

D.C.I. G.S.

1

Before 1109 Misc; 6342 goes to S. G.S. you may like to see this paper.

I always understood that the A.G.'s Department only dealt with Army Act law and with military courts. These cases were tried under the Ottoman Penal Code, and I thought that the D.C.I. here and the f. S. at f. H.Q. dealt with military courts.

Have you anything to add to f. A. G.S. minutes?

H.J.G.
24/7/20

D.C.I. G.S.2

I entirely agree with Sir Herbert Samuel's views in 2A - the matter is dead and should not be reopened. Please see 3A which is the opinion of M. I. 2c and with which I agree.

H.M.I.

29.7.20

W. Sturges
M. G. S.

810
298

S. of S.

31

This paper contains the report of the Court of Enquiry into the riots in JERUSALEM during last April. I have been through the case and I am in agreement with minute 2 in this jacket.

T10/Misc/6342 contains the proceedings of the military courts which sentenced 23 individuals to imprisonment for rioting.

I have so far deferred sending the proceedings of the military courts to the Foreign Office, as I wish to make one letter of both the Court of Enquiry and the military courts.

I consider that in forwarding these documents to the Foreign Office, the Army Council should express a strong opinion that the matter, which has been closed by Sir Herbert Samuel (see 2.B. in this file), should not be given further publicity.

Do you concur?

Henry Wilson

30/7/20

C.I.G.S.

4
Yes

ML
31.7

5
HJC
31/7/20

5

A. O. Carter to 20 ... 4.8.20

5^a

6

See

Returned to you - no action
necessary as for the time
concerned.

W. Stewart
May 20

J.M.L.
20.8.20

In any further communication
on this subject, please quote

No. E 9379/85/44

and address,

not to any person by name,

but to—

"The Under-Secretary of State,"
Foreign Office,
London, S.W.1.

6a 4
FOREIGN OFFICE.

S.W.1.

August 18th 1920



Sir,

I am directed by Earl Curzon of Kedleston to refer to your letter No. 0152/5610 M.I.2. of 4th instant on the subject of the enquiry into the disturbances in Jerusalem in April of this year. In view of the change in the Administration which has taken place and of His Majesty's High Commissioner's expressed desire that the report should not be published, Lord Curzon, as far as this Department is concerned, does not contemplate taking any further action.

Separately

The enclosures transmitted with your letter under reply are returned herewith.

I am,

Sir,

Your most obedient,
humble servant,

J. A. C. Tilley

The Secretary
to the Army Council.

E 9379/85/44

5
FOREIGN OFFICE

S.W.1.

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The enclosures transmitted with your letter under reply are returned herewith.

I am,
Sir,
Your most obedient,
humble servant,

The Secretary
to the Army Council.

A. C. TILLEY

0152/5610 (M.I.2).

4th August, 1920.

Sir,

I am commanded by the Army Council to forward herewith :-

- (a) The proceedings of the Military Courts of the trial of 23 individuals for complicity in the Jerusalem riots in April last.
- (b) The full text of the Court of Enquiry assembled to enquire into the riots in Jerusalem in April, 1920, accompanied by a covering letter from the G.O.C., Egyptian Expeditionary Force, No.B.41161 of the 13th July, and further, the evidence of all witnesses and all exhibits placed before the Court.

These documents are the original documents and the only copies available.

I am to say that the Council are in complete agreement with the views expressed by Sir H. Samuel in his telegram No.125 of the 15th July, forwarded to this Department under cover of your letter No. E.8436/85/44 of the 21st July, and would strongly deprecate further publicity being given to a matter which has been closed by the action of the High Commissioner for Palestine.

I am,

Sir,

Your obedient servant,

(Sd) H. J. Creedy

The Under Secretary of State,
FOREIGN OFFICE.

D.D.M.I.

1. Herewith the full text of the report of the Court of Enquiry assembled to enquire into the riots in Jerusalem in April 1920, and a covering letter from General Congreve.

2. Before commenting on the report I would draw your particular attention to 2 B in this file, and am of the opinion that the War Office, in any communication with the Foreign Office, should endeavour to prevent the re-opening of a matter which has been closed by the amnesty declared by the new High Commissioner of Palestine shortly after his arrival at Jerusalem.

3. As regards the report itself, I would refer you to paragraph 7 on page 5 relative to the Balfour declaration and in this connection I would emphasise the fact, which is borne out by this report, that this declaration, which was in fact an expression of the policy of H.M.G., has been interpreted in a variety of ways by the people chiefly concerned.

4. It is my opinion that the meaning of this declaration, namely that Palestine should be a National Home for the Jewish people, has only been fully understood in London by the government departments concerned, i.e. the Foreign Office and War Office, and has never been understood in Palestine, except by the Zionists themselves.

5. I think this opinion is substantiated by the appointment of Colonel Meinertzhagen as C.P.O. by the London departments, with a view to stiffening the Administration.

6. If you agree to my opinion as expressed above in paragraphs 4 and 5 of this minute, I think the natural corollary, and it so appears to me from the report itself, is that the members composing the Court themselves fail to understand the fact that His Majesty's Government are committed to the formation in Palestine of a national Jewish Home, and they lose

sight of the fact that H.M.G. are responsible for laying down all questions of policy; as an instance of this see paragraph 4 of page 39 of the report, and paragraph 36 on page 21.

7. I consider that H.M.G. as represented by the Foreign Office and War Office are partially responsible for this state of affairs, in that they did not take sufficient steps to make their policy clear to the Administration in the first place, and further that when they found that the Administration had not understood and were not carrying out the policy, they did not take stronger steps than the appointment of one officer to see that it was carried out. In this particular connection see paragraph 32 on page 18 of the report, also final paragraph of paragraph 19 on page 12 and paragraph 31 on page 18.

8. The reply to the above criticism is that the Administration were only empowered by the terms of martial law to maintain the 'status quo' in Palestine, and were not empowered to do more: but the fact that H.M.G. had laid down a policy should have caused the Administration to have either carried it out or to have represented that they were not empowered to do so: and not to have been, as they were, hidebound to regulations.

9. Finally, I consider that it would be prejudicial to everyone's interest to re-open this controversy.

The administration of Palestine has changed from military to civil power, and the situation is quiet, and a more important factor than that, is the French success in Syria which is bound to reflect on Arab opinion in Palestine in a way which can only be favourable to the maintenance of order under the mandatory power; and finally, to re-open this question will give a fresh opportunity to the Anti-British Jewish extremists, such as Jabotinsky, to gain further prestige than they have already unnecessarily attained during their recent pub

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Thuracindoe

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on this subject, please quote

No. **E 8436/85/44.**

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not to any person by name,

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"The Under-Secretary of State,"
Foreign Office,
London, S.W.1.

2A ✓
FOREIGN OFFICE.

S.W.1.

23 JUL 1920
July 21st 1920.

Sir,

I am directed by Earl Curzon of Kedleston to transmit
herewith for the information of the Army Council, copy of
a telegram from Sir H. Samuel, relative to the report of the
Court of Enquiry on the Jerusalem riots.

In the circumstances His Lordship trusts that the report
will not be published without previous reference to this
Department.

I am,

Sir,

Your most obedient

humble servant.

J. A. C. Tilley

The Secretary

to the Army Council.

S.B

THIS DOCUMENT IS THE PROPERTY OF HIS BRITANNIC
MAJESTY'S GOVERNMENT AND SHOULD BE RETURNED TO THE
FOREIGN OFFICE IF NOT REQUIRED FOR OFFICIAL USE).

PALESTINE.

POLITICAL.

Decypher. Sir H. Samuel (Jerusalem). 15th July 1920.

D. 7.30 p.m. 15th July 1920.

R. 3.15 p.m. 18th July 1920.

No.125.

-----oOo-----

Understand that report of Jerusalem riot enquiry
has been sent to you. Have not seen it but irrespective
of contents I strongly deprecate publication. There
is a new administration, amnesty has been declared,
passions have subsided and atmosphere at present
excellent. Publication must necessarily revive
controversy. Eder, Zionist commissioner agrees.

2B 10

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From:-

the General Officer Commanding,
Egyptian Expeditionary Force,

To:-

the Secretary,
War Office, London, S.W.1

GENERAL HEADQUARTERS,
13th July 1920.

Sir,

I have the honour to forward herewith the full text of the report of the Court of Enquiry assembled to enquire into the riots in Jerusalem in April last.

A precis of the conclusions arrived at has already been telegraphed to you in my cable No 817.A of 5th July 1920.

Copies of the proceedings have been sent to

H.E. the High Commissioner for Egypt,
H.E. the High Commissioner for Palestine,

and I enclose a copy for transmission to the Foreign Office.

As regards Part "A".

I am not in a position to discuss the political findings of the Court, but as far as I know of the situation I am in agreement with them in general. I consider the evidence produced discloses a state of affairs in the Zionist Commission and activities fully justifying the conclusions arrived at by the late Chief Administrator, Major-General Sir L.J. Bols, and already forwarded to you under my G.S. 1443 of 28th April 1920.

I consider that the baneful influence of Lieut.-Colonel Meinertzhagen has been exaggerated.

I agree with the finding of the Court in para 45, page 26.

As regards Part "B".

As the administration of Palestine had been taken over by Sir H. Samuel before I received the report I am unable to take

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Page 2nd

any action on the adverse remarks made on the Military Governorate.

The decision to withdraw the troops, vide para 9 of page 40 of the report, is animadverted on, but as there seems to be a conflict of evidence as to the responsibility for it I have taken no action.

As regards the remarks of the Court on the trial of Jabotinsky and his confederates, para 61; the proceedings of the trial were carefully examined by the General Officer Commanding, 3rd Division, who convened the Court, by my legal advisers and by myself. I consider that the evidence established their guilt on the charges framed against them with which alone I was in a position to deal.

I remitted a large portion of the sentences, as already reported to you, acting on the same lines as were followed in similar trials here in Egypt in April 1919.

The proceedings of the Courts are already in your possession.

I have the honour to be,

Sir,

Your obedient servant,

HS.

W. J. Lawrence

Lieutenant-General,
Commanding EGYPTIAN EXPEDITIONARY FORCE.

REPORT OF THE COURT OF INQUIRY
CONVENED BY ORDER OF H.E. THE
HIGH COMMISSIONER AND COMMANDER-
IN-CHIEF, DATED THE 12th DAY OF
APRIL, 1930

13

INTRODUCTORY NOTE.

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

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

This mission was subsequently enlarged by the addition of the words (received by cable dated 22nd April 1930 from General Headquarters) "and as to the extent and causes of racial feelings that at present exist in Palestine."

In consequence of this enlargement of the scope of the Inquiry, the Court found themselves committed from a comparatively simple investigation into the circumstances of a local outbreak to a far reaching investigation of racial upstirrings arising out of recent historical events in the Near East. In the course of the inquiry, the Court sat for a period of fifty days, exclusive of Sundays, and examined one hundred and fifty two witnesses, speaking in less than eight different languages, i.e. English, French, Arabic, Hebrew, Yiddish, Jargon, Russian and Hindustani; the consequent necessity of working through interpreters considerably lengthened the proceedings. As far as possible the examination of witnesses was conducted in open court, but in view of the grave political questions, provision was asked for and obtained to hear certain portions of the evidence in camera.

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A feature of the inquiry was the vigorous attack made upon the Administration of C.E.T.A. (3) by the Zionist Commission, who were legally represented by Mr. S. Alexander of the firm of R. Devonshire & Co., Advocates, Cairo. The case for the Arab and Christian population was by no means so well prepared and apparently presented with some reluctance. There was a marked contrast between the keen interest displayed by the Jews throughout the hearing, and the lack of interest of the Moslem and Christian population, who hardly ever attended the Court. The Administration of C.E.T.A. (3) placed its officials and all documents at the service of the Court.

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