

## ORIGINS OF THE PALESTINE MANDATE

By Adam Garfinkle



*Adam Garfinkle, Editor of The American Interest Magazine, served as the principal speechwriter to Secretary of State Colin Powell. He has also been editor of The National Interest and has taught at Johns Hopkins University's School for Advanced International Studies (SAIS), the University of Pennsylvania, Haverford College and other institutions of higher learning. An alumnus of FPRI, he currently serves on FPRI's Board of Advisors.*

*This essay is based on a lecture he delivered to FPRI's Butcher History Institute on "Teaching about Israel and Palestine," October 25-26, 2014. A link to the the videofiles of each lecture can be found here: <http://www.fpri.org/events/2014/10/teaching-about-israel-and-palestine>*

Like everything else historical, the Palestine Mandate has a history with a chronological beginning, a middle, and, in this case, an end. From a strictly legal point of view, that beginning was September 29, 1923, and the end was midnight, May 14, 1948, putting the middle expanse at just short of 25 years.

But also like everything else historical, it is no simple matter to determine either how far back in the historical tapestry to go in search of origins, or how far to lean history into its consequences up to and speculatively beyond the present time. These decisions depend ultimately on the purposes of an historical inquiry and, whatever historical investigators may say, all such inquiries do have purposes, whether recognized, admitted, and articulated or not. A.J.P. Taylor's famous insistence that historical analysis has no purpose other than enlightened storytelling, rendering the entire enterprise much closer to literature than to social science, is interesting precisely because it is such an outlier perspective among professional historians.

Well that it should be, for without some purpose in mind, information cannot become knowledge. Genuine knowledge, however is precious because it is so rare, a truth illustrated by the fact that, when it comes to Israel and the Arabs, purposes of various descriptions are barely suppressible. Indeed, history has become a tool in contending partisan narratives, producing supposed historical accounts that are not only largely at odds with one another, but that usually make for very bad history reckoned by professional standards concerning rules of evidence. Unfortunately, there is *so* much interest in the Arab-Israeli conflict, and its Palestinian-Israeli subset, that skewed histories have by now acquired generational imprimatur, having been passed down over the decades with an air of surety so thick as to be mightily resistant to fumigation.

Be that as it may, genuine knowledge of history is possible, and knowledge about the Palestine Mandate is no exception. Genuine knowledge, however, is invariably complex. The intellectual marketplace is full of come-ons purporting to explain complicated realities by dint of a single "silver bullet" factor: economic relationships; the realist compulsions of geopolitics; the role of "great men"; the trump of partisan politics; varieties of cultural determinism; and more besides. They are all purveyors of false hopes, yet each plea on behalf of the simple speaks to a necessary element in a complex whole. Yes, money matters, as does power, place, personality, politics, and the generally unselfconscious templates rolling about in people's heads inherited from the past through the subtle biases of language and its allusive metaphors. So, of course, does the wider context in which any history plays out

matter. Certainly in the case of the origins and life of the Palestine Mandate, all these factors play an explanatory role.

## THE “WHY?” OF THE PALESTINE MANDATE

One way to get a handle on complexity in the case of the Palestine Mandate is to organize thinking around three questions: Why?, How?, and, somewhat surprisingly perhaps, Where?

If one asks “why” did the Palestine Mandate come into being as a British trust of sorts, along with the other British and French mandates that attended the conclusion of the World War, one immediately runs into a wider context composed of an improbable mix of the ordinary and the extraordinary. The ordinary is that it has been common practice since time immemorial for the victor in warfare to seize spoils from the vanquished, and those spoils have prominently included real estate. The extraordinary is that by the time of the Great War the normative environment had changed in the West to the point where old-fashioned imperial means of absorbing such acquisitions had begun to leave a sour taste on the moral taste buds of the ruling elites, especially in Britain and the United States, and to a lesser extent in France and elsewhere on the Continent. The Great War therefore could not be fought merely as another iteration of standard imperial competition; it required at the least a patina of liberal nobility insofar as its aims were concerned. The entry of the New-World idealist United States into the conflict in 1917, with the moralist Woodrow Wilson at its bowsprit speaking of “a war to end all wars”, magnified the necessity for a new rationale for the postwar expropriation and reassignment of great power territories.

The shift in the Western normative environment was itself a Janus-like affair. On its one side was the spirit of a new internationalism, a dimension illuminated by the late-19<sup>th</sup> century advance of propositions such as the Inter-Parliamentary Union, founded in 1889, the Arbitration movement that sought world peace through world law, and the establishment of international governance institutions such as the Universal Postal Union and the International Labour Organisation. Part and parcel of the liberal Whig interpretation of historical progress put into operation, these developments culminated early in the Great War into a movement to establish what became the League of Nations. Lord Bryce in Great Britain, and William Howard Taft with his 1915 proposal of a League to Enforce Peace, made the impulse mainly an Anglospheric one—and indeed it was another English speaker, Jan Smuts of British South Africa, who drafted the text of the League’s famed Covenant, Article 22 of which specified for the first time the idea of mandates as way-stations to self-determination for peoples living under colonial rule. Thanks largely to the experience of the war, in France and elsewhere in Europe the idea of a League of Nations, and of the concept of a mandate, had made accelerated headway among the cognoscenti.

The other face of the Janus concerns exactly this idea of self-determination. The global ethos had shifted against the legitimacy of the imperial principle—at least insofar as it pertained to the soon-to-be defeated empires of Hohenzollern Germany, Hapsburg Austria-Hungary, and Ottoman Turkey. (Little did most British and French, Portuguese, Spanish, and Belgian statesmen realize at the time that the change would ultimately undermine their own colonial enterprises in due course.) No longer could legitimate state authority impose a dominant ethno-linguistic culture on others. Not internationalism but nationalism, defined in ethno-linguistic terms, was thought a progressive ideal at the end of the 19<sup>th</sup> century and into the beginning of the 20<sup>th</sup>. It was based at its root on the ideal of the nation-state, a normative term asserting that states should be defined in terms of national majorities. (It is a term that has become corrupted in common American usage over the years into a synonym for state or nation or country, even though these three words are themselves not synonyms but, as any dictionary will make clear, mean three different things.)

Consequently, the League of Nations, brought into being by the Treaty of Versailles in 1919, created a system of mandates for dealing with the results of dispossessing and deconstructing the aforementioned three empires. (It seemed not to occur to any senior Allied leader at the time that removing major pillars from the structure of the Concert of Europe might be a bad idea.) There were to be new nation-states, mainly carved out of Austria-Hungary, and three classes of mandates: A, for peoples needing but modest tutelage to be brought up to the standards for national independence; B, for those needing more time and aid; and C, for those, for various reasons, unlikely to qualify for independence. Class A mandates were assigned to France for Syria and to Britain for Mesopotamia; Germany’s African colonies, to be divided between France and Britain, merited Class B status; its small Pacific island colonies fell into Class C.

## BUT WHAT OF PALESTINE?

Palestine was special. Since the November 1917 Balfour Declaration, specifying that Palestine was to be vouchsafed as a national home for the Jewish people, was written into the Palestine Mandate by unanimous agreement among the victorious Allied and Associated powers, the national majority principle needed to be set aside. In 1919 Palestine lacked precise boundaries—of which more in a moment—but even so it was clear that Arabic-speakers outnumbered Jews by a large majority. Since Palestine was to be capable of absorbing Jews from all parts of Europe and the world beyond in accord with the Zionist project—the national movement of the Jewish people—Palestine, it was generally assumed by the British, the Americans, and the Zionists alike, would become independent once the country had a Jewish majority that would, presumably, purchase enough private lands to sustain that majority population.

It was not a foregone conclusion during the War that a mandate for Palestine would pass to Great Britain. Lord Balfour himself, then Foreign Secretary, mooted the idea of an American mandate. President Wilson sent two men to geographical Syria to learn what the locals preferred, and these two men—Henry Churchill King and Richard R. Crane—reported in what became known as the King-Crane Commission Report that the local Arabs thought poorly of being ruled by foreigners of any kind. They believed, after all, that the British had promised them independence after the war in payment for the anti-Ottoman uprising that ultimately aided the British military effort to conquer the area (and made the late Peter O'Toole, playing the starring role of T.E. Lawrence, famous).

In any event, the idea of an American mandate faded fast before British military and Foreign Office entreaties to the War Cabinet that Palestine ought to be British. The geopolitics of firming up the route from the metropole to the jewel of the Empire—India—came strongly to bear. Besides, the political set-to of 1919-20 in the U.S. Senate that resulted in the U.S. unwillingness to join in the League of Nations left most Americans of the view that the mandate system was just a masquerade for old-fashioned British and French imperialism, not substantially altered from the already infamous secret 1916 Sykes-Picot plan to dismember the Ottoman Empire—rendered not so secret by war's end by the 1917 Bolshevik Revolution and Moscow's leakage of the plan, map and all, to public view. This was true enough, but not entirely so, or else the extrusions of internationalist idealism that festooned the immediate postwar period—the Washington Naval Conference, the spirit of Locarno, and the Kellogg-Briand Pact, for example—would never have come to pass.

Of course, neither Palestine nor Syria nor Iraq (then called Mesopotamia) would have been subjects for mandates had the Ottoman Empire not entered the World War and been defeated and dismembered as a result. This was not inevitable; contingency in human affairs is real, else the study of history would indeed be pointless. But it did happen.

For most of the 19<sup>th</sup> century, the strongest and richest member of the Concert of Europe, Great Britain, allied with Istanbul against Russian and Austrian encroachments on Turkey. But the pro-Ottoman tilt of Britain's offshore balancer role became attenuated after 1882 with the *de facto* British occupation of Egypt. Thereafter, Germany courted Turkey and, in the Ottoman Empire's efforts to modernize and reform, Germany became its first partner. The educational and engineering exchanges between the two empires matured, their strategic cooperation, meanwhile, epitomized by both the Hejaz Railway and the prospective Berlin-to-Baghdad railway. The latter was clearly designed to help the Ottomans move troops and materiel into their Arab provinces should Britain ever march against them from Egypt—which is, of course, precisely what happened during the World War.

Enver Pasha, the *de facto* ruler of the Empire, might have thought better of joining Germany and Austria. But he was a dedicated Germanophile and, moreover, he wagered that if the Central Powers won the war, Ottoman Turkey would win big. It might regain Egypt from Britain. It might regain territory lost to Russia in earlier wars, and push the Russians further from the coveted Dardanelles over which they hungrily loomed. As to total defeat and dismemberment, Enver Pasha simply could not imagine a war of a length and destructive power such as to cause calamity on a fatal scale, for, after all, the Ottoman Empire was enjoying increasing success at reforming, modernizing, and growing stronger. In that failure of imagination he was of course one of a great many.

Nor was he obviously wrong to throw in with the Central powers. The Ottoman Empire fought well and did not collapse; that fate, rather, was Russia's, whose Czar had popularized the epithet "sick man of Europe" for the Ottoman Empire. Indeed, the Allies failed to impose their military terms on Turkey during the war, and a post-

Versailles Greco-British military effort lost to a reeling but reconstituted Turkish army. Thus did the 1920 Treaty of Sèvres become a dead letter, the prospective Sykes-Picot divisions with it, giving way to the more favorable (for the Turks) Treaty of Lausanne in 1923. Improbable as it may seem, this affected the timing of the Palestine Mandate and hence its territorial definition, too, as we shall see in a moment.

#### THE “HOW?” AND “WHERE?” OF THE PALESTINE MANDATE

So much for the “Why?”; what of the “How?” Once the idea of mandates became ensconced in the postwar plan for a League of Nations, it fell to the victorious Allies to assign and define those mandates. The Allies supposedly acted as agents on behalf of the Council of the League, but of course in truth the British and French governments did no such thing: They assigned the mandates to themselves as they had privately agreed, and the fact that those assignments yielded a result not wildly different from the Sykes-Picot disposition of the Ottoman Arab lands lent credence to the brow-folded perspective of the Senate. These matters were discussed formally at San Remo in April 1920 and further redacted through the Anglo-French Convention in December 1920. Put in such historically rounded-off language, these dates suggested a simple, direct, uncontested translation from prewar to wartime to postwar territorial settlement. Nothing could be further from the truth.

While the British and French were allies during the war, they remained competitors both commercially and colonially. The French suspected that the British were trying to deprive them of their promised preeminent position in Syria, where they had deep historical, cultural, and commercial interests with roots all the way back to the First Crusade. The agent of that dispossession, Paris feared, was one Faisal bin Hussein bin Ali al-Hashemi—namely, one of the sons of the Sherif of Mecca with whom Sir Henry McMahon of the British Government had held a secret and highly consequential correspondence starting in 1915.

The correspondence, and its attendant map, promised the Hashemites, as prime agent for the Arabs, a vast independent state come war’s end in reward for the Arab Revolt. Whether this state was to include or exclude what became Palestine, at the time still without agreed borders, became the stuff of legendary debate within and beyond the British establishment. (McMahon himself wrote in 1937 that it excluded it.) In the event, the Revolt certainly helped General Edmund Allenby conquer Palestine (but so did the Jewish spy ring run by Aaron Aaronsohn, called Nili). When Faisal set to redeem the British pledge to his father somewhat unilaterally and prematurely by proclaiming himself King of Syria in Damascus in March 1920, the French suspected intrigue. At the same time, postwar French governments rose and fell with alarming frequency, resulting in a merry-go-round of foreign ministers and senior staffs. Yes, whether it is trump or not, politics does intrude.

In truth there was no British intrigue to dispossess the French of Syria. What there was instead was a multidimensional perplexity descending on Whitehall. The British had in hand the Mandate for Mesopotamia, which had been drawn onto a map by Sir Percy Cox during 1920, with the aid of the redoubtable Gertrude Bell (not all the “great men” were male). Cox cobbled together this mandate, for what was soon to be called Iraq, from three separate Ottoman provinces, all of them backwaters that had been systematically under- or misgoverned for centuries. The British had no idea what they were going to do with Iraq; the Exchequer was broke from the war, excluding expensive direct rule, and no obvious indirect ruling methodology seemed at hand. Moreover, the matter fell to quarrel between senior British officials in London and those in Delhi, where what amounted to a separate Foreign Office held sway.

As to Palestine, things were even more complicated. Faisal had gone on to Damascus without explicit support from the British military, which temporarily ruled the entire area of geographical Syria. General Allenby had divided the land into three Occupied Enemy Territory Administration (OETA) zones, but the borders of these zones existed only on paper and barely at all in a messy reality. Taken together they implied the borders of Palestine, but in fact only the border to the south, that ran with Egypt, really existed—the result of a 1906 agreement between the British (in Egypt) and the Ottoman Empire that moved the old frontier further from the Suez Canal.

The eastern border, facing toward Iraq across the desert, was unknown, unmarked, and unheard of historically nearly since King Solomon’s time, back when the Kingdom of Moab still existed. It was assumed that the British would take at least indirect responsibility for the vast stretch of desert between the Tigris-Euphrates and the Jordan Rivers, but exactly how, with what legal basis, and exactly where no one knew as of 1919-20. This was called in British official circles at the time the problem of the “Arabian Chapter,” as the archives make clear. The northern

border was nearly as indistinct, the Ottoman administrative units having been changeable and territorially ill-defined.

The British political and cultural elite thought they knew where Palestine was. At the time of the Balfour Declaration, the deep Christian Zionist culture of the Anglican elite saw Palestine as it had long been drawn in their Bibles, on a map usually just after the frontispiece, that carved out the domains of the Tribes of Israel and ran, colloquially, “from Dan to Beersheba.” Beersheba was still there, in the south, but after 1906 it no longer defined the southern reaches of the territory. Where was Dan? In what had to have been a mild embarrassment to some rather august and responsible personages, when it came right down to it no one really knew.

It was one thing at San Remo to assign mandates and another at the Anglo-French Convention to fill in some of the bilateral blanks. But it was something else again to draw borders for states or would-be states and create a legal basis for what went on governmentally inside of them. Meanwhile, the military situation on the ground, which gave the British dominion and dealt the French mostly out of the picture, the tumult of French politics, the sudden expulsion of Faisal from Damascus by the French military in July 1920, the importunings of the Zionists and the Arabs—who at first seemed to support one another’s ambitions only to shift gears in short order—and the ruminations of British accountants and lawyers turned the whole dilemma into a royal pain in the posterior.

To deal with the fixing of the border between the British Mandate for Palestine and the French Mandate for Syria a border commission was established in December 1920, called the Newcombe-Paulet Commission. This commission was the target of surgical “explanatory” strikes by the Zionists, led by one Pinhas Rutenberg, whose concern was mainly hydrological, and in this the Zionists were supported by the British Mandate’s first governor, Sir Herbert Samuel, and by the new British Colonial Secretary, Winston Churchill. The Newcombe-Paulet Commission ended up changing the provisional December 1920 lines, in turn derived roughly from the OETA boundaries, in what may seem small but were actually consequential ways—mainly in the favor of Palestine.

What about the eastern boundary? In the aftermath of Faisal’s expulsion from Damascus, the British had already begun to treat what became the Emirate of Transjordan as a separate administrative entity that would, at some point or other, need to have defined boundaries with Syria, Iraq, and the Kingdom of Nedj as well as with Palestine. In 1921, in Jerusalem, Churchill drove to unified detail what had been percolating in pieces in British thinking for some months: Faisal would be shipped to Baghdad to become King of Iraq, one of his brothers, Abdallah, who had tried to race to his rescue when the French attacked and was now stranded between Aqaba and Damascus east of the Jordan River, would become Emir of Transjordan. To solve the Arabian Chapter legal problem of British rule in Transjordan having no basis, Churchill joined Transjordan to the Palestine Mandate for the sole purpose of separating it, stipulating as he did that the provisions of the Balfour Declaration regarding the Jewish national home would not apply to areas east of the River. He then later enjoined Samuel to draw the Palestine-Transjordan border, more or less at the last minute, so that the package could be submitted to the League. Alas, those legal sticklers insisted that the mandates could not be submitted and go into effect until they had borders.

The Churchill White Paper, as it became known, dates from June 1922. The Newcombe-Paulet Commission’s work was finished by February 1922, but it was not formalized (with a few last-minute caveats, one concerning Baniyas, one of the three headwaters of the Jordan River) until March 1923. The entire package could not be deposited into the League until the signing of the Treaty of Lausanne, which provided the legal basis for separating the territories from the defunct Ottoman Empire: that took place on September 29, 1923.

Thus, by the time the Palestine Mandate came into effect, Transjordan had been summarily joined and quickly separated from it in order to establish a legal rationale for the existence of Transjordan—not as a mandate, but as a supposedly independent entity that was, all but formally, a British preserve. Transjordan became a formally independent kingdom in 1946. Transjordan’s borders with Syria, Iraq and what, after 1932, became the Kingdom of Saudi Arabia, were all drawn after September 1923, but since Transjordan was not a mandate these matters did not concern the League of Nations.

Others will fill in what became of the Mandate and how it ended nearly 25 years later. Suffice it to say that because the Arabs rejected the Mandate on account of the presence of the Balfour Declaration in its preamble, the vast array of subordinate government functions in actually running Palestine lay open exclusively to the Zionists. So long as the British government remained true to the promise of the Balfour Declaration, which it did at least until 1937 and

arguably until 1939, the mandate served as an institutional incubator for the State of Israel. Its governmental apparatus, its army, its unions, its foreign relations arm, and more all took root during Mandate times. The Arab boycott of the Mandate administration was decisively counterproductive from the Arab point of view. The Mandate came to an end not just because of the Arab-Jewish conflict and violence that erupted in 1936, subsided in 1939, yet continued off and on until after World War II; but also because Palestine's geopolitical significance to Britain paled with the loss of India in 1947.

#### THE PROBLEM OF "BULLSHISTORY"

In the face of this enormously complex history, partisans, propagandists, and the preternaturally clueless have fashioned *and believed* a host of outlandish simplifications. Such is human nature. Palestinians tend to believe that the Mandate was a sinister colonial plot from the start, that the Zionists were in league with and were for practical purposes one with the great devil of Western colonialism. This is untrue. On the other hand, many Zionists and their supporters have believed that the British betrayed the Mandate early and favored the Arab cause all along—the supposed partition of the Mandate in June 1922 being the original sin in this story. This is also untrue.

Revisionist Zionism in particular has peddled the totally ahistorical absurdity that the Balfour Declaration of 1917 came with a map that encompassed all of what is today Israel, the West Bank, Gaza, and Jordan. They will show you this map (or you can find it on the internet without anyone's help), purporting to be from November 1917, with borders drawn some of which were not laid down and agreed until the early 1930s. This is the basis of the plaint that "Jordan is Palestine", implying that a Palestinian state "already exists" east of the Jordan River, only its rulers are not Palestinians—the purpose of this proposition being to vouchsafe all of so-called western Palestine to Israel. The Likud Party took this position for most of its existence, only adjusting its views in recent years. In many books and classes the falsehood that Jordan was an original part of the Palestine Mandate, separated unjustly in the 1922 Churchill White Paper, is still common lore. It represents a variety of bullshistory -- namely, concocted versions of the historical record shaped to serve a partisan cause.

Finally, though it is not as much ballyhooed, experts know that the changes in the northern and northeastern borders of Palestine between December 1920 and September 1923 have been critical to the history of relations between Israel and Syria ever since 1948-49. Those differences helped define the demilitarized zones that existed between the 1949 armistice agreements and the June 1967 War, and they significantly shaped ultimately unsuccessful peace negotiations between Israel and Syria in more recent years. They will have a role in future negotiations, too, without a doubt—if there are any. If any history leans into the present and future, that of the Palestine Mandate is second to none.