content
- 3 Reactions and effects
- 4 References
- 5 Bibliography
- 6 See also

Background

Further information: British Mandate of Palestine

During World War I, the British had made two promises regarding territory in the Middle East. Britain had promised the Hashemite governors of Arabia, through Lawrence of Arabia and the Hussein-McMahon Correspondence, independence for a united Arab country covering Syria in exchange for their supporting the British against the Ottoman Empire. The Ottoman Caliphate had declared a military jihad in support of the Germans and it was hoped that an alliance with the Arabs would quell the chances of a general Muslim uprising in British-held territories in Africa, India, and the Far East.^[3] Great Britain had also negotiated the Sykes-Picot Agreement, agreeing to partition the Middle East between Britain and France.

A variety of strategic factors, such as securing Jewish support in Eastern Europe as the Russian front collapsed, culminated in the Balfour Declaration, 1917, with Britain promising to create and foster a Jewish national home in Palestine. These broad delineations of territory and goals for both the creation of a Jewish homeland in Palestine, and Arab self-determination was approved in the San Remo conference.

In June 1922 the League of Nations approved the Palestine Mandate with effect from September 1923. The Palestine Mandate was an explicit document regarding Britain's responsibilities and powers of administration in Palestine including 'secur[ing] the establishment of the Jewish national home', and 'safeguarding the civil and religious rights of all the inhabitants of Palestine'. In September 1922, the British government presented a memorandum to the League of Nations stating that Transjordan would be excluded from all the provisions dealing with Jewish settlement, in accordance with Article 25 of the Mandate, and this memorandum was approved on 23 September. Due to stiff Arab opposition and pressure against Jewish immigration, Britain redefined Jewish immigration by restricting its flow according to the country's economic capacity to absorb the immigrants. In effect annual quotas were put in place as to how many Jews could immigrate, while Jews possessing a large sum of money (500 Pounds) were allowed to enter the country freely.

Following Adolf Hitler's rise to power, a growing number of European Jews were prepared to spend the money necessary to enter Palestine. The 1936 Nuremberg Laws stripped the 500,000 German Jews of their citizenship. Jewish migration was impeded by Nazi restrictions on the transfer of finances abroad (departing Jews had to abandon their property), but the Jewish Agency was able to negotiate an agreement allowing Jews resident in Germany to buy German goods for export to Palestine thus circumventing the restrictions.

The large numbers of Jews entering Palestine led to the 1936–1939 Arab revolt in Palestine. Britain responded to the Arab revolt by appointing a Royal Commission, known as the Peel Commission which traveled out to Palestine and undertook a thorough study of the issues. The Peel Commission recommended in 1937 that Palestine be partitioned into two states, one Arab the other Jewish. In January 1938, the Woodhead Commission explored the practicalities of partition, proposing that the Jewish state be substantially smaller and include only the coastal plain. In July 1938, an international conference convened by the USA, failed to find a solution to the rapidly growing Jewish refugee problem.

In February 1939, the British held a conference in London to negotiate an agreement between the Arabs and the Zionists. The Palestinian Arab delegates would only attend on condition that there were no direct meetings with Zionist representatives since this would be recognition of the legitimacy of Zionists claims over Palestine. So the British government held separate meetings with the two sides. The conference ended in failure on March 17.

The British now believed that in the event of war, Jewish support was guaranteed or unimportant. However they feared that the Arab world might turn against them. This geopolitical consideration was, in Raul Hilberg's word, "decisive".^[4] Egypt, Iraq and Saudi Arabia were independent and allied with Britain.

Content

The main points of the White Paper were:

- **Section I. The Constitution:** It stated that with over 450,000 Jews having now settled in the mandate, the Balfour Declaration about "a national home for the Jewish people" had been met and called for an independent Palestine established within 10 years, governed jointly by Arabs and Jews:

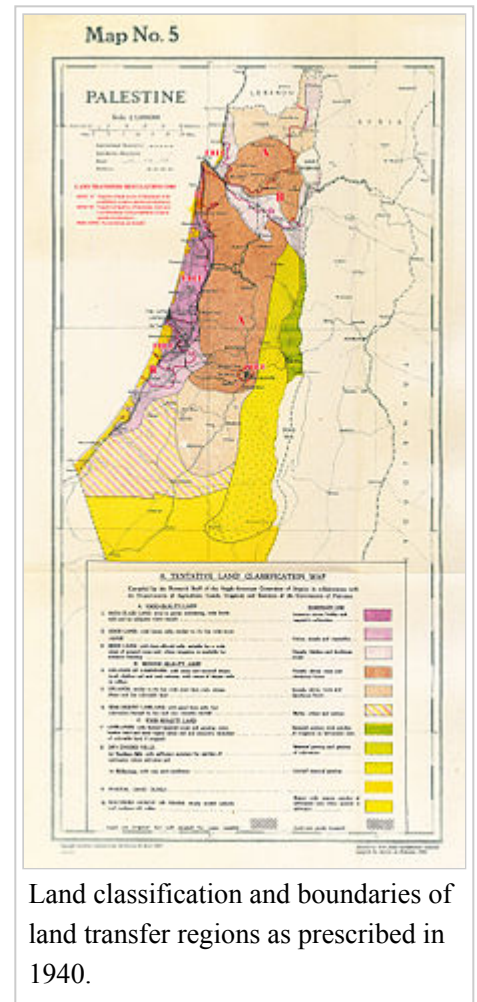
"His Majesty's Government believe that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. [...] His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will."

'The objective of His Majesty's Government is the establishment within 10 years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactorily for the commercial and strategic requirements of both countries in the future. [...] The independent State should be one in which Arabs and Jews share government in such a way as to ensure that the essential interests of each community are safeguarded.'

- **Section II. Immigration:** Jewish immigration to Palestine under the British Mandate was to be limited to 75,000 over the next five years, after which it would depend on Arab consent:

'His Majesty's Government do not [...] find anything in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country, it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension [...] it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the situation in Palestine may become a permanent source of friction amongst all peoples in the Near and Middle East.'

"Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next four years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows: For each of the next five years a quota of 10,000 Jewish immigrants will be allowed on the understanding that a shortage one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits. In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured, special consideration being given to refugee children and dependents. The existing machinery for ascertaining economic absorptive capacity will be



retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted. After the period of five years, no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it."

- **Section III. Land:** Previously no restriction had been imposed on the transfer of land from Arabs to Jews, while now the *White Paper* stated:

"The Reports of several expert Commissions have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land.'

On 22 May 1939 the House of Commons debated a motion that the White Paper was inconsistent with the terms of the Mandate. It was defeated by 268 votes to 179. The following day the House of Lords accepted the new policy without a vote.^[5]

In March 1940, the British High Commissioner for Palestine issued an edict dividing Palestine into three zones.

In Zone A, consisting of about 63 percent of the country including the stony hills, land transfers save to a Palestinian Arab were in general forbidden. In Zone B, consisting of about 32 percent of the country, transfers from a Palestinian Arab save to another Palestinian Arab were severely restricted at the discretion of the High Commissioner. In the remainder of Palestine, consisting of about five percent of the country-which, however, includes the most fertile areas- land sales remained unrestricted.^[6]

Reactions and effects

The Zionists responded by organizing illegal migration which the British countered by blockading Palestine. This resulted in some notorious incidents (*See: Patria disaster, Struma disaster and Exodus.*) Illegal Jewish immigrants captured before the war were interned on Mauritius.

In the Parliamentary debate, Lloyd George called the White Paper an act of perfidy while Winston Churchill voted against the government in which he was a minister.^[7] In a leader the *Manchester Guardian* called it "a death sentence on tens of thousands of Central European Jews"^[8] The Liberal MP James Rothschild stated during the parliamentary debate that "for the majority of the Jews who go to Palestine it is a question of migration or of physical extinction".^[9]



Jewish demonstration against White Paper in Jerusalem, 1939

The supervising authority of the League of Nations, the Permanent Mandates Commission abstained unanimously from endorsing the White Paper, though four members thought the new policy was inconsistent with that mandate.^[10]

Some supporters of the National Government were opposed to the policy on the grounds that it appeared in their view to contradict the Balfour Declaration. Several government MPs either voted against the proposals or abstained, including Cabinet Ministers such as Leslie Hore-Belisha, as well as Winston Churchill.

The provisions of the *White Paper* were opposed both by the Jews and the Arabs in Palestine.

The Arab Higher Committee argued that the independence of a future Palestine Government would prove to be illusory, as the Jews could prevent its functioning by withholding participation, and in any case real authority would still be in the hands of British officials. The limitations on Jewish immigration were also held to be insufficient, as there was no guarantee immigration would not resume after five years. In place of the policy enunciated in the White Paper, the Arab Higher Committee called for "a complete and final prohibition" of Jewish immigration and a repudiation of the Jewish national home policy altogether.^[*citation needed*] Hajj Amin al-Husayni "astonished" the other members of the Arab Higher Committee by turning down the *White Paper*. Al-Husayni, according to Benny Morris, turned the advantageous proposal down for the entirely selfish reason that "it did not place him at the helm of the future Palestinian state."^[11] In 1940, after two weeks of meetings with a British representative, the leader of the Palestinian Arab delegates to the London Conference, Jamal al-Husseini and fellow delegate Musa al-Alami, agreed to the terms of the White Paper and both signed a copy of it in the presence of the Prime Minister of Iraq, Nuri as-Said.^[12]

On 27 February 1939, in response to enthusiastic Arab demonstrations following reports that the British were proposing to allow Palestine independence on the same terms as Iraq, a coordinated bombing campaign across the country killed 38 Arabs and wounded 44.^[13]

Zionist groups in Palestine immediately rejected the White Paper and began a campaign of attacks on government property and Arab civilians which lasted for several months. On 18 May a Jewish general strike was called.^[14]

On 13 July the authorities announced the suspension of all Jewish immigration into Palestine until March 1940. The reason given for this decision was the increase in illegal immigrants arriving.^[15]

After the outbreak of war in September 1939, the head of the Jewish Agency for Palestine David Ben-Gurion declared: 'We will fight the White Paper as if there is no war, and fight the war as if there is no White Paper.'^[16]

In December 1942, when extermination of the Jews became public knowledge, there were 34,000 immigration certificates remaining. In February 1943, the British government announced that the remaining certificates could be used as soon as practicable to rescue Jewish children from southeastern Europe, particularly Bulgaria. This plan was partly successful but many people who received certificates were not able to emigrate (but those in Bulgaria survived).^[17] In July it was announced that any Jewish refugee who reached a neutral country in transit would be given clearance for Palestine.^[18] During 1943 about half the remaining certificates were distributed,^[19] and by the end of the war there were 3,000 certificates left.^[20]

At the end of World War II, the British Labour Party conference voted to rescind the White Paper and establish a Jewish state in Palestine, however the Labour Foreign Minister, Ernest Bevin persisted with the policy and it remained in effect until the British departed Palestine in May 1948.



Jewish demonstration against White Paper in Tel Aviv, 1939, from the collection of the National Library of Israel.



Jewish demonstration against White Paper in Tel Aviv, 1939, from the collection of the National Library of Israel.

After the war, the determination of Holocaust survivors to reach Palestine led to large scale illegal Jewish migration to Palestine. British efforts to block the migration led to violent resistance by the Zionist underground.

Illegal immigrants detained by the British Government were interned in camps on Cyprus. The immigrants had no citizenship and could not be returned to any country. Those interned included a large number of children and orphans.

From October 1946, the British Government, under the 'severest pressure' from the USA, relented and allowed 1,500 Jewish migrants a month into Palestine.^[21] The gesture was in deference to the recommendations of the Anglo-American Committee of Inquiry.^[22] Half of those admitted came from the prison camps for illegal immigrants in Cyprus due to fears that a growing Jewish presence in Cyprus would lead to an uprising there.^[23]

The Provisional Council of Israel's first constitutional act was a Proclamation that "All legislation resulting from the British Government's White Paper of May, 1939, will at midnight tonight become null and void. This includes the immigration provisions as well as the land transfer regulations of February, 1940."^[24]

References

- ¹ ^ *Manchester Guardian*. 24 May 1939. p. 10.
- ² ^ Debate and vote on 23 May 1939; Hansard. Downloaded 10 December 2011 (http://hansard.millbanksystems.com/commons/1939/may/23/palestine#S5CV0347P0_19390523_HOC_302)
- ³ ^ King Husain and the Kingdom of Hejaz, Randall Baker, Oleander Press, 1979, ISBN 0-900891-48-3, page 54 (<http://books.google.com/books?id=n706ShSYt-sC&pg=PA221&dq=&ei=VaM7SeidLKPCM-2J5L8D&client=#PPA54,M1>)
- ⁴ ^ Hilberg, Raul, *The Destruction of the European Jews*, (1961) New Viewpoints, New York 1973 p.716
- ⁵ ^ *A Survey of Palestine - prepared in December 1945 and January 1946 for the informatin of the Anglo-American Committee of Inquiry*. Reprinted 1991 by the The Institute of Palestine Studies, Washington. Volume one. ISBN 0-88728-211-3. p.54.
- ⁶ ^ Anglo-American Committee of Inquiry - Appendix IV copy at [1] (http://avalon.law.yale.edu/20th_century/angap04.asp)
- ⁷ ^ *Manchester Guardian*. 24 May 1939. pp. 12, 14.
- ⁸ ^ *Manchester Guardian*. 24 May 1939. p. 8.
- ⁹ ^ House of Commons Debates, Volume 347 column 1984 [2] (http://hansard.millbanksystems.com/commons/1939/may/22/palestine-1#column_1984)
- ¹⁰ ^ Hilberg, Raul, *The Destruction of the European Jews*, (1961) New Viewpoints, New York 1973 p.717 n.7
- ¹¹ ^ Morris, Benny, "The Tangled Truth", *The New Republic*, May '07, '08 [3] (<http://www.tnr.com/story.html?id=0e100478-298c-438c-a994-e1800474ad19>)
- ¹² ^ Buheiry, Marwan R. (1989) *The Formation and Perception of the Modern Arab World. Studies by Marwan R Buheiry*. Edited by Lawrence I. Conrad. Darwin Press, Princeton. ISBN 0-87850-064-2. p.177
- ¹³ ^ Kayyali, Abdul-Wahhab Said (no date) *Palestine. A Modern History* Croom Helm. ISBN 086199-007-2. p.221.
- ¹⁴ ^ *A Survey of Palestine - prepared in December 1945 and January 1946 for the informatin of the Anglo-American Committee of Inquiry*. Reprinted 1991 by the The Institute of Palestine Studies, Washington. Volumes One: ISBN 0-88728-211-3. p.54.
- ¹⁵ ^ *Survey*. p.56.
- ¹⁶ ^ The Brigade by Howard Blum, p.5. In 1946, a yiddish song written in the Yishuv by Jacob Jacobs ad Isadore Lilian included these lyrics: *Tserisn muz vern dos vayse papir, In der fremd viln mir mer nit zayn. Habeyt mishomyim ureey, Groyser got kuk arop un ze, Vi men yogt undz, vi men plot undz, Got, her oys undzer geshrey*. "They don't care about Jewish anguish, The White Paper must be torn, We don't want to be away from our home anymore." (As described in "Palestine in Song," *YIVO News* No. 204, Winter 2008, p.15
- ¹⁷ ^ Ofer, Dalia, *Escaping the Holocaust* (1990) pages 218ff, 290.
- ¹⁸ ^ *ibid*, p219
- ¹⁹ ^ *ibid*, p290
- ²⁰ ^ Ovendale, R, "The Palestine Policy of the British Labour Government 1945-1946", *International Affairs*, Vol. 55, pages 409-431.

21. ^ Hilberg, Raul *The Destruction of the European Jews*, (1971) New Viewpoints ed. New York, 1973 p.729
22. ^ *Report of the Anglo-American Committee* (1946) Cmd.6808 pp.65-66
23. ^ *New York Times* 11/08/46 pg 35, UK Foreign Office document 371/52651
24. ^ "Proclamation by Head of Government, Sunday May 16, 1948" (<http://info.jpost.com/1998/Supplements/1948/features.html>). The Palestine Post *Internet Edition*. The Jerusalem Post. Retrieved 25 June 2010.

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See also

- Aliyah Bet
- Arab-Israeli conflict
- British Mandate of Palestine
- Churchill White Paper, 1922
- Passfield white paper, 1930
- 1936-1939 Arab revolt in Palestine
- Proposals for a Palestinian state
- Army of Shadows, Palestinian Collaboration with Zionism, 1917-1948

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