



PALESTINE

HIGH COMMISSIONER FOR PALESTINE,
JERUSALEM.

SECRET

REFERENCE NO. CP/764/36

RECEIVED
20 JAN 1937
O. C. REGY

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15 January, 1937.

Sir,

I have the honour to acknowledge the receipt of your Secret despatch of the 9th December on suggestions for the reform of the Supreme Moslem Council, and to say at once that I fully appreciate the grave objections to any course of action that could be held to be a breach of the promise given by Lord Plumer in his letter of the 30th April, 1928 to the President of the Supreme Moslem Council. On further consideration and after a closer study of Lord Plumer's letter I am forced to the conclusion that the measures for the reorganization of the Supreme Moslem Council recommended in my Secret despatch of the 3rd November - or rather the procedure proposed for their introduction - would be inconsistent with both the letter and the spirit of Lord Plumer's promise; and in the circumstances I am no longer able to recommend their adoption unless conditions so change in Palestine as to enable them to be applied if not with the prior approval of an elected Moslem Assembly, at least with the knowledge that they would not be unwelcome to the Moslem Community at large.

*No. 5 on
76023/36*

*2nd and No. 1 on
57260/38.*

Annex 2

*No. 3 on
76023/36.*

2. In reply to your question whether, in addition to Lord Plumer's letter, any further undertakings have been given on this subject, I enclose a copy of an official communiqué No. 696/29 of the 11th February, 1929.

THE RIGHT HONOURABLE
W.G.A. CHIMSBY-CORE, P.C., M.P.,
HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES.

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The last paragraph reads as follows:

" Before a decision is taken on this important matter the proposals will be published in order that Government may be able to ascertain the general sense of Moslem opinion towards these proposals. "

The object of this communiqué was to reassure Moslem opinion generally and particularly Moslem opinion in opposition to the Supreme Moslem Council.

As you are aware the proposals referred to in this communiqué were duly published, but owing to the outbreak of disturbances they attracted little attention on the part of the Moslem Community and elicited practically no constructive criticism.

3. You are correct in assuming that the recommendations in my Secret despatch of the 3rd November were made on the assumption that the existing boycott of the Commission by the Arabs would have been so far modified as to enable the Commission to ascertain the views of the Moslem Community in Palestine on the constitution and functions of the Supreme Moslem Council.

It was my hope, when that despatch was written, that the Arabs would appear before the Royal Commission and that the whole question of the Supreme Moslem Council would be fully ventilated. The Arab Higher Committee have indeed now finally decided to give evidence before the Royal Commission. But I anticipate that the Mufti, whose power and position would no doubt be reduced by any reform in the organization of the Supreme Moslem Council, will exert all his influence to prevent this important question from being freely

No. 3 in
75023/2.

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97

discussed and considered and will do his utmost to limit the representation of Arab grievances to the expression of the purely formal Arab political case as formulated by the Arab Higher Committee.

4. But whether or not he succeeds in this manoeuvre the fact will remain that the procedure advocated in my despatch for the introduction of measures for the reform of the Supreme Moslem Council could not, I now feel, be reconciled with the promise given by Lord Plumer in 1928. We are thus back again in a position in which legislative sanction cannot be given to any revision of the regulation of 1921, except in so far as it is necessary for the holding of elections, until it has been submitted to an elected Moslem Assembly: which, in present circumstances, is the same as saying that nothing will or can be done to reform the Supreme Moslem Council if such reform would have the effect of diminishing the power and position of the Mufti.

The personal influence of the Mufti tends to be employed on all critical occasions to prevent any reasonable measure of reform which might have the effect of reducing his political power. For example, the establishment of a Legislative Council would, in my view and in the view of the Mufti's opponents, have furnished a means whereby elected representatives of the Arab community could be consulted for the purpose of amending the constitution of the Supreme Moslem Council and of altering the powers of its President. This fact was probably a contributory reason for the opposition of the Mufti to the establishment of a Legislative Council. Naturally this ground for opposition was not openly expressed; and in spite of his reluctance for this and other reasons, to accept the Legislative Council proposed by His Majesty's

98

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Government I feel sure that if that proposal had not been dropped it would ultimately have been acquiesced in by Arab leaders including the Mufti.

5. In short we are in a vicious circle. On the one hand there can be no true and lasting peace in Palestine and no effective improvement in the administration of Moslem affairs so long as the present occupant of the post of President of the Supreme Moslem Council retains his authority and prestige intact; and, on the other hand, no step for the reform of the Supreme Moslem Council can be taken without consulting Moslem opinion, which will undoubtedly be dominated by the President.

Sooner rather than later, this vicious circle will have to be broken: and I think the time will come after the recommendations of the Royal Commission, as a whole, regarding future policy in Palestine are known. I am inclined to think that, should the decisions of His Majesty's Government on the recommendations of the Royal Commission be regarded by the Arabs as definitely re-assuring, it is not impossible that some part at least of the proposals suggested by me for reforming the Sharia Courts and Waqf administration, if reproduced in the recommendations of the Royal Commission, could be adopted without too violent opposition. But I fear that even in the most favourable circumstances the Mufti would do his utmost to spread hostile propaganda and arouse opposition to these reforms and to this end he might well raise the religious issue. Indeed I am forced to the conclusion that the introduction of reforms for curtailing Haj Amin's powers will be difficult, if not impossible, so long as he remains in Palestine. If, however, disturbances recur, he will probably identify

*They were
not so
impossible.*

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himself with them or in some other manner give us ground to justify his deportation. Whether it would be possible immediately after that event to introduce reforms of the Supreme Moslem Council I cannot now prophesy. I imagine that there would be a considerable effervescence which would subside only gradually. But the need for reforms would be the less pressing were he effectually excluded from the scene. He has great influence with the masses in Palestine and particularly in and around Jerusalem, but he has many potential enemies both in and out of Palestine, and the number of his supporters would dwindle and the number and influence of his detractors increase were it known that he was unlikely to return to Palestine for many years.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Arthur Waugh
HIGH COMMISSIONER FOR PALESTINE.