



JEWISH PROPERTY CLAIMS AGAINST ARAB COUNTRIES



*Jewish Property Claims  
Against Arab Countries*

Michael R. Fischbach



COLUMBIA UNIVERSITY PRESS

*Publishers Since 1893*

NEW YORK CHICHESTER, WEST SUSSEX

Copyright © 2008 Michael R. Fischbach

All rights reserved

Library of Congress Cataloging-in-Publication Data

Fischbach, Michael R.

Jewish property claims against Arab countries / Michael R. Fischbach.

p. cm.

Includes bibliographical references and index.

ISBN 978-0-231-13538-2 (cloth : alk. paper) —

ISBN 978-0-231-51781-2 (ebook)

1. Jewish property—Arab countries. 2. Arab-Israeli conflict—Influence.

3. Arab countries—Ethnic relations. I. Title.

DS135.A68F57 2008

956.04—dc22

2007053041



Columbia University Press books are printed on permanent and durable acid-free paper.

This book is printed on paper with recycled content.

Printed in the United States of America

C 10 9 8 7 6 5 4 3 2 1

References to Internet Web sites (URLs) were accurate at the time of writing.

Neither the author nor Columbia University Press is responsible for URLs

that may have expired or changed since the manuscript was prepared.

*To Lisa, Tara, Grace, and Sophia*



## CONTENTS

LIST OF TABLES	IX
ABBREVIATIONS	XI
ACKNOWLEDGMENTS	XV
NOTE ON TRANSLITERATION	XVII

### Introduction 1

### I. The Loss of Jewish Property in the Arab World 9

Middle Eastern and North African Jews, Zionism,  
and the 1948 Arab-Israeli War 10

The 1948 Arab-Israeli War, Population Displacement,  
and Property Losses 26

Syria 29

Egypt 39

Yemen and Aden 48

Iraq 52

Libya 67

Lebanon 79

Jordan 81



The West Bank and Gaza 84

The Maghrib 88

2. Jewish Claims in the Context of the Arab-Israeli Conflict and the Peace Process, 1948–2001 99

Holocaust Reparations, Israel's Finances, and Claims Against Arab Countries 100

Comparability of Jewish and Palestinian Property Claims 104

Demand for 1948 War Damages 108

Early Actions Linking Jewish and Palestinian Property Losses and Claims 111

Israeli Linkage of Jewish and Palestinian Property after 1951 120

International Response to Linkage 126

Israeli Documentation of Jewish Claims in the 1950s 130

Aberrant Cases: Addressing Claims Outside of the Conflict's Context 139

Mizrahi/Sephardic Organizations, Linkage, and the Question of Jewish "Refugees" 158

Israel's Peace Treaties with Egypt and Jordan 173

The Palestinian-Israeli Peace Process 180

3. The Status of Jewish Property Claims Today 191

Syria 192

Lebanon 196

Egypt 198

Jordan 207

The West Bank and Gaza 207

The Maghrib 213

Yemen 214

The U.S. Invasion of Iraq and Jewish Claims 215

Compensation and Restitution from Libya? 223

Preparations for Renewed Israeli-Palestinian Talks 226

Conclusion 261

NOTES 273

BIBLIOGRAPHY 319

INDEX 329

## LIST OF TABLES

- 1.1. Land Claimed by the JNF in Syria after 1948 39
- 1.2. Former PICA Land Claimed by Israel in Lebanon after 1948 82
- 1.3. Jewish Land in the West Bank Controlled by Jordan after 1948 85
- 2.1. Value of Jewish Property Losses in Arab Countries and/or to Arab Citizens Recorded by Israeli Registrar of Foreign Claims, 1949–1950 103
- 2.2. Sample of Estimates of the Scope and Value of 1948 Palestinian Refugee Property Losses (Land and Real Estate Only) 122
- 2.3. Value of Jewish Property Losses in Arab Countries and/or to Arab Citizens Recorded by Israeli Registrar of Foreign Claims, 1949–1956 133
- 2.4. Value of Jewish Endowment (Waqf) Property in Iraq Estimated by Three Iraqi Jewish Experts, 1951 134

- 2.5. Value of Jewish Property Losses in Iraq Recorded by Israeli Registrar of Foreign Claims, 1949–1952 137
- 2.6. Type and Value of Property Losses Registered with the Central Registry of Jewish Losses in Egypt by Jews Resident in Israel, 1957 147
- 2.7. Nationalities of Jews Registering Property Losses with the Central Registry of Jewish Losses in Egypt, 1957–1959 148
- 2.8. Type and Value of Total Property Losses Registered with the Central Registry of Jewish Losses in Egypt, 1957–1959 149
- 2.9. Sample of Jewish Communal Property in Larger Towns in Algeria as of July 1, 1962 156

## ABBREVIATIONS

ADBIR	l'Agence de defense des biens et intérêts des rapatriés (Agency for Defense of the Property and Interests of Repatriates)
AIND	Association Internationale Nebi Daniel
AJA	American Jewish Archives
AJC	American Jewish Committee
AJCA	American Jewish Committee Archives
AJJDC	American Jewish Joint Distribution Committee
AJJDCA	American Jewish Joint Distribution Committee Archives
AJOA	Association des Juifs originaires d'Algérie
ANIFOM	l'Agence Nationale d'Indemnisation des Français d'Outre Mer (National Agency for Compensation of Overseas French)
ASF	American Sephardi Federation
ASFR	American Sephardi Federation Records
CJC	Canadian Jewish Conference

CPA	Coalition Provisional Authority
CPMAJO	Conference of Presidents of Major American Jewish Organizations
CRRPD	Commission for the Resolution of Real Property Disputes
CZA	Central Zionist Archives
FLN	Front de le libération nationale
HSJE	Historical Society of Jews from Egypt
ICJAL	International Committee of Jews from Arab Lands
IJMES	<i>International Journal of Middle East Studies</i>
INC	Iraqi National Congress
IPCC	Iraq Property Claims Commission
ISA	Israel State Archives
JA	Jewish Agency
JIMENA	Jews Indigenous to the Middle East and North Africa
JJAC	Justice for Jews from Arab Countries
JNF	Jewish National Fund
NARA	National Archives and Records Administration
NEAT	Near East Air Transit
PA	Palestinian Authority
PEC	Palestine Electric Corporation
PICA	Palestine Jewish Colonization Association
PLDC	Palestine Land Development Company
PLO	Palestine Liberation Organization
PPC	Palestine Potash Company
PRO	Public Records Office
RCC	Revolutionary Command Council

RWG	Refugee Working Group
UNCCP	United Nations Conciliation Commission for Palestine
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSA	United Nations Secretariat Archives
UNTSO	United Nations Truce Supervision Organization
UPI	United Press International
URO	United Restitution Organization
USDIFRA	Union de defense des intérêts des Français rapatriés d'Algérie et d'Outre mer (Union in Defense of the Interests of French Repatriates from Algeria and Overseas)
WCJE	World Congress of Jews from Egypt
WJC	World Jewish Congress
WJRO	World Jewish Restitution Organization
WOJAC	World Organization of Jews from Arab Countries
WSF	World Sephardi Federation



## ACKNOWLEDGMENTS

I carried out research for this book in stages over the past seven years, often in conjunction with my research into Palestinian refugee property losses. I gratefully acknowledge the financial support of the following institutions: the United States Institute for Peace; a Research and Writing Grant from the John D. and Catherine T. MacArthur Foundation; the Institute for Palestine Studies; the Friends of the Institute for Palestine Studies; and the Rashkind Endowment and the Walter Williams Craigie Teaching Endowment, both at Randolph-Macon College, as well as support from the Committee on Faculty Development and the Department of History at Randolph-Macon College.

I would also like to thank several individuals who have assisted me in my research along the way. They have done so in a number of ways—from advice to research assistance and from hospitality to translation. They include Yoav Alon, Eric Scott Kincaid, Yoram Mayorek, Timothy Nolan, Yehouda Shenhav, and two anonymous readers of the manuscript. I also thank the hard-working staff of Columbia University Press. Special thanks go to Jeremy Forman for his help, keen insight, friendship, and hospitality—the latter of which his wife, Yael Sharfstein, and children, Adiyah and Gilboa, also extended. As always, I thank my wife and my daughters for their patience and support, and for reminding me of what is important in life.





## NOTE ON TRANSLITERATION

I have utilized the system for transliterating Hebrew into Latin characters established by the Library of Congress, and the *International Journal of Middle East Studies* (IJMES) system for transliterating Arabic, with the exception of omitting most diacritical marks. Inevitably, however, inconsistencies emerged. This is especially true of certain proper names that have become widely recognized in English under a different spelling, or where individuals use a particular spelling of their names in English. In these cases, to avoid confusion I have used the more popular spelling or the spelling used by those persons in their public lives. Thus, the reader will find “Yosef Weitz” instead of “Yosef Vaits,” “Chaim Weitzmann” instead of “Hayyim Vaitsman,” “Saddam Hussein” instead of “Saddam Husayn,” “Habib Bourguiba” instead of “Habib Abu Raqiba,” and so forth.

I tried to transliterate place names properly from their written form as well, but this proved problematic, particularly regarding North African names. Because so many place names in North Africa follow various French systems of transliteration and have become known by those spellings, I have deferred to these instead of the IJMES system. Indeed, few would know where “Marakish” was as opposed to the common “Marrakech,” or where the island of “Jarba” was as opposed to “Djerba.” I also have used standard English place names such as “Jerusalem” instead of the Arabic “al-Quds” or the Hebrew “Yerushalayim,” “Tripoli” instead of “Tarabulus,” and so forth.



JEWISH PROPERTY CLAIMS AGAINST ARAB COUNTRIES



## Introduction

Consider the following four vignettes involving Jewish property claims in the Arab world. First, by May 2003 U.S. military forces had succeeded in overthrowing the government of Saddam Hussein in Iraq, and occupation authorities were beginning the process of creating a new system of government. Back in New York, the World Jewish Congress (WJC) began receiving many communications from former Iraqi Jews inquiring about the possibility of seeking compensation for property of theirs that had been sequestered by the Iraqi government decades earlier. Virtually no one from Iraq's once-thriving Jewish population still lived in the country, but the aging exiles and their families thought that the time for seeking long-delayed redress might be upon them. Talk was in the air of class-action lawsuits that would target Iraqi funds frozen in American banks since 1990. The American branch of the World Organization of Jews from Arab Countries (WOJAC) printed claim forms for use in tallying up lost assets. Yet some within the WJC, and the Israeli government as well, were cool to the idea. Why, one might ask, would some of the main champions of Jewish compensation, restitution, and reparations claims over the decades seem hesitant about seeking justice for former Iraqi Jews now that the time finally seemed right?

Second, on the last day of August 2004, Libyan leader Mu‘ammar al-Qadhafi announced that his government was willing to pay compensation to former Libyan Jews whose property had been seized by his government in 1970. The move came in the wake of Libya’s remarkable return from international pariah status. By that point, not a single Jew lived in Libya any longer. Several months later, in October 2004, Qadhafi’s government actually hosted a delegation of former Libyan Jews living in Italy. Would Libya’s Jews finally receive their due? This question was clouded by several factors, not the least of which was that in addition to this delegation, a second, rival group of Libyan Jewish exiles in Italy was in contact with Qadhafi’s government at the same. Complicating matters even further was a third group, based in Israel, that also was in contact with Libyan authorities. Who should be the proper representative of former Libyan Jews in such matters?

Third, as part of its participation in the “March of the Living” Holocaust remembrance event in Poland, the Jewish National Fund (JNF) in the early twenty-first century printed a paper version of its famous metal donations box, or “blue box,” that the organization has used for decades to collect money for land purchase and forestation in Israel. As it often did, the JNF printed on the box a map of Israel showing the extent of its landholdings. A closer look at the map, however, showed something unusual: the JNF claims to own land on the eastern side of the Jordan River, in Jordan. The land was purchased by Jews prior to the first Arab-Israeli War in 1948 and cut off from its owners for four decades thereafter. In 1994 Israel and Jordan signed a peace treaty that ended the state of war between them. The treaty contained a provision for establishing a bilateral claims committee by which each side could seek redress for lost property and other claims. To date, however, the Israeli government has yet to pressure the Jordanians for compensation for the JNF’s land. Why?

Fourth and finally, in March 2007 the U.S. Supreme Court refused to hear a case in which the Coca-Cola Company was seeking dismissal of a lawsuit filed against it in U.S. District Court for the Second District in April 1997 by the Bigio family of Canada, who were heirs of a Jewish landowner in Egypt. The Egyptian government nationalized the family’s property in Cairo in 1962—property that the family had leased to the Coca-Cola Company since the 1930s. The company continued to lease the land after its expropriation and in 1994 bought a large share of the property. The family cried foul and filed a damage suit against Coca-Cola under the Alien

Tort Claims Law, a two-hundred-year-old American law that allows foreign nationals to seek damages for violations of international law in American courts. Given so many high-profile efforts by Israel and international Jewish organizations to obtain restitution or compensation for stolen Jewish property during the Holocaust in Europe, why did the heirs of a Canadian Jewish family feel obliged to turn, on their own, to an American court to seek compensation for property lost in Egypt?

What do these four vignettes share in common? They all illuminate aspects of an issue that, while not new, increasingly has risen to the level of international discourse since 2000, especially—but not exclusively—in the context of Arab-Israeli peacemaking: the issue of Jewish property claims against Arab countries, seeking compensation for land abandoned by or seized from Jewish emigrants by Arab governments decades ago. Jewish claims for property restitution and compensation in post-Holocaust Europe were well known in the twentieth century, and the search for justice concerning Jewish property losses under fascist and communist regimes continues today. Property claims occupy a prominent position in the recent history of the Middle East as well, where claims for property compensation and/or restitution made by Palestinian refugees from the 1948 Arab-Israeli War have been a key part of the conflict and efforts to end it. Relatively less prominent has been the fact that Jews lost property in the Arab Middle East as well.

Approximately 800,000 Jews left Arab countries in the twenty years after the 1948 war. While many factors explain why they left their country of origin, many fled because of a rising tide both of anticolonial nationalism and anti-Semitism directed at them as a result of Zionism's clash with the Arabs of Palestine. The latter phenomenon worsened as a result of the 1948 war, in which units from six Arab armies suffered a humiliating defeat at the hands of the new Israeli army. In several states, Jewish property was seized or confiscated, impoverishing what in some cases had been wealthy Jewish communities. Jewish communities that literally had existed for thousands of years all but disappeared. It was a catastrophic denouement for the existence of Jews in the region where they had existed longer than anywhere else on earth.

Jewish migration out of the Arab world was part of a larger demographic process in the region during and after 1948, a process that saw well over one million people leave their homes and cross international borders. Arguably the most tragic dimension of the entire Arab-Israeli conflict has been



the massive displacement of populations that has occurred in the Middle East since 1948. That first war resulted in the flight—from battle, from fear, and by expulsion by Jewish forces—of approximately 750,000 Palestinian Arabs, one-half of the entire Arab population of Palestine. Israel never allowed the vast majority of them to return and formally confiscated their property. Although some of these refugees and their descendants acquired Arab and other forms of citizenship, they have clamored for what they call the right of return to their original homes ever since, and their property claims quickly became one of the major issues surrounding resolution of what euphemistically came to be called the “refugee problem.”<sup>1</sup>

Hundreds of thousands of Jews fled Syria, Egypt, Iraq, Yemen, Libya, and elsewhere in the Arab world after the 1948 war as well. Most settled in Israel and became Israeli citizens. While not displaced by actual fighting (with the exception of Jews deported from wartime Egypt in 1956), some of these people left under the strain of restrictive governmental measures, as well as an explosion of popular anti-Semitic feeling. Some left behind moveable and immovable property, as a matter of either law or practicality. Unlike the Palestinian refugees, these Jewish emigrants have not clamored for return to their former homes. Most were integrated into Israel and other countries of refuge and have remained so until today.

Property claims associated with the conflict quickly became a major component of Arab-Israeli diplomacy. The land and other property left behind by Palestinian refugees in what became Israel emerged as a significant global concern starting in 1948. The same December 1948 United Nations General Assembly resolution that created the United Nations Conciliation Commission for Palestine (UNCCP) to bring about a peaceful resolution to the Arab-Israeli conflict also made specific reference to refugees from the war and discussed repatriation and property compensation. The UNCCP, other United Nations bodies, and the international community later expended considerable energy and funds dealing with the Palestinian refugees and their descendants. Israel announced that it would compensate the refugees for their property that Israeli authorities expropriated. Jewish property lost upon emigration from Arab countries first emerged as a significant issue soon thereafter, in 1951, when Israel announced that in the future it would factor in the value of this lost Jewish property when the time came for it to pay compensation to the Palestinians. The two sets of claims had become linked in diplomatic terms.

Despite the *legal* and *humanitarian* issues inherent in several Arab states’

seizure of Jewish emigrant property, then, Jewish property claims became associated in the minds of many with the thorny *diplomatic* problem of the 1948 Palestinian refugees, the wider Israeli-Palestinian conflict, and indeed the entire complicated relationship between Israel and the Arab world. Given the unresolved nature of this conflict today, nearly six decades since the 1948 war, Palestinian claims remain unresolved. Likewise, virtually none of the Jews who lost property, or their descendants, have been compensated or had their property restituted to them. The lack of resolution of both sets of losses is no coincidence and is the major topic of this study.

Jewish claims for property losses in Europe during the Second World War and the Holocaust, as well as demands for reparations from the West German government, arose at almost the same time as Jewish claims against Arab countries. The State of Israel was at the forefront of those who actively and forcefully pressed for resolution of European claims, as were groups like the WJC and the Conference for Jewish Material Claims Against Germany. Not only did the West German and Austrian governments eventually pay, but so did those of other countries where Jews suffered. Vigorous efforts continued into the 1990s, with the collapse of the Soviet-bloc communist governments of Eastern Europe and the establishment of the World Jewish Restitution Organization. Swiss banks and Austrian museums were forced to retribute bank accounts and artworks belonging to Jews murdered during the Holocaust. German companies have been pressured to compensate former slave laborers forced to work for them during the Nazi regime. Throughout, and especially in recent years, the government of the United States has lent its considerable support to the efforts of these Jewish groups and organizations.

Efforts to seek compensation, restitution, and reparations for European Jews over the past fifty years stand in marked contrast to the experience of Jews who left the Arab world during and after 1948. Little concrete action was taken by Israel or international Jewish organizations to push for Jewish property claims against Arab countries outside of several attempts to register such losses. Most of these registrations were incomplete. The Jews in question, most of whom lived in Israel, occasionally pressured their government to address their grievances. On several occasions Israeli Jews who had lost property in the Arab world actually went to court to try to force the Israeli government into action. Yet most organizations representing Jews from Arab countries inside and outside Israel did not question Israel's policy of linking their claims with those of the Palestinians, and saving them for

the time when Israel negotiated a final settlement to the Israeli-Palestinian conflict. Nor did the U.S. government pressure Arab governments to compensate their dispossessed former Jewish citizens, despite the sometimes considerable influence it wielded with them (particularly Egypt after 1979, and Iraq after 2003).

Why was there such lethargy in pursuing Jewish property claims against Arab states? The main reason is the ongoing state of war between Israel and the Arab world. Israel linked compensating dispossessed Jews from the Arab world with its compensation obligations to the Palestinian refugees and thus has “saved” these Jewish claims until such time as a final Israeli-Palestinian peace treaty is negotiated. International Jewish groups by and large have deferred to Israel on this point and have refrained from taking independent action. Even when it did prove possible for Israel to seek compensation from individual Arab states, it did not do so because it wanted to save the claims as ammunition for use when it eventually hammers out a final peace settlement with the Palestinians. Indeed, because this question was subsumed under the rubric of the wider Israeli-Palestinian conflict, many throughout the world, including Jews, were not even aware that these Jewish property claims even existed. Therefore little was done to address them.

Herein lies the problem: Is the fate of these claims inextricably linked to those of Palestinian refugees, and if so, has the linkage become a stumbling block to the successful resolution of *both* sets of claims? Or are these claims “free standing,” historically related to the Palestinian exodus but deserving of redress independently? If this is the case, why has so little been done? Who should represent the emigrants when pursuing compensation—Israel, international Jewish organizations, or the Jews who sustained property losses in the Arab world themselves? How and when should these claims be addressed? With whom, and in what context, should they be pursued? What are the amounts involved? And with all the changes recently witnessed in the Middle East and North Africa—the renewal of the Israeli-Palestinian peace process, the overthrow of Saddam Hussein’s regime in Iraq, Libya’s emergence from isolation—will greater attention be focused on these claims? Will Middle Eastern and North African Jews seek compensation separately from any Israeli actions on the matter, and if so, how might this affect Israeli diplomatic strategies in Palestinian-Israeli negotiations? What are international Jewish groups presently doing about these claims?

This study seeks to answer these questions by examining the history of Jewish property claims against the Arab world. Chapter 1 discusses the fate of the property left behind by Jewish emigrants in a number of Arab countries. In some instances, Jews were forbidden to emigrate, and those who did so surreptitiously simply abandoned their property. In at least one case, Egypt in 1956, the opposite occurred: Jews actually were expelled without their property. In other instances, Jewish property losses stemmed from a combination of factors, including laws forbidding the exportation of currency, socialist measures, and so forth. The first chapter also documents the value of lost Jewish property based on what little information is found in archives around the world.

Chapter 2 examines the entire question of “linkage”: how and why these Jewish property claims became intertwined with Palestinian refugee claims and the torturous history of Arab-Israeli relations. In various ways, both Israel and the Arab states connected the fate of Jews in the Arab world with the fate of the Palestinian refugees, and Israel publicly stated in 1951 that it would factor in the value of lost Jewish property in the Arab world when it came time for it to pay compensation to the Palestinians. The second chapter also chronicles Israeli efforts to register such claims; attempts by Jews from Arab countries to champion their claims; international Jewish interest in the question; three examples of how Jewish claims against Arab countries *were* pursued without reference to Israel and its policy of linkage; as well as how, even after Israel signed peace treaties with two Arab states, Jewish property claims remained unresolved. It also discusses how the matter came up and was discussed during Israeli-Palestinian negotiations in 2000 and 2001, and the important changes in Israeli thinking on the matter that resulted.

Chapter 3 discusses developments on the Jewish claims question since the early 1990s. It looks at the present state of affairs regarding Jewish property in several countries in the Arab world. This chapter also examines how the renewal of Israeli-Palestinian peace talks, the American invasion of Iraq, and Libya’s remarkable return from international pariah status have affected the outlook for Jewish property claims against the Arab world. It pays particular attention to how and why, starting in 1999, yet another set of activities has been carried out by Israel and Jewish organizations around the world to raise the question of Jewish property losses in the Arab world to the level of international public and diplomatic discourse, and how these efforts largely were carried out to further Israeli diplomatic needs.

This study is based on years of research conducted, or commissioned, into records at the Central Zionist Archives in Jerusalem; the Israel State Archive in Jerusalem; the archives of the American Jewish Joint Distribution Committee in Jerusalem; the Public Records Office in London; the National Archives and Records Administration in College Park, Maryland; the United Nations Secretariat Archives in New York; the records of the American Sephardi Federation at the Center for Jewish History in New York; the Jacob Rader Marcus Center of the American Jewish Archives in Cincinnati, Ohio; the online archives of the American Jewish Committee; the Alliance Israélite Universelle Library in Paris; and the National Library and Center for Documents and Documentation in Amman. I also consulted documents at the Jordanian government's Department of Lands and Survey within the Ministry of Finance, and the Jordanian Ministry of Culture's National Library and Center for Documents and Documentation. A complete listing of sources can be found in the bibliography.

## The Loss of Jewish Property in the Arab World

**T**he year 1948 was a turning point in Jewish history. Just over three years to the day after the Second World War ended in Europe—a war that included the systematic murder of one-third of the world's Jews during the Nazi Holocaust—Jews in Palestine declared the independence of a Jewish state, Israel. The new state was born in the midst of a war that already had raged between forces from the Jewish minority and those of the majority Palestinian Arab population (as well as some foreign Arab volunteers) since the final weeks of 1947. The war would last through the end of 1948, by which time the new state, with assistance of foreign arms purchases and volunteers, had defeated these Arab forces plus units from the armies of six Arab states that had entered the fray beginning in May 1948.

The emergence of Israel as a state was momentous enough for the Jewish people. But the Israeli victory in that first Arab-Israeli War marked a milestone in Jewish history for another reason. It led to the second massive demographic event, after the virtual destruction of European Jewry during the Holocaust, to affect Jews in the Old World during the mid-twentieth century: the relatively sudden immigration to Israel of hundreds of thousands of Jews from Europe, the Middle East, North Africa, and elsewhere.

Within three decades, virtually the entire Jewish population of the Arab world in particular was gone. Ancient Jewish communities that once were vibrant parts of the Arab world dating back long before Arabs even inhabited those regions no longer existed. Most of these Jews ended up immigrating to Israel.

The circumstances surrounding these Jews' exodus often were traumatic and in some cases were the basis for the dispossession of their property. Some of it was formally sequestered or confiscated according to laws enacted by Arab states. Other property was seized by the authorities or even individuals in ad hoc fashion, particularly if the owners simply abandoned it upon leaving. Other Jews managed to sell some or all of their land, homes, and belongings prior to departure, but at below-market values. Some managed to ship their possessions to Israel only to have them stolen by fellow Jews. In this large-scale dispossession lies the genesis of the question of Jewish property claims against the Arab world, claims that ended up becoming part and parcel of the wider diplomatic struggle associated with the Arab-Israeli conflict.

In the Western world, much less is known about the Jews of North Africa, the Middle East, and Southwest Asia than about the Jews of Europe. It also is true that the founders of Zionism, the modern Jewish nationalist movement, were European Jews, as were the first leaders of the new State of Israel. Who, then, were these Jews from the Arab world? How did they relate to Zionism and the creation of Israel? What impact did the rising conflict between Zionism and the Arab world have on these Jews, particularly during and immediately after the first Arab-Israeli War of 1948? Why did most of them leave the Arab world within a relatively short period of time?

### Middle Eastern and North African Jews, Zionism, and the 1948 Arab-Israeli War

Judaism was born in the ancient Middle East, and Jews have lived in parts of the region continuously for over 2,800 years. It is beyond this study to go into any great detail about the lengthy Jewish experience in the Middle East and North Africa.<sup>1</sup> Suffice it to say that Arab countries were home to several hundred thousand Jews by the 1940s. How to refer to these Jews has been the source of much confusion and even controversy in recent years. The nu-

merically larger Ashkenazic Jewish population in Europe, North America, and Israel—Jews of northern, central, and eastern European origin who often spoke a medieval Judeo-German dialect called Yiddish—typically have referred to all Middle Eastern, North African, and Southwest Asian Jews as “Sephardic” Jews. Strictly speaking, Sephardic Jews were the descendants of the Spanish Jewish community expelled from Spain by the Roman Catholic monarchs King Ferdinand and Queen Isabella in 1492 (Safarad being an old Hebrew term for Spain). These Jews preserved a medieval Judeo-Spanish language that has been called a number of things, including Ladino and, among Sephardim themselves, Judezmo and Hakitia. Many Sephardic exiles ended up in the Middle East and North Africa, although others settled in European countries, particularly in the Balkans.

However, many other Jews in North Africa, the Middle East, and Southwest Asia were not the descendants of the Spanish exiles and thus not true Sephardim. Jews in Iraq, Yemen, and Iran, for example, descended from Hebrews who settled in those areas as a result of forced relocation or immigration during ancient times. They spoke various Jewish dialects of the local languages of those countries (Arabic, Persian, Aramaic, and so forth). The Ashkenazic predilection to calling them Sephardim therefore masks their true origins. Some Jews today, particularly in Israel, prefer to call all of the Jews who lived in the Islamic world, both those present from ancient times and the post-1492 Spanish exiles, as Mizrahi (Hebrew, eastern) Jews. In this way the term encompasses both Sephardic and non-Sephardic Jews residing in, or having emigrated from, Asian and African communities. It stems from the Hebrew expression *edot ha-mizrah*, “the communities of the east.” Although Mizrahi is used primarily in Israel to denote Israelis of Middle Eastern, North African, and Southwest Asian heritage—and is anachronistic when used to describe such Jews prior to their immigration to Israel—I nonetheless occasionally use it and its Hebrew plural, Mizrahim, in this book.

While maintaining linguistic and religious distinctiveness, and suffering from second-class citizenship and sometimes even outright hostility and attack, Jews in the Arab world nonetheless felt rooted in the milieu in which they found themselves by the early twentieth century. Why, then, did virtually the entire Jewish population of Arab North Africa and the Middle East leave the countries of their birth in the first decades of the second half of the twentieth century, often under duress and traumatic circumstances? Why did most go to Israel? It is impossible to understand Jewish property



losses in the Arab world, and subsequent claims for compensation and/or restitution, without making at least some reference to why most of the Jews left Arab countries.

In recent years the political debate—if not always the academic debate—about why the Jews left the Arab world en masse has revolved around Arab anti-Semitism as the main causal factor. It is not the purpose of this book, which specifically discusses property losses and claims, to focus at length on the reasons for this emigration. Nor is it the place to revisit in great detail the recent polemical arguments, within academia and the general public, about whether this Jewish flight can be explained by Arab anti-Semitism alone. But because this debate continues to inform politics and polemics today, particularly the question of Jewish property claims against Arab states and how to resolve them, it is instructive to discuss it at least in passing. We also must take note of the extremely political context and agendas that have motivated this debate.

Mark Cohen has succinctly summed up two basic, rival narratives of Jewish life in the Arab world that have been referenced when parties have discussed whether or not it was largely Arab anti-Semitism that drove out Middle Eastern and North African Jews during the second half of the twentieth century.<sup>2</sup> He also points out the political contexts that have animated production and dissemination of these narratives. Two contexts are particularly worth noting. The first is the body of academic literature that has compared Jewish life in the Christian West with that experienced in the Islamic world. The second context is contemporary world politics, especially developments in the Middle East, inasmuch as these have had an impact on scholarly and nonscholarly understandings of how Jews lived in the Islamic world.

Cohen describes the first narrative as the “myth of the interfaith utopia.” According to this myth, Jews lived in relative harmony with Muslims (and others). To be sure, they were second-class citizens possessing the status of *dhimmi* (Arabic plural: *dhimma*)—protected person—in Islamic societies. Yet because Islam lacked the same exact kind of theologically based antipathy toward Jews found in certain quarters of Christianity, the myth posits that European-style anti-Semitism did not exist in the Islamic world. What caused a rupture in the Jewish-Muslim relationship was the rise of modern political Zionism. Cohen notes:

According to this view, for centuries, Jews and Arabs lived together in peace and harmony under Islamic rule—precisely at a time when the

Jews were being relentlessly persecuted by Christianity [in Europe]. Modern antipathy toward Israel began only when the Jews destroyed the old harmony by pressing the Zionist claim against Muslim-Arab rights to Palestine. Accordingly, Arab hatred and anti-Semitism would end, and the ancient harmony would be restored, when Zionism abandoned both its “colonialist” and its “neo-crusader” quest.<sup>3</sup>

The second narrative, Cohen argues, emerged in reaction to the first after Arab writers began seizing upon the “myth of the interfaith utopia” and using it in their ideological and propaganda war against Israel after 1948. As Jews began discovering the depth of Arab anti-Semitism in the Arab world by the late 1960s, he continues, some began to articulate what Cohen describes as the “neo-lachrymose conception of Jewish-Arab history,” or the “countermyth of Islamic persecution of Jews.” Jews responded to Arab propaganda with their own rival myth about a perpetually unhappy Jewish existence among Arabs, one that long predated modern Zionism. This narrative portrayed Jewish life in the Arab and Islamic worlds not as an interfaith utopia, but one rife with anti-Semitism, hostility, and physical attack—all rooted in a deep Islamic theological antipathy to Jews. According to Cohen, “In response, Jews tried to understand Arab anti-Semitism as the continuation of an old and innate Arab-Islamic hatred and persecution of the Jews reaching back to Muhammad and the Qur’an and even, perhaps, rivaling the anti-Semitism of medieval Christendom” (xvi).

Particularly germane for our study is Cohen’s brief discussion of how certain individuals and organizations made up of Jews formerly from Middle Eastern and North African countries in recent decades have seized upon parts of the “neo-lachrymose” myth in the construction of their own narrative of dispersal from the lands of their origin.<sup>4</sup> Strongly Zionist, these groups sometimes differ on certain aspects of this myth. How far back to date Arab mistreatment of Jews is one of these. In an early publication of the World Organization of Jews from Arab Countries (WOJAC), former Libyan Jew Maurice Roumani roots Arab hostility toward Jews in the Islamic faith as it emerged in the seventh century: “What then are the roots of anti-Jewish discrimination in traditional Islam? We must begin with the founder of Islam, with Muhammad. The historical circumstances confronting Muhammad as he began to preach his new faith and to seek supporters molded his attitude toward the Jews—and that of his followers.”<sup>5</sup> He continues:

Arab oppression of Jews is *not*, therefore, a post-1948 phenomenon. It is rooted in Islam and has been an inescapable characteristic of the relations between Arabs and Jews since Muhammad's time. 20th century Arab persecution of Jews is only a continuation and intensification of this centuries-long tradition, in which the socially and religiously inferior Jew bore the brunt of the Muslim masses' contempt and the Muslim governments' arbitrary policies and financial troubles.<sup>6</sup>

Other Jewish organizations also claim that Jews left the Arab world because of severe persecution, although they tend to date the onset of this oppression much more recently. The website of the American organization Jews Indigenous to the Middle East and North Africa (JIMENA) claims that "Much of the responsibility of the expulsion of the indigenous Jews of the Middle East and North Africa by Arab governments lies with the Palestinian political leadership who engaged in anti-Jewish incitement throughout the Arab world, with the help of Nazi Germany during World War Two, and after the war."<sup>7</sup> Either way, such groups attribute the Jewish exodus to pernicious Arab anti-Semitism.

Even more recently, other Jews of Middle Eastern descent have developed new analyses in response to the countermyth—a "counter countermyth" if you will—arguing that some of their fellow "Arab Jews" have fallen prey to a Eurocentric, post-Holocaust, Zionist discourse that uncritically conflates Ashkenazi and Arab Jewish history into a seamless tale of perpetual worldwide persecution that masks the fact that Jews in Arab countries experienced a more complicated history with their Christian and Muslim neighbors. Ella Habiba Shohat, an Israeli-born academic of Iraqi origin, has decried this, noting:

When Zionist history does refer to what might be termed "Judeo-Islamic history," the narrative usually consists of a morbidly selective "tracing the dots" from pogrom to pogrom as evidence of relentless hostility toward Jews in the Arab world, reminiscent of that encountered in Europe. The notion of the unique, common victimization of all Jews everywhere and at all times, a crucial underpinning of official Israeli discourse, precludes historical analogies and cultural metonymies, thus producing a Eurocentric reading of "Jewish History," one that hijacks the Jews of Islam from their own geography and subsumes them into the history of the European-Ashkenazi

shetl. . . . The master narrative of universal Jewish victimization entailing the claim that the “Jewish nation” faces a common “historical enemy”—the Muslim Arab—requires a double-edged amnesia with regard both to Judeo-Islamic history and to the colonial partition of Palestine. False analogies between the Arabs and Nazis, a symptom of a Jewish-European nightmare projected onto the structurally distinct political dynamics of the Israeli/Palestinian conflict, have become a staple of Zionist rhetoric.<sup>8</sup>

While critical of the “neo-lachrymose myth,” Shohat is not arguing for a return to the “myth of the interfaith utopia.” Rather, she observes that Jews did indeed suffer in Arab countries:

At the same time, we should not idealize the Jewish-Moslem relationship as idyllic. While it is true that Zionist propaganda exaggerated the negative aspects of the Jewish situation in Moslem countries, and while the situation of these Jews over fifteen centuries was undeniably better than in the Christian countries, the fact remains that the status of *dhimmi* applied to both Jews and Christians as “tolerated” and “protected” minorities was intrinsically inegalitarian.<sup>9</sup>

This “inegalitarianism” led to persecution and violence that affected Jews deeply:

The fears, anxiety, and even trauma provoked by chants of “*idhbab al-yahud*” (“slaughter the Jews”) are still a burning memory for my parents’ generation, who lived the anti-Zionist struggle not as Zionist occupiers in Palestine but as Iraqi Jews in Iraq and Egyptian Jews in Egypt. And while those chants can be seen as directed at “the Zionists,” one cannot overlook the way they marked the psyche of Jews in Egypt, Iraq, and Syria.<sup>10</sup>

Myths, countermyths, and counter-countermyths aside, there is no doubt that Arab hostility toward Jews left them in the Middle East and North Africa feeling increasingly uneasy about their futures by the 1930s and 1940s. This uneasiness certainly affected their decisions on whether or not to emigrate. But the very political post-1948 debate over the origins and nature of Arab anti-Semitism, and the degree to which it *alone* was respon-

sible for the Jewish exodus from the Arab world, can potentially obfuscate more than enlighten. A more nuanced historical analysis of why Jews ended up leaving the Arab world must also take into account several important regional and global phenomena that were buffeting the Middle East and North Africa during the twentieth century, and that played crucial roles in triggering both Arab attitudes toward Jews as well as the Jewish exodus. One also must hasten to add that the circumstances varied considerably within and among specific Arab countries. What prompted Jews to emigrate from Syria was quite different from what caused their coreligionists to leave Morocco, for example. Even within a particular country, the decisions to leave varied by social class. One also must consider that while most Jews ended up leaving the Arab world, not all did. And while most went to Israel, by no means all did.

We can start looking for explanations for the Jewish exodus by noting the tremendously disruptive impact that the spread of modernity had on the Middle East and North Africa starting in the late eighteenth century. This process played a major role in destabilizing the region, and in fanning the flames of social conflict among different segments of the population. Europe's enlightenment ideas, expansive industrial capitalist economies, and military adventurism and colonialism created powerful forces whose impacts on the lesser-developed Arab world were profound and uneven. Certain sectors of the economy in the Middle East and North Africa—commercial agriculture, for example, especially production of commodities like cotton, fruit and nuts, and tobacco—generally benefited tremendously from the expanding trade networks that linked the region with the West. Import-exporters profited from the skyrocketing volume of sea-borne east-west trade. Certain areas, such as coastal seaports on the Mediterranean, benefited from the region's growing incorporation into a Western-dominated global capitalist economy. Other areas, like those that had been overland trade entrepôts in the interior, suffered. Certain social actors and classes, including new bureaucratic classes, intellectuals, and military officers, profited from the spread of Western science, technology, and secularism. Finally, portions of certain ethno-religious groups—Jews and Christians of various ethnicities and denominations, for example—benefited from their ability to take advantage of Western schools and languages, trade with coreligionists in Europe, and obtain European citizenship and protection via the Capitulations.<sup>11</sup> In one case, France's colony in Algeria, virtually all Jews were made French citizens by the Crémieux Decree of 1870. The Ca-

pitulations lasted until the defeat of the Ottoman Empire in the First World War, although they remained in place in Egypt all the way until 1937. A good percentage of the Jews living in Egypt by the mid-twentieth century possessed some kind of non-Egyptian, European citizenship.

Other sectors, populations, and regions in the Middle East and North Africa fared less well from the spread of modernity from Europe and the West eastward and southward into the region during the nineteenth and early twentieth centuries. Traditional weavers could no longer compete with the cheap, machine-made European cloth now being imported into the Middle East. Merchants in inland cities like Aleppo suffered when the opening of the Suez Canal in 1869 shifted trade patterns. Muslim businessmen tried to compete with Christian and Jewish colleagues who had special access to European businessmen, possessed European citizenship, or received protection via the Capitulations. The traditional intelligentsia—the clergy (in all religions)—was threatened by the growth of a new, Western-educated, secular class of intellectuals and bureaucrats. Traditional Muslims were upset by the emancipation of former second-class minorities like Christians and Jews, religious communities that sometimes were benefiting from, and being “protected” by, the very intrusive Western forces that were creating such systemic change to the wider socioeconomic, political, and cultural milieu of the region.

The changing economic situation in the Middle East and North Africa thus created opportunity for some and poverty for others. Jews were included in both classes of people. For some Jews, both their influx into certain Arab countries and their eventual exodus out of the Arab world stemmed from economic reasons. This was true of other minorities as well, including Armenian, Greek, and Arab Christians, not to mention Europeans. The number of such non-Arabs and/or non-Muslims, including Jews, who flocked to the seaport of Alexandria skyrocketed starting with growth of the Egyptian economy under Muhammad ‘Ali in the early nineteenth century, and later with the opening of the Suez Canal. Other Jews, such as merchants in Aleppo, left the region altogether when business declined and moved to North and South America.

Modernity brought cultural change to the region as well. The impact of such forces of modernity also affected Jews’ decisions to leave the Arab world and determined the countries to which they moved. European and American missionaries established schools, as did European Jews (the Alliance Israélite Universelle schools). This, along with a Westernized

Ottoman bureaucracy and internationally oriented merchant class, led to the spread of European languages. Where people lived, what languages they spoke (at home and in the marketplace), how they educated their children, even how they dressed, were impacted by the wider introduction of the forces of modernity introduced by the West.

Other factors also prompted considerable social, economic, and cultural change for Jews in the Arab world. These included new developments in the government of the Ottoman empire that affected the lives of Jews and other minorities. The era of the Tanzimat changes to the basis of Ottoman government from 1839 to 1876 brought about the emancipation of non-Muslim *dhimmis* from second-class citizenship. The Great Powers of Europe began interfering in internal Ottoman affairs, demanding “protection” of indigenous religious minorities. Full and equal rights as Ottoman subjects led to the end of special taxes on *dhimmis*, such as the *jizya* head tax, and, starting in 1909, to conscription into the military as well. Many Jews and Christians in the empire chose to emigrate to the New World rather than have their sons forced fight in the Balkan Wars. The widespread dislocation and starvation throughout the Ottoman Syrian provinces during the First World War as a result of the Allied blockade of the Mediterranean coast further disrupted life in the region.

Egypt offers a good case study of how all of these historical factors affected the lives of Jews in the Arab world in different ways. After a century and a half of vicissitudes beginning with the 1798 French invasion, incorporation into the world capitalist economy, virtual Egyptian independence from the Ottoman empire, foreign immigration, British occupation, and eventual Egyptian independence in 1936, the Jewish community of Egypt by the mid-twentieth century was highly differentiated, by sect, class, ethnic and linguistic background, and lifestyle.<sup>12</sup> Their respective lives were affected by Westernization and modernization in different ways. The elite consisted of a wealthy, Westernized, Sephardic bourgeoisie, speakers of French and Italian who often held European passports. These elites lived in the new quarters of Cairo and Alexandria and were well integrated into the global market. On the other extreme were poor, indigenous Musta‘rab (Arabic: Arabized) Jews, from both the majority rabbinical and minority Karaite sects.<sup>13</sup> Although they lived in Cairo’s traditional Jewish Quarter, their lives were much more localized than those of the wealthy Sephardic elite and for all intents and purposes exactly resembled those of their fellow Muslim Egyptians in terms of language, dress, and so forth. Beyond



these extremes there were other types and classes of Jews that figured into the fabric of Egyptian society as well, including lower-middle-class, Yiddish-speaking Ashkenazic immigrants and Jews from surrounding Arab countries.

Alongside the Arab world's incorporation into a global capitalist economy dominated by the West, another dimension of the spread of modernity that affected Jews' eventual decisions to emigrate was European colonial penetration of Arab countries. Starting with France's expedition into Algeria in 1830, and ending with the French and British mandates established in Palestine, Syria-Lebanon, Transjordan, and Iraq in 1922, every Arab country outside certain countries in the Persian/Arab Gulf region came under the direct or at least indirect colonial control of Britain, France, Spain, or Italy by the 1920s. Subsequent nationalist struggles for independence and the eventual process of decolonization affected sectarian relations in these Arab countries tremendously. In addition to all the aforementioned socioeconomic and cultural changes of the nineteenth and twentieth centuries, colonialism changed the traditional relationships between Muslims and non-Muslims. Non-Muslim minorities were sometimes associated, rightly or wrongly, with foreign rule and viewed as having benefited from it. This not only negatively impacted Westernized Jews who spoke only French or Italian and carried foreign passports; it also at times affected how the Muslim majority looked at all Jews in their midst.

One result of all these socioeconomic and political aspects of modernity and colonialism in the Arab world was an increase in religious-cum-political violence among social classes and religious sects in the nineteenth and twentieth centuries. Upheaval that sometimes started out as distinctly socioeconomic and political struggles could, and did, descend into sectarian violence. The disturbances that took place in Lebanon in 1859–1860 are an example. A socioeconomic and political revolution of Maronite Catholic farmers against feudal Maronite landlords ended up as a sectarian conflict that saw followers of the Druze faith kill thousands of Maronites. Present-day Lebanon, a country deliberately created in religiously gerrymandered fashion by the French, continues to face sectarian problems today. Sectarian violence broke out in Damascus, Syria, in July 1860, with Muslims killing Christians in the city's Christian Quarter, but not Jews in the next-door Jewish Quarter. As a result of both situations, European nations and troops intervened to "protect" the Christians, further strengthening the link between sectarianism, violence, and European imperialism.



The rise of Arab nationalism and eventual Arab independence from colonial rule also contributed to intercommunal tensions in the region. The Muslim Arab majority began adopting a nationalist discourse that sometimes excluded non-Muslim minorities living in their midst. Citing Shohat once again:

At the height of imperialism, liberation from racial and colonial oppression could be formulated only along nationalist lines. . . . On a realpolitik level, this was a “reasonable” response to colonialism. Unfortunately, however, formerly colonized people have often fallen into the very same conceptual traps that oppressed them during colonialism. For the Arab Muslim world, liberation from Europe has also marked the end of the overarching Muslim geocultural civilization in which identities and power were defined differently. The place of all protected religious minorities gradually shifted with the introduction of colonialism and nationalism.<sup>14</sup>

Yet another factor impacting Jews in the Arab world was the Second World War. Jews in North Africa suffered in particular from the Nazi Holocaust and the anti-Semitic policies of pro-Nazi governments. Following the German defeat of France in June 1940, the Vichy regime assumed control of French possessions in North Africa and the Middle East. The Vichy government built concentration camps and expelled Jews from schools and liberal professions in North Africa. In Algeria, it confiscated Jewish property as well. In Tunisia, Jews suffered not just from Vichy, but also from the brief German occupation of 1942–1943. Fascist racial laws were applied to Jews in Italian-controlled Libya, and Jews from several North African countries were deported to Nazi death camps in Europe. Farther east in the Arab world, popular anti-Western feeling among Arabs in countries that were French and British colonies or countries aligned with the Allies sometimes led to pro-Axis sentiments. In Iraq, serious anti-Semitic violence connected with the brief period of Anglo-Iraqi fighting broke out in 1941. Axis radio broadcasts and publications disseminated anti-Allied opinions, including Nazi anti-Semitism. All considered, the war was a traumatic experience for many Jews in the Arab world.

In addition to the onslaught of modernity, capitalism, and European imperialism, the other great factor that explains the Jewish exodus from the Arab world in the twentieth century is the creation of Israel and the conflict

between Zionism and the Arabs of Palestine—and, in particular, the negative impact this had on Jews in the wider Arab world. Zionism, the modern Jewish nationalist movement that arose in Europe in the mid- to late nineteenth century, proposed dealing with the scourge of anti-Semitism by having Jews leave Europe and form their own nation state. The site of this state-to-be was Erets Yisra'el (Hebrew: the Land of Israel), the ancient Jewish patrimony in Palestine, then part of the Ottoman empire. Here Zionist leaders hoped the Jewish people would build an independent Jewish state and create a modern, rejuvenated Hebrew-speaking society and culture tied to the soil of its ancestral home. Most Ashkenazic Jews in Europe and North America were not at that time Zionists. Zionism essentially was a modern, secular ideology proposing dramatic changes in Jewish society that contrasted with the traditional, religious life of many Ashkenazic Jews. In fact, most of those who did flee the pogroms and persecutions in the late-nineteenth-century Russian empire settled in the United States and elsewhere in the New World, not Palestine.

Zionism was a product of the European Jewish experience and of European concepts of nationalism. But the historical experiences of Jews living among non-Jews in the Middle East and North Africa differed from those of their Ashkenazic coreligionists in Europe. Like most European Jews, Jews in the Islamic world largely did not share the Zionist political dream of leaving their countries of residence to build a modern Jewish nation state in Palestine (although this began to change as the twentieth century wore on). Culturally, some Jews in the region found the secular, European Zionist ideology objectionable. Artisans and businesspeople, the latter including some quite wealthy individuals, also were not attracted in particular to the socialist strand of Zionism that argued for the renewal of Hebrew culture through hands-on agricultural labor, a strand of thinking that dominated the Zionist movement well into the twentieth century. There were exceptions, of course, and Zionist organizations and clubs did emerge in Jewish communities in the Middle East and North Africa. Some religious Jews long had dreamed of going to Erets Yisra'el to live and die in the Holy Land. These were not true political Zionists, but the idea of moving to Palestine still captivated their imaginations. There was a tradition of such migration among the Jews of Yemen, for example, in the nineteenth and early twentieth centuries.

The rise of a uniquely Jewish nationalist movement at the same time that colonial rule was being challenged and was on the wane, then, complicated

an already growingly complex environment for Jews in the twentieth-century Arab world. Shohat sums up this situation as follows:

But what made the Arab Jewish more complicated than that of other minorities in the Arab Muslim world was the gradual rise of another nationalist movement, Zionism, which asserted claims of pan-Jewishness. For some Arab Jews, tempted by the image of a place where “we” would no longer be a minority, that promise sounded liberatory. Many were exhilarated by the messianic belief that Jews had reached a new religious dispensation. Others, such as communists and some religious leaders, expressed violent opposition to Zionism.<sup>15</sup>

Another factor in the exodus of Jews from Arab countries was the sometimes intense efforts exerted by Zionists to convince them to move to Palestine (and, after 1948, to Israel). If there was a push factor motivating Jews to leave the Arab world, in certain countries there was a strong Zionist pull factor as well that helps explain both why Jews left and why Israel became the destination for most.<sup>16</sup> The success of the Zionist project depended upon its ability to convince Jews to leave their countries of residence—in Zionist parlance, the countries of “exile” (Hebrew: *galut*)—and move to Palestine/Israel to help build the Jewish state. The efforts of local Zionist organizations as well as Zionist emissaries (Hebrew: *shlichim*) from Palestine/Israel were crucial in stimulating interest in emigration from Arab countries, both from principle and, depending on circumstances, as a place of refuge from anti-Semitic persecution.

The success of Zionist activity and propaganda varied from country to country. It proved very important in the saga of the mass Jewish exodus from Iraq in 1950–1951, whereas it hardly succeeded in convincing any Lebanese Jews to move to Israel during or after 1948. Relations between the Zionist movement and other Jews also varied from country to country. In Iraq:

Although the leaders [of the Jewish community] lost their pro-Iraqi orientation as a result of the xenophobic and anti-Semitic nationalism that developed in Iraq, they could not and did not want to adopt the Zionist solution, partly because they did not believe it could succeed and partly because they were deeply ensconced in Iraqi political, eco-

conomic and social life and did not want to leave their homes and give up their cultural heritage.<sup>17</sup>

In addition to the ideological belief in the “ingathering of the exiles” (Hebrew: *kibuts ha-galuyot*), Zionism’s very success depended upon its practical ability to convince large numbers of Jews to move to Palestine/Israel and join in the Zionist project. The demographic and economic need for Jewish capital and Jewish laborers was vital. By the early 1940s, it was becoming clear to Zionist leaders that a good percentage of Ashkenazic Jews—the very Jews they long had targeted for immigration—would not survive the Nazi Holocaust. Not only would there no longer be the Jewish human capital for building a Jewish state, they feared, but the very need for solving “the Jewish problem” in Europe via Zionism would dissipate if there were few Jews left alive there. Jewish Agency (JA) leader David Ben Gurion summed it up this way in 1944: “This fact, the annihilation of six million Jews . . . is liable to destroy the very foundations of Zionism and the Zionist claim, too.”<sup>18</sup> This concern caused Zionist leaders in Palestine to begin exerting serious thought and effort toward convincing the over 800,000 Jews in the Middle East and North Africa to join the Zionist project and move to Palestine. In 1943 JA Immigration Department head Eliyahu Dobkin stated this succinctly:

These exiles have become more valuable in the present era from several standpoints: (a) We do not know how many Jews will be left in Europe after the campaign to exterminate them. . . . Therefore the quantitative value of these three-quarters of a million Jews has risen to the level of a valuable political factor among world Jewry. (b) We all know the simple truth that the entire secret of our policy today is to augment our strength by increasing the Jewish population in Palestine, and these Jews will clearly be the first to join us, preceding Jewish collectives from Europe. (c) It is easier to reach them—we are not separated by seas and war fronts—and it is easier for them to reach Palestine, too.<sup>19</sup>

Shortly before this realization, Ben Gurion had formulated his “Two Million Plan” by late 1942—to have two million European Jews immigrate to Palestine. In light of revelations about the extent of the Nazi murder

of Jews in occupied Europe, he then revised this into the “One Million Plan” by 1944, which included large numbers of Jews from Arab countries.<sup>20</sup> Clearly for Zionism, it now would be essential in a post-Holocaust Jewish world for these Jews to leave their countries of birth for Palestine. As noted above, targeting the Jews of the Islamic world was relatively new. As Histadrut (Zionist labor federation) leader Eliyahu Hacarmeli, himself of Moroccan origin, noted in 1943, “We forgot the eastern lands, and we cannot brag of having discovered them. Cruel life compelled us to discover them.”<sup>21</sup> Shohat analyzes this new-found, desperate Zionist need for Jewish immigration from Arab countries in sharp terms: “It was only after the failure of European immigration—even in the post-Holocaust era most European Jews chose to emigrate elsewhere—that the Zionist establishment decided to bring Sephardi immigrants en masse. The European Zionist rescue phantasy concerning the Jews of the Orient, in sum, masked the need to rescue *itself* from possible economic and political collapse.”<sup>22</sup>

As more and more Zionist settlers moved to Palestine in the first half of the twentieth century, the contradictions between the Zionist dream of establishing a “state that is as Jewish as England is English”<sup>23</sup> and the rising national aspirations of the Arabs of Palestine became increasingly more acute. The result was conflict and violence in Palestine, as well as an unfortunate impact on the Jews of the Arab world. As the overwhelming majority (some 90 percent) of Palestine’s population at the onset of the British mandate in Palestine (1920–1948), Palestinian Arabs<sup>24</sup> sought independence both from British rule and Zionist colonization. Rising Jewish immigration and land purchases fueled Palestinian fears of Jewish domination. By 1948, after several decades of Jewish immigration, the Jewish population of Palestine had risen to about one-third of the total, and Jews and Jewish companies owned 20 percent of all cultivable land in the country.<sup>25</sup>

The friction between the national aims, socioeconomic systems, and religio-cultural lifestyles of Jews and Palestinians engendered friction, conflict, and violence. Violent Palestinian disturbances that targeted Jews broke out in 1920 and 1929, and a sustained armed rebellion occurred against both the British and the Jews in Palestine from 1936 to 1939. Underground Jewish forces fought back and, especially after the end of the Second World War, battled the British as well. Tired of conflict, Britain abandoned the mandate and in 1947 turned over the problem of how to reconcile the respective and conflicting national aims to the newly established United Nations.

Considerable sympathy for the Palestinians’ struggle against both Eu-

ropean colonialism and Zionism arose throughout the wider Arab world from the 1920s through the 1940s. Virtually the entire Arab world had suffered from direct or indirect European colonialism, and the additional prospect of Jewish immigrants, largely from Europe, moving to Palestine with the goal of establishing a Jewish state engendered considerable anti-Zionist sentiment in Arab countries. Foreign Arab volunteers even helped Palestinians fight against Jews and British troops during the Great Arab Revolt in Palestine from 1936 to 1939. Sometimes this anti-Zionist hostility was directed at the unfortunate nonimmigrant Jewish communities both in Palestine and in the surrounding Arab countries, despite the fact that most Jews living there were not Zionists and constituted long-established communities in those countries. Notable attacks on Jews took place in Iraq in 1941, Libya in 1945, and Syria and Aden in 1947.

Shohat argues that this hostility originated not with an Arab inability to distinguish between “Jews” and “Zionists,” but with Zionism’s universal claims on behalf of all Jews, and its belief that Jews in the Arab world shared more in common with their coreligionists elsewhere (including in Palestine) than with Arabs: “The Zionist idea that Arabness and Jewishness are mutually exclusive gradually came to be shared by Arab nationalist discourse, placing Arab Jews on the horns of a terrible dilemma.”<sup>26</sup> Other non-Muslim minorities faced challenges,

But in the case of Jews, because of the aggressive advance of Zionism, Arab Jewish identity was always intensely “on trial” in a way that was not true of the other minorities. All the minorities faced the insecurity engendered by marginalization, but Arab Jews had to face as well the basic question of final allegiance: were they ultimately loyal to the hegemonic threat, the “Zionist entity,” or to their “local” nations of residence?<sup>27</sup>

Continuing, she notes:

Zionism, then, brought a painful binarism into the formerly peaceful relationship between the two communities. The Sephardi Jew was prodded to choose between anti-Zionist “Arabness” and a pro-Zionist “Jewishness.” For the first time in Sephardi history, Arabness and Jewishness were posed as antonyms. The situation led the Palestinian Arabs, meanwhile, to see all Jews as at least potential Zionists.<sup>28</sup>

The first Arab-Israeli War of 1948 marked the turning point for Jews in the Middle East and North Africa. Palestinians and the Arab world erupted in anger at United Nations General Assembly Resolution 181 of November 29, 1947, which partitioned Palestine into separate Jewish and Arab states, plus an international zone around Jerusalem. Arab volunteers once again joined the localized Jewish-Palestinian fighting that erupted in Palestine immediately after the UN decision. Troops from six Arab countries later entered the war on May 15, 1948, but were unable to stop Israel from emerging as an independent Jewish state. The war resulted in a massive Arab defeat and led to the dispersion of three-quarters of a million Palestinian refugees into the surrounding Arab states. The local Jewish-Palestinian struggle had widened into a regional Arab-Israeli conflict, with serious ramifications for Jews in Arab countries.

### The 1948 Arab-Israeli War, Population Displacement, and Property Losses

One of the tragic dimensions of the clash between Zionism and the Arab world, culminating in the first Arab-Israeli War in 1948, was the massive demographic shifts that took place among both Palestinians and Jews during and after the fighting, and indeed, for decades thereafter as the Arab-Israeli conflict continued to fester. Along with these great movements of people came large-scale property losses. The impact of these exoduses and dispossessions would haunt Jewish-Arab relations, and the Arab-Israeli conflict, for decades and would continue to impinge upon a peaceful resolution of the conflict.

Approximately 750,000 Palestinians—half of the entire Arab population of Palestine—ended up leaving their homes to become refugees in the surrounding Arab states as a result of the 1948 fighting. Only about 120,000 Palestinians remained in Israel after the fighting, forming a new ethnic minority within the Jewish state. Some of the refugees fled to avoid the fighting that engulfed the country. Others left because their villages were the scenes of battle, while others were expelled by Jewish forces during and after the war. In the process, these refugees left behind a huge amount of land and other property.<sup>29</sup>

Tens of thousands of Jews in Arab countries left their homes because of the 1948 war as well, pushed by a combination of anti-Semitic feeling and



legislation, religious feeling, Zionist activity, economic factors, the end of colonial rule, and other reasons. The decision to leave varied by circumstance, as well as by country and social class. Approximately 260,000 Jews from the Arab world moved to Israel during and immediately after the war. Rising anti-Israeli anger in parts of the Arab world led to anti-Semitic laws, practices, and even attacks during and after 1948. As noted above, this, combined with the end of European colonial rule and other factors such as the search for a better life and continued Zionism activity, triggered an even greater exodus of Jews in the 1950s. By 1970 approximately 800,000 Jews had left Arab countries in the Middle East and North Africa, some losing property as a result of their exodus. Except for Israel itself, the part of the world where Jews had lived longer than anywhere on earth was virtually bereft of Jews by 1970.

For our purposes, a significant outcome of the 1948 war was the property losses sustained during these massive population movements. The various warring parties adopted measures to seize the property of populations they deemed hostile, both those who had fled and those still living in their midst. This affected both Palestinians and Jews and occurred both during the war and thereafter. Israel applied such measures against Arabs, as did certain Arab countries against Jews. In this fact lies the genesis of the issue of Jewish property claims against the Arab world.

Even before Israel declared its independence on May 14, 1948, and army units from several Arab states entered into the fighting the next day, Zionist officials in Palestine had created several military and civilian agencies to take control of property left behind by fleeing Palestinian refugees. Jewish Agency head David Ben Gurion created two such bodies in April 1948: the Committee for Abandoned Arab Property and the Supervisor of Arab Property in the Northern District. The former was headed by Gad Makhnes, a Jewish citrus grove owner from Tel Aviv, while the latter was supervised (by June 1948, at least) by a prominent Jewish lawyer from Haifa, Naftali Lifshits.<sup>30</sup> After the declaration of Israeli statehood, the Arab Properties Department supplanted the prestate bodies supervising Palestinian refugee property, although this body was in turn taken over in July 1948 by the Ministerial Committee for Abandoned Property. On July 15, 1948, Dov Shafir was appointed as the first Custodian of Abandoned Property to take control of refugee property.<sup>31</sup> Three weeks earlier, on June 20, Israel had frozen the bank accounts of Palestinian refugees to prevent them from arranging for the withdrawal of their funds from their temporary sites of refuge in the Arab world.



Israel then set about creating the legal basis for controlling and later confiscating the property left behind by Palestinian refugees. Following three 1948 laws dealing with what the Israeli government termed “abandoned property,” “abandoned areas,” and “fallow land,” the Israeli government formally confiscated refugee property by virtue of the Emergency Regulations (Absentees’ Property) of December 2, 1948. These regulations replaced the Custodian of *Abandoned* Property with a Custodian of *Absentee* Property to administer and take legal control over all property abandoned by the refugees. This law was replaced by the Absentees’ Property Law of March 14, 1950. This legislation also retroactively voided the transfer of any refugee property that had taken place prior to the establishment of the custodian’s office. Thus any sale of refugee property that took place between April 1, 1948, and the date of publication of the appointment of the custodian that was carried out with an eye to expatriating the consideration into the hands of a refugee in the Arab world was legally voided. The fear was that the funds realized from such cross-border liquidations, even those that took place prior to the custodian’s establishment, would be smuggled into enemy Arab countries. As stated in the law:

A transfer or handing-over of property to an absentee or to another for the benefit of an absentee [refugee] during the period between the 21st Adar bet, 5708 (1 April, 1948) and the day of publication of the appointment of the Custodian, effected with intent to smuggle the whole or a part of the property or the whole or the part of the consideration received for it to a part of Palestine which at the time of the transfer or handing-over was outside the area of Israel, or to the Lebanon, Egypt, Syria, Saudi-Arabia, Trans-Jordan, Iraq or the Yemen, is null and void.<sup>32</sup>

The Palestinian war refugees wanted to return to their homes, but Israel never allowed large-scale repatriation. Nor did it return their land and moveable property (with the exception of bank accounts and safe deposit boxes that later were returned via the United Nations in the 1950s and 1960s), although it offered to pay compensation for certain categories of confiscated land. The Absentees’ Property Law of 1950 not only maintained the Custodian of Absentee Property’s legal control over such property, it also allowed him to sell the land to the Jewish National Fund and a governmental agency, the Development Authority, thereby permanently alienating the land out of the refugees’ hands.

The Israelis also adopted restrictive measures against the approximately 120,000–150,000 Palestinians who remained in Israel after the war. They were forced to live under martial law until December 1966. Palestinian citizens of Israel were required to obtain permits from the military authorities to travel outside their towns and villages, were not conscripted into the military (except for Druze Palestinians),<sup>33</sup> and generally barred from jobs deemed sensitive. Approximately 51 percent of them were declared “absentees” under the Absentees’ Property Law of 1950 and had their property confiscated, even though they were still living in Israel. Estimates of the scope of this confiscated property range from 300 to 1,000 sq. km (300,000–1,000,000 dunums). The Jewish state also declared twelve villages “closed,” forced out the inhabitants, and destroyed them, just as other villages in Galilee were depopulated by declaring them “security zones.”<sup>34</sup>

Like Israel, several Arab states also took immediate measures against Jewish emigration and the property of Jewish émigrés, and sometimes imposed property restrictions against Jews who remained behind as well. The circumstances behind such actions, as well as the policies themselves, varied considerably from country to country for a number of reasons. Some Arab countries tried to prevent or limit Jewish emigration, fearing that such emigrants might end up in Israel—an enemy state—along with their assets. Others allowed Jews to leave, some with property restrictions, some without. In one notable case, propertyless Jews actually were put on ships and expelled in 1956. Some countries confiscated Jewish émigré property; others merely sequestered or froze it. In other cases, Jewish emigrants faced the same rules regarding exporting capital assets as any other citizen. Some Arab states continued their restrictions against Jews and their property for decades after 1948; others lifted them, only to reimpose them later.

Because the specific circumstances surrounding Jewish property losses varied from Arab state to Arab state, the following sections will deal with each country separately, considering in turn the circumstances behind property losses, the legal mechanisms involved, as well as estimates of the value of Jewish property losses.

## Syria

One of the first Arab countries where Jews suffered property losses as a result of their emigration was Syria. Syria’s Jewish community stood at some

30,000 in 1948 and included both the ancient Musta'rab and post-fifteenth-century Sephardic communities clustered in the ancient cities of Damascus and Aleppo, and the twentieth-century community of Qamishli in the Kurdish region of northeastern Syria, most of whom were Jews originally from Turkey and Iraq. Some Syrian Jews were quite wealthy, but most were poor or of modest means.

Newly freed from French colonial control in 1946, Syria was a hotbed of anti-Western, pro-Palestinian Arab nationalist fervor in the late 1940s, and fervently anti-Zionist. These feelings sometimes were directed against Syria's Jewish population, without regard to who was an actual Zionist Jew and who was not. Following the United Nations General Assembly's November 29, 1947, decision to partition Palestine, for example, Arabs in Aleppo launched violent attacks against the Jewish community there in early December. For many Jews, the time had come to leave the country permanently. The Syrian government's policy toward its Jewish citizens and their property at that point stemmed from its overall policies on Jewish emigration, which it tried to prevent on the assumption that most Jews leaving Syria would move, along with any assets they possessed, to Palestine. If it allowed such emigration, the government tacitly would be providing the Zionist movement with people and capital, both of which it desperately needed to achieve its goals. Already by December 1947, immigration to Palestine was forbidden, and the property of anyone who left for Palestine could be confiscated.<sup>35</sup> Five weeks after the Aleppo attacks, on January 10, 1948, the government moved to prevent Jewish emigration through a "freeze" of Jewish movement within the country as well. Jews could only travel domestically with a special police permit.<sup>36</sup> Five months and five days later, Syrian troops entered the fighting against the new Israeli state. Like other Arab forces, they were defeated, and Syria eventually signed an armistice agreement with Israel on July 20, 1949.

On December 22, 1948, twenty days after Israel's passage of the Emergency Regulations (Absentees' Property) allowed formal control of abandoned Palestinian refugee property, the Syrian government halted the purchase and sale of land by Jews, fearing that they might liquidate their property, leave for Israel, and thereby provide material support to the enemy.<sup>37</sup> On February 1, 1949, the Syrian parliament discussed actually seizing Jewish property in Syria. Prime Minister Khalid al-'Azam stated at the time that the matter was being discussed with other Arab states. The next day it was reported that the government had frozen Jewish bank accounts and ordered

banks to make lists of Jewish assets as well as to halt all real estate transactions.<sup>38</sup> Despite these measures, American officials noted in 1950 that “the majority of Syrian Jews have managed to dispose of their property and to emigrate to Lebanon, Italy, and Israel.”<sup>39</sup> A November 1949 Syrian newspaper report agreed, claiming that 300 families had left for Israel from August through November of that year, taking their money and personal property with them.<sup>40</sup> Indeed, 10,402 Jews left Syria (and Lebanon) for Israel between May 15, 1948, and May 22, 1972.<sup>41</sup> A larger number went to Europe, South America, North America, and elsewhere. Only about 5,000 members remained of one of the most ancient Jewish communities in the world.

Not all Jewish assets were liquidated prior to emigration, and the Syrian government quickly moved to take over the property of émigrés.<sup>42</sup> Some of the buildings in Damascus that belonged to Jews who had left the country, including private homes in the Jewish Quarter, initially were used to settle Palestinian refugees from the war. The Jewish social club was seized, and the Alliance Israélite Universelle school was taken over by the Palestine Arab Refugee Institution and used as a school for refugee children.<sup>43</sup> However, it is worth noting that the government also requisitioned public buildings and both Muslim and Christian schools.<sup>44</sup> The Alliance school in Aleppo was confiscated later in 1950 by the local authorities there.<sup>45</sup>

In some cases where Syrian tenants were living in the homes of Jewish exiles, paying rent to the owners’ local agents, the government evicted the tenants to make room for Palestinian refugees. This was undertaken at the initiative of the director general of public security, Ibrahim Husayni. The police then formed a committee that began collecting any rents due to Jews who had emigrated in order to use the funds for “public interest” projects. It could have been this same committee that the government tasked with overall management of Jewish assets.<sup>46</sup> One source states that the committee was called the Palestinian Committee for Management of Assets Belonging to Jews Who Fled, and that Palestinian refugees were part of it.<sup>47</sup> It is unclear if this committee differs from the Palestine Arab Refugee Institution referred to above. This committee reportedly controlled sequestered Jewish property, which it rented but could not sell.<sup>48</sup> Reports in the media in October 1952 claimed that the cabinet later was discussing confiscating abandoned Jewish property, not just sequestering it, and using it to benefit Palestinian refugees.

Western governments took note of the sequestrations and involved themselves in cases where their nationals’ interests were concerned. The

French government approached the Syrians about the seizure of the Alliance Israélite Universelle school in Damascus but was unable to secure restitution to its owners.<sup>49</sup> In fact, the school for Palestinian refugees that was set up there eventually became one of those run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which paid rent for occupying the building.<sup>50</sup> The United States Embassy in Damascus similarly followed the sequestrations and duly reported back to Washington. American diplomats in Damascus secured a meeting with Ibrahim Ustuwani, acting director general of the Syrian Ministry of Foreign Affairs, on February 1, 1949—the day that the Syrian parliament was discussing what to do with Jewish property. At the meeting, Ustuwani condemned Israel's recent legislation that seized abandoned Palestinian refugee property—the Absentees' Property Regulations of December 2, 1948—and noted that the Arab world was weighing “reciprocal treatment of Jewish property in Arab countries.” As for his own government, Ustuwani stated outright that Syria had a right to sequester property belonging to those Jews who remained in Syria and were what he termed “collaborating families”—that is, those whose children immigrated to Israel and were thus fighting in the army of Syria's enemy. The official claimed that a full 80 percent of Jewish families still present in Syria fell into this category.<sup>51</sup>

The Syrians did go on to consider further action against Jewish property in response to Israel's confiscation of the property left behind by fleeing Palestinian refugees. The Israeli Ministry of Foreign Affairs' Research Department published a report stating that the Syrian government sent a proposal to the Arab League on January 16, 1951, proposing that Arab states take reprisals against the property of their Jewish communities in the wake of Israel's expropriation of Palestinian refugee property in March 1950. The Arab League's Legal Department reportedly suggested that Arab states consider denationalizing their Jewish citizens and then confiscating their assets, as Iraq did in 1950–1951 (see below).<sup>52</sup> The Syrian press reported in December 1951 that the Ministry of Justice had asked the Foreign Ministry to secure copies of Israeli legislation confiscating Palestinian refugee property.

The Israelis were quick to note the connection between Syria's actions and their own confiscation of refugee property. In a January 1952 report, the Israeli Ministry of Foreign Affairs noted, “Early on, as Damascus was just beginning to consider this [confiscation of Jewish property], Syria's policy-makers thought of freezing Jewish property in Arab countries as an *act of compensation* [emphasis in the original], taken against Israel, which

took control of abandoned Arab property.<sup>53</sup> Ten months later, in October 1952, the Syrian cabinet again discussed the outright confiscation of Jewish property.<sup>54</sup> The issue continued to simmer in the country, as witnessed by the May 1953 call by the Union of Arab Chambers of Commerce, meeting in Damascus, for Arab states to confiscate the property of their Jewish citizens.<sup>55</sup>

It seems, however, that for all its measures against Jewish assets, the Syrian government never actually adopted formal confiscation measures against Jewish property. At a meeting of Jewish groups in 1956, Eugene Weill of the Alliance Israélite Universelle noted as much. An official of the American Jewish Committee agreed, stating, "It is also a case of the concealed 'cold program,' since Syria has not adopted any formal anti-Jewish legislation."<sup>56</sup> Perhaps this is one reason why, on the whole, the U.S. government did not believe at the time that Syrian policy toward Jews was unduly inappropriate. In late 1953 the American Embassy in Damascus wrote the following to Washington comparing Syria's treatment of its Jews with Israeli policies toward its Palestinian citizens: "The Syrian government's policy toward the small Jewish minority here appears disinterested and certainly compares favorably with that of the Israeli authorities toward the Arab minority in Israel."<sup>57</sup>

The Syrian authorities claimed to have eased some of the restrictions imposed on their remaining Jewish population one year after the war. The new government of Col. Husni al-Za'im, which overthrew the civilian government in March 1949 and ruled until August of that year, opened the doors to Jewish emigration. Approximately five thousand Jews left.<sup>58</sup> According to an unnamed Syrian official quoted in the American press in May 1949, all property restrictions imposed on Jews the previous year had been lifted as well.<sup>59</sup> However, restrictions were reimposed after al-Za'im's downfall. For example, in late 1949 an American immigrant of Syrian Jewish extraction sent a letter to the U.S. Department of State discussing the ongoing ban on Jewish property sales in Syria. The woman was seeking a copy of her certificate of naturalization proving that she was an American citizen so that she could help her brother in Syria dispose of some property. Her brother still lived in Aleppo and sought to evade the ongoing ban on Jewish land sales and sell his property in order to leave Syria and surreptitiously immigrate to Israel. The woman's letter noted that she technically owned the land, and the family was anxious that she, as a naturalized foreign citizen not subject to Syrian restrictions, try to sell

it for them. She wanted to use the certificate of naturalization to prove her foreign citizenship to Syrian authorities.<sup>60</sup>

Property restrictions and confiscations continued throughout the 1950s. The government issued a decree in December 1952 stating that all Syrian Jews who were abroad would henceforth be considered as having immigrated to Israel, and that any remaining property of theirs in Syria would be confiscated.<sup>61</sup> In November 1954 Syrian authorities lifted the ban on Jewish emigration. Jews could now leave Syria but were not allowed to sell their property prior to leaving.<sup>62</sup> Earlier, in January 1954, the governor of the Aleppo district had ordered the Jewish cemetery in the city put up for auction.<sup>63</sup> The Jews in Qamishli particularly suffered. Their cemetery was reportedly confiscated at some point in the early to mid-1950s as well. The gravestones were destroyed, and the land ploughed up. Apparently some women and children tried to resist, clinging to the tombstones as the police moved in. Approximately fifty were injured during their eviction. Thereafter the Jewish community was obliged to transport the bodies of their dead across the border into Turkey and bury them in a cemetery several kilometers away.<sup>64</sup> In early 1956 the government seized the farm implements of Jewish farmers in the town and eventually confiscated their land as well.<sup>65</sup> As an official of the AJC noted in June 1956, "They [Syrian Jews] are convinced that they have been made pawns in a conflict for which they are not responsible but to which they may fall victims in the most drastic sense of the word."<sup>66</sup>

The U.S. government still did not always support such claims of the mistreatment of Syrian Jews, and it said so in meetings with representatives of American Jewish organizations.<sup>67</sup> One high-profile American politician who did believe that Syrian Jews were suffering, however, was the noted leader of the Socialist Party of America and perennial presidential candidate, Norman Thomas. Thomas actually wrote a letter in January 1958 to Ba'ath Party co-founder and Syrian Foreign Minister Salah al-Din Bitar (with the salutation "Dear Comrade Bitar"), calling on him to exercise his influence to ease the plight of the Jews in Qamishli. In the letter, Thomas noted the similarity in the plights of Syrian Jews, Palestinian refugees, and Palestinian citizens of Israel, inasmuch as all three were the victims of events beyond their control:

I am writing to you not as Foreign Minister of Syria, but as one socialist to another, and as one individual concerned with general human welfare to another. . . . Unfortunately, like the Arab refugees, and the Arab minority in Israel, Jewish populations in the Middle



East are often the helpless victims of the clash between Arab nationalism and Zionism. Although we both understand these things very well, this does not detract from our interest in securing justice for the Arab refugees, for the Arab minority in Israel, and Jews in Arab countries. . . . I again appeal to you as a fellow socialist to take what action is within your capabilities in ameliorating some of the conditions which at present limit the freedom of Syrian Jews.<sup>68</sup>

The period of Syria's union with Egypt in the United Arab Republic (UAR) from February 1958 to September 1961 brought about the easing of restrictions on Syrian Jews and their property. Bank accounts were unfrozen within the first eight months of the union.<sup>69</sup> Jews continued to be able to emigrate, with permission, but could only take 400 Syrian pounds worth of personal property with them. They were required to leave behind any land and moveable property (including jewelry) they owned, and they had to sign documents stating that they voluntarily gave up the property to the UAR government.<sup>70</sup> Shortly after the breakup of the UAR, an event occurred that no doubt complicated life further for Syrian Jews. In January 1965, Syrian authorities in Damascus arrested an undercover Israeli intelligence operative, Eliyahu (Eli) Cohen. Born in Egypt to a family of Syrian Jewish emigrants, Cohen had moved to Israel in 1949. Israeli Intelligence officials sent him into Syria in the early 1960s, where he was able to use his native Arabic to pass as a wealthy Syrian businessman while he infiltrated into the highest echelons of Syrian society and politics before his arrest and execution. Travel restrictions were later reapplied and remained in place, along with property restrictions, until the early 1990s.

Various organizations and individuals have come up with estimates of the value of Jewish property seized in Syria over the decades. Yosef Kalash of the Association of Syrian Immigrants in Israel claimed in January 2000 that the organization possessed lists of Jewish property in Syria. He estimated that the Jewish Quarter of Damascus alone contained twenty-six synagogues, a market, and several schools, but he added, "I can't begin to estimate how much the Jewish property in Syria is worth. The land alone is worth a fortune."<sup>71</sup> However, the head of the association, Moshe Sasson, denied that the group possessed such lists.<sup>72</sup> I could find few documents attesting to the scope and value of abandoned Jewish property in Syria. In March 1952 the U.S. Embassy in Damascus received an estimate from the president of the Jewish community of the value of all Jewish property in Syria since 1947 that had been subject to restrictions: between 15 and 25 million Syrian pounds (4.0–6.7 million



in 1952 U.S. dollars).<sup>73</sup> Former Syrian Jews in Israel registered \$1,410,467 worth of property they had left behind in Syria with the Israeli government's Registrar of Foreign Claims office from 1949 to 1950.<sup>74</sup> By February 1956 this figure had risen to \$2,507,532 in registered losses.<sup>75</sup>

We also possess a document attesting to at least part of the value of property confiscated from Syrian Jews during the years 1948–1967. During the June 1967 Arab-Israeli War, the Israeli army captured a document at the Syrian Army Intelligence Service's offices in Qunaytra, in the Golan Heights. The document, from late 1966, reported that nearly 80 percent of the office's budget—£\$19,777.52, or \$5,180—came from the funds realized from confiscated Jewish property in Syria.<sup>76</sup> However, it is unclear just what confiscated property the document refers to, and precisely where the funds came from.

Finally, it is worth noting that an entirely different type of Jewish property was confiscated by Syrian authorities as a result of the conflict between Zionists and Arabs over Palestine: land owned not by indigenous Syrian Jews, but by foreign Zionists and Zionist companies who acquired it in the late nineteenth and early twentieth centuries. Until the end of the First World War in late 1918, there were no borders separating the regions of today's Lebanon, Israel/Palestine, Jordan, and Syria. All were part of the Syrian provinces of the Ottoman empire. This, combined with the fact that the biblical regions where the ancient Hebrews lived included territory outside of today's Israel/Palestine, resulted in a limited number of land purchases outside of Israel/Palestine by nineteenth-century Zionist settlement organizations and Jewish individuals. These areas included the regions of Hawran and the Golan Heights in today's southwestern Syria. Most of the organizations and individuals who still owned land there lived in the new state of Israel after 1948 and thus were cut off from their property due to the state of war existing between Israel and Syria.

Not only had Jews purchased land in southern Syria in the nineteenth century, but Jewish immigrants also tried to settle some of these properties. The earliest of these settlement attempts took place in what is today's Golan Heights. The Bet Yehuda Society of Safad, in Palestine, purchased land near the village of Ramthaniyya in 1886. One source claims that the land was sold by 'Abd al-Rahman Pasha al-Yusuf, a Damascene Kurdish official who owned vast estates in Golan and elsewhere in Syria.<sup>77</sup> A leading figure in the group reportedly was an Algerian Jew living in Safad who had been a colleague of the anti-French Algerian resistance leader 'Abd al-Qadir al-Jaza'iri. The settlement the group established at Ramthaniyya apparently survived only about a year. In 1887 the society, now renamed Bnei Yehuda, purchased more land

nearby—from 2,500 to 6,000 dunums—in a bedouin village named Bir Shaqum.<sup>78</sup> The society acquired the land from a family in the nearby village of al-‘Al for 5,200 French francs and reportedly registered the purchase in October 1888.<sup>79</sup> The settlement built there, called Bnei Yehuda, survived until 1920, although its long struggle to obtain title deeds for all of its holdings, first from the Ottoman government and then from the Syrian government, failed.<sup>80</sup>

In late 1944 the descendants of the Jews in whose names some of the land had been registered sold their rights to it to the Jewish National Fund (JNF) for £P800. By that time, no Jewish settlers had lived there for twenty-four years. In addition, the Palestine Land Development Company (PLDC) purchased some 12,000 dunums in that area as well in 1930.<sup>81</sup> Sometime between 1936 and 1937, the JNF acquired the PLDC land and built the kibbutz of ‘En Gev. The JNF became embroiled in a legal battle in the Syrian courts with the Arabs of Bir Shaqum, who claimed that there were no registration documents asserting Jewish ownership of land there. JNF official Yosef Nahmani sued the villagers, although the Syrian court ruled against the JNF in October 1944, claiming that any deeds testifying to Jewish ownership were forgeries. The appeals court in Damascus upheld the decision in December 1946. The 1948 war then cut off the JNF from this land, which remained behind hostile cease-fire lines for nearly twenty years until June 1967, when Israel captured the Golan from Syria. The settlement of Giv‘at Yo‘av was later built east of Bir Shaqum. Reportedly, descendants of the original families who had acquired land there in the nineteenth century tried to obtain compensation from the Israeli government.<sup>82</sup>

Jews purchased an even larger area of land in Syria in 1891, further east, in the Hawran region. The famous French Jewish philanthropist Baron Edmond de Rothschild bought a large area there starting in 1891. Rothschild was a major supporter of Jewish settlement in Palestine and Syria. Some references state that the land was sold by Ahmad Pasha Sha‘sha‘ and registered in the name of Rothschild’s agent, Emile Frank, of the Alliance Israélite Universelle in Beirut.<sup>83</sup> The land included the localities of Baytima [*sic*; perhaps Butmiyya?], Bayt Yama, Bustas, Buwaydiyya, al-Husniyya, Jillin, Jirjis, Kawkab al-Shamaliyya, Kawkab al-Janubiyya, Khan al-Shaykh, Khirbat Saqufiyya, Khirbat Yubla, Kufr al-Nimr, Sahn al-Jawlan, Tall Amirun al-Sufila, and Tall Amirun al-‘Uliya. Various estimates have been made over the years as to the surface area of the land, which was a contentious issue even at the time. Apparently it was approximately 70,000 dunums. Various attempts were made over the years to settle the land, with varying degrees of success, but the lands largely remained unsettled by Jews over the decades.

In 1900 Rothschild allowed the Jewish Colonization Association, established by Baron Maurice de Hirsch in 1891, to administer his lands for him.<sup>84</sup> However, in 1929–1930 Rothschild transferred both control and ownership of the land to the Palestine Jewish Colonization Association (PICA), which he himself had founded in 1924. PICA also obtained deeds to the Hawran land during the same two years.<sup>85</sup> By that time, Hawran and the rest of Syria were controlled by the French mandate, separated from all other Jewish settlements in British mandatory Palestine. For many years, just a handful of PICA employees managed the estates, collecting rent from the Arab peasants living there.

In 1942 the Syrian land settlement operations spread to that corner of Hawran. Land settlement was a process of surveying land, determining legal rights to it, and registering the results. Syria was rife with pro-Palestinian Arab, anti-Zionist sentiment, and the question of foreign Jewish ownership of land in Syria was highly controversial. In 1943–1944 the land settlement campaign refused to recognize PICA's claim of ownership on the basis that the association was a foreign company, and refused to offer compensation. In fact, some of the land, in Jillin, was awarded to the Syrian waqf administration.<sup>86</sup> PICA appealed the decision to the court of appeals in Aleppo in January 1946 and also began writing to the British government about the matter. In September 1946 the Syrian government apparently decided to confiscate the land.<sup>87</sup> By mid-1947 British diplomats in Damascus reported that Syrian Prime Minister Jamil Mardam had decided “in principle” to have the government buy the PICA land “on the grounds that it was contrary to Syrian policy to allow Jews to own land in Syria.” However, Mardam did not wish to proceed until after the elections of that year were over.<sup>88</sup> As with Jewish land in the Golan, there was no way the Syrian government was going to tolerate Zionist-owned property in Syria. Then came the 1948 war.

After the war, on April 1, 1952, the Syrian government enacted Legislative Decree No. 189, later amended by Decree No. 155 of November 15, 1952, which forbade foreigners from owning rural land in the country. Those that were in possession of such land could not pass it on to their heirs; rather, it would be taken over by the state. The Administration of State Lands would pay compensation, according to the law. In April 1949 PICA contacted Israel's Ministry of Foreign Affairs about the situation.<sup>89</sup> The company continued to have its tax assessments paid to the Syrian government until 1957, when the Syrians returned the payment along with a letter stating that the land was now registered to “its legal owners.”<sup>90</sup>

A final turn of events saw PICA transfer ownership of the land it still claimed in Hawran to the JNF. Upon the death of James Rothschild, son of the baron, in 1957, PICA was to have transferred most of its land in Israel to the JNF. Perhaps because of the new diplomatic realities in the Middle East, plus the fact that the JNF was at that point registered as an Israeli company, PICA instead transferred the land, including what it still claimed in Hawran, to the State of Israel. The state and PICA signed an agreement on December 31, 1958. By that time, PICA was still claiming as holdings in Syria somewhere between 54,241 and 73,974 dunums. The difference depended on the definition of “ownership,” as noted in table 1.1. Of course, this was a notional transfer given that the Syrian government had controlled the land since the 1940s. In 1982 the Israeli government transferred what it considered its ongoing title to the land to the JNF, which still lays claim to the land.<sup>91</sup>

## Egypt

Egypt’s 75,000-strong Jewish community and its property also were adversely affected by the conflict between Zionism and the Arab world, the 1948 war, the lingering Arab-Israeli conflict, as well as by other factors. Most of Egypt’s Jews were Sephardic. This largely French-speaking business community was cosmopolitan and Mediterranean, and generally did not possess Egyptian citizenship. In fact, only between 12 and 25 percent of Jews in Egypt were actual citizens of the country.<sup>92</sup> Many of the rest possessed

TABLE 1.1 Land Claimed by the JNF in Syria After 1948

VILLAGE	AREA OWNED BY DEED ( <i>dunums</i> )	AREA OWNED BY MAP ( <i>dunums</i> )
Jillin	4,433	4,884
Kawkab Qibliyya [Janubiyya]	3,250	3,987
Kawkab Shamaliyya	1,000	—
Muzayra‘a	3,555	3,600
Sahm al-Jawlan	27,952	27,739
Bustas	12,051	12,051
Nafa‘a and Bayt Akar	2,000	—
Total	54,241	73,974

Source: ISA (80) 5721/gimel/23.

no citizenship at all. In addition to the Sephardic Jews, there were smaller communities of Ashkenazic immigrants, as well as Musta'rab Jews of both the Karaite and rabbinical sects. Zionist organizations were active in Egypt, but by no means the dominant feature of Jewish life in the country. Jews were strongly represented among communist circles as well, for example. Still, Egyptian Jewry found itself negatively affected by the growing struggle between Zionism and the Arab world, and by Egypt's entrance into the 1948 war in particular. Anti-Zionist, Islamic, and Egyptian nationalist feelings ran high in the country. Anti-Western sentiments were quite strong there as well. As the largest and most powerful Arab country, Egypt hosted the headquarters of the League of Arab States. Like the Palestinians, Egypt long had experienced British colonial rule until full independence in 1936. Even then, British military forces continued to be stationed along the Suez Canal.

Egypt entered the first Arab-Israeli War in May 1948. Not only were some of its troops deployed in Palestine, the war was brought home on occasion when the Israeli air force bombed Cairo and Alexandria. The fact that the country was at war with the Jewish state caused suspicion to be turned on Egypt's Jewish community. A number of Jews were arrested when the government cracked down hard on Zionists and communists as well. There were bombings of Jewish buildings and neighborhoods throughout the summer of 1948.

In addition to the declaration of martial law on May 13, 1948, the Egyptian government issued Proclamation No. 26, Establishing a Regime for the Administration of Property of Persons Interned or Placed Under Surveillance or Other Persons and Institutions, on May 30, 1948.<sup>93</sup> This order empowered a director general, named by the minister of finance, to "assume the administration of property" of the following:

1. any person who had been detained or placed under police surveillance as a result of the martial law regime
2. societies, associations, or institutions under the control of such a person, or who for which such a person has an important interest
3. any persons living outside Egypt whose actions were deemed prejudicial to Egyptian security

To carry out such sequestrations, the decree required that the minister of finance issue a special order. The property would remain sequestered until such time as the minister issued another order releasing it from sequestration.

For several months following the announcement of Proclamation No. 26, the minister of finance issued special orders, which were published in the official government newspaper, sequestering the property of individuals and organizations that were listed in the published order. The first such order, Order No. 4 of May 30, 1948, sequestered the property of the Société des Avances Commerciales. Order No. 6 of June 2 did so for the property of the establishments of John and Isaac Amiel in 'Abbasiyya, while Order No. 7 of June 5 sequestered the property of Isaac Vaena and Ovadia Israel of Alexandria.<sup>94</sup> Order No. 19 of July 21 decreed that the property in Egypt belonging to persons or institutions resident or temporarily present in Palestine would be sequestered, with the exception of Egyptian soldiers, diplomats, and others who might be there on official business. On February 24, 1949, the vast property of Haim Dorra, worth an estimated £E5 million, was sequestered.<sup>95</sup>

Foreign Jewish groups like the American Jewish Committee (AJC) lodged complaints about the sequestrations with the State Department. In April 1949 Secretary of State Dean Rusk responded to one such letter sent by AJC President Jacob Blaustein by noting:

As you know, the present situation of Jewish minorities in Arab lands has arisen from the violence and bitterness of Arab-Jewish strife in Palestine, where loss of life and the exodus of more than seven hundred thousand Arab refugees have served to inflame the passions of the people. It is our feeling that the most effective means of alleviating the present situation is to concentrate on achieving an early and peaceful settlement of the Palestine problem.<sup>96</sup>

How much Jewish property was sequestered by the special orders that were issued between May and September 1948 and even thereafter? Arab news reports stated that some \$400,000 belonging to Jews of various nationalities in Egypt were handed over to the Director General of Sequestered Property.<sup>97</sup> The World Jewish Congress, citing what it called “trustworthy sources,” put the figure considerably higher at “millions of [Egyptian?] pounds’ worth of Jewish assets.”<sup>98</sup>

Egyptian forces suffered a defeat in the war, and Egypt signed an armistice agreement with Israel on February 24, 1949. Martial law eventually was lifted on February 5, 1950.

About one-quarter of Egypt’s Jews left the country during or as a result of the war. No restrictions on emigration were in place. Approximately

20,000 Jews emigrated from May 1948 through January 1950, mostly for France and Italy, although 7,145 left for Israel.<sup>99</sup> Most of those who left reportedly found ways of expatriating their assets, including by such methods as leaving their capital with foreigners in Egypt in exchange for payments from those people abroad.<sup>100</sup>

Jewish Agency (JA) figures show that several thousand more left for Israel in 1951 and 1952, and that 16,508 Egyptian Jews total entered the Jewish state between 1948 and 1951.<sup>101</sup> Some of them were Karaites. This provoked a great debate within Zionist circles about whether to allow them into Israel. JA Immigration Department head Yitzhak Raphael tried to keep them out. So did Lithuanian-born Rabbi Tsvi Pesah Frank, chief rabbi of Jerusalem, who wrote to Raphael, "Heaven forbid that we should allow such pernicious leprosy into the society of Israel."<sup>102</sup> Eventually, however, the Karaites were allowed in. Departing Jews could liquidate their assets but could expatriate only £10 (\$54) in Egyptian currency upon departure because of Egyptian export laws.<sup>103</sup> Sometime after April 1949, the government abolished the office of the Director General for Sequestered Property, and most seized property was returned to its owners, after administrative costs had been deducted. By November 1949 emigrants could expatriate £E300 (\$864), which would be paid to them in two installments in their first country of arrival.<sup>104</sup>

The matter of Egyptian Jewish property did not completely fade away after the end of the war and the signing of the Egyptian-Israeli armistice. The influential newspaper *al-Abram* published an opinion piece on November 27, 1950, criticizing the government's tolerance of Jewish emigration to Israel, where the new immigrants and their property could assist an enemy state. Israeli intelligence received a report in April 1951 that government officials had discussed the expropriation of Jewish property, an idea that had come before the entire Arab League. Important politicians like Mustafa Nahhas and Fu'ad Sarraj al-Din opposed the idea, however, and even warned Chief Rabbi Hayyim Nahum.<sup>105</sup> A second, "unverified" source reported to Israeli intelligence two days later that the Egyptian government went ahead and set up a committee to explore the possibility of seizing Jewish property. Members of the committee reportedly included Wahid Rif'at, an advisor in the Foreign Ministry; 'Abdullah al-Shu'ayb, director of the Interior Ministry's Department of Supervision; Kamal Salih of the Finance Ministry; and Ahmad Shuqayri, the Palestinian who served as deputy secretary of the Arab League at its Cairo headquarters. Egypt also



took part in Arab League discussions of the matter but objected to a September 1952 Iraqi proposal to confiscate Jewish property on the grounds that all Egyptian citizens should be treated the same.<sup>106</sup>

It was not always to be that way. Israel-Egyptian relations worsened in the years after 1948 for several reasons, to the detriment of Egypt's Jews. One incident is particularly noteworthy. In July 1954 Egyptian authorities arrested several Egyptian Jews who had been recruited by Israeli military intelligence to carry out a campaign of sabotage against Western targets, in hopes of straining Egypt's relations with the United States and Britain (who, the Israelis hoped, would blame Egyptian nationalists for the attacks). Two of the spies from "Operation Susannah" were executed, and others were imprisoned for long periods. This incident regrettably seemed to confirm the suspicion that some Egyptians harbored toward their Jewish compatriots: that they constituted a Zionist fifth column within the country. Tensions between Israel and Egypt continued to mount. Egypt allowed Palestinian guerrillas to attack Israeli targets across the Gaza-Israel cease-fire line. Israeli troops attacked Egyptian targets in Gaza.

Relations descended into all-out war on October 29, 1956, when Israel invaded Egypt, to be joined in the attack by French and British forces several days later. The Egyptian government quickly moved against British and French subjects and their property. During the first week of November 1956, the government issued two military proclamations that allowed it to seize certain properties: Military Proclamation No. 4, Establishing a Regime for the Administration of the Property of Persons Interned, Placed under Surveillance, and Other Persons and Institutions was issued on November 1, 1956.<sup>107</sup> Much like Proclamation No. 26 of 1948, it allowed the military governor to sequester the property of any person whom the government detained or even those under surveillance. The categories of people and institutions whose property could be seized were the same as in the 1948 proclamation and included Jews in Egypt. Military Proclamation No. 5, Relative to Commerce with British and French Citizens and Measures Taken in Connection with Their Property of November 1, 1956,<sup>108</sup> allowed the government to sequester the property of British and French citizens (including Jews possessing British and French citizenship).

Several dozen orders were issued in November 1956 pursuant to these two military proclamations that provided a legal basis for seizing property belonging to British and French citizens and companies, as well as the property of Egyptian Jews and stateless Jews who were detained or under



surveillance. Order No. 170 of November 4, 1956, sequestered the property of a long list of names, most of them Jewish. The order listed 447 names, 186 of which were residents of Cairo, along with 194 in Alexandria, 28 in Port Sa'ïd, 7 in Giza, 20 in Isma'iliyya, and 12 in Suez.<sup>109</sup> The Jewish community's hospital also was sequestered. Two directors general of sequestered property were appointed to control the sequestered property—Hasan Mar'î and Ahmad Mansur—and their office, based in Cairo, carried the official title of the General Administration for Administration of the Property of Persons Detained or Under Surveillance, and Other Persons and Organizations (in French, the official diplomatic language of Egypt, it was called the *Administration Générale de la Gestion des Biens des Internés et Autres Personnes ou Institutions*). The two military orders empowered the office with full legal responsibility over the sequestered property. It also could deduct 10 percent of the value of capital assets, plus 10 percent of the income of rental properties, to cover office expenses.

As a result, at least 500 Jewish-owned firms had their assets frozen. Lists were published showing whose property was sequestered. American diplomatic records make reference to a total of 486 persons and firms whose property was sequestered by the various orders issued pursuant to Military Proclamations Nos. 4 and 5, the majority of them Jewish. Other American documents mentioned that the Egyptian government sequestered the property of 539 Jews and 105 Jewish-owned companies, excluding Jews with French and British citizenship. Other accounts claim that between November 1956 and March 1957, at least 500 Jewish-owned firms had all their assets and bank accounts frozen, while 800 more had just their bank accounts frozen.<sup>110</sup> The General Administration for Administration of the Property of Persons Detained or Under Surveillance, and Other Persons and Organizations printed bilingual Arabic-French forms for detailing the property of each person, company, or institution whose property had been sequestered and placed under its control. Forms were also printed for listing the property of French and British citizens.

Egypt also began expelling British, French, stateless persons, and others. There were many property-owning Jews in Egypt who were not Egyptian citizens and carried British or French passports, or no passport at all. Some of these had been able to buy land even after 1954, when the law forbade foreigners from acquiring real estate.<sup>111</sup> Those expelled were given ten days to leave the country after official notification of their expulsion. According to French and Italian Jews who were expelled, expellees were allowed to sell

their household furniture after November 30, although cars could not be sold.<sup>112</sup> Each head of household could take out £E200 (approximately \$574 in 1956 dollars) in cash, plus £E100 per dependent. Only a total of £E200 could be taken in cash, however; the rest had to take the form of travelers checks. Single persons could only take out £E20. From these amounts, the cost of tickets, jewelry, etc., were deducted. All other property had to remain in Egypt. Up to \$14,000 could be transferred abroad, but checks were only issued against blocked Egyptian accounts in the United States, France, and the United Kingdom (see below).<sup>113</sup> Stateless Jews found that they could not sell land. Even resident Jews who did not possess ten-year residency permits found it almost impossible to get permission to sell land.<sup>114</sup>

The property expropriations and expulsions of foreigners and stateless persons disproportionately affected Jews given their numbers in the country. In fact, one estimate claimed that 60 percent of all French citizens expelled (about 800 people) were Jews.<sup>115</sup> A “substantial portion” of French and Belgian property that was nationalized was Jewish-owned, including the Cairo Bank (formerly called Banc Suarès).<sup>116</sup> From 1956 to 1958 an estimated 23,000–25,000 Jews left Egypt after signing forms giving up all claims against the country.<sup>117</sup>

A particular problem faced by Jewish expellees dealt with letters of credit and travelers checks that they took with them upon departure from Egypt. Beginning December 1, 1956, those leaving were allowed to take with them up to £E100 in travelers checks.<sup>118</sup> If the letters and checks had been issued by British banks, they could be redeemed in full in Britain (but not elsewhere). But because the assets of Egyptian banks in Europe had been sequestered by British and French authorities, holders of letters of credit drawn on these banks could not obtain their funds. Holders of travelers checks issued by the Egyptian branches of the Thomas Cook and American Express companies also faced problems. The Egyptian government sequestered the assets of these companies, and Jews trying to cash the checks abroad found that they were unable to do so. After interventions by the World Jewish Congress with the Bank of England and the British Foreign Office, the British government eventually authorized payments for people cashing travelers checks of up to £UK100 for British subjects and £UK20 for non-British subjects.<sup>119</sup> In France, banks cashed travelers’ checks and letters of credit until June 28, 1957, after which they stopped paying out letters of credit. The letters of credit were due to expire on December 31, 1957, but were extended.

Another problem was that prior to leaving Egypt, some French, British, Moroccan, and Tunisian citizens left cash and documents with the Swiss legations in Cairo and Alexandria, which assumed the role of the British and French diplomatic representatives in the wake of the Suez war. Naturally they wanted to retrieve these items as soon as possible in their countries of refuge. In April 1959 the French Ministry of Foreign Affairs finally announced that such individuals in France would be able to file claims for restitution of such deposited items with the Foreign Ministry, but only if they earlier had filed claims for all their losses. This condition excluded Moroccans and Tunisians, who were not French citizens eligible for filing such initial claims with the French government, but in practice they were allowed to file for restitution of their valuables from the Swiss government.<sup>120</sup>

Soon after the war ended, the Egyptian government began removing Jewish property from sequestration, either by desequestering it or liquidating it. Two months after the sequestration orders were issued, Egyptian authorities began desequestering Jewish property, minus administration expenses, tax liens, and so forth, as long as the Jews in question were not those who had been expelled (French, British, and other Jews who had been expelled were allowed to request desequestration later). By early February 1957 a dozen Jewish businesses reportedly were desequestered.<sup>121</sup> People unable or unwilling to return to Egypt to arrange for desequestration were able to nominate other residents in Egypt to do this for them. In other cases, sequestered property was liquidated. In August 1957 it was announced that twenty-two Jewish homes, eight factories, and other buildings abandoned by departing Jews that were in poor condition would be auctioned in Cairo. Other auctions were scheduled for Alexandria and Isma'iliyya.<sup>122</sup> Jews who left Egypt reported that in general, the General Administration for the sequestered assets preferred to liquidate such assets rather than administer them, with the result that many properties and businesses were sold after any taxes due were paid out.<sup>123</sup> On April 21, 1959, Minister of Finance 'Abd al-Mun'im al-Qaysuni formally canceled Military Proclamation No. 4, effective May 4.<sup>124</sup>

Jews in Egypt suffered considerably in the wake of the tripartite Anglo-French-Israeli attack on Egypt. In July 1957 the U.S. Embassy in Cairo reported that the community in that city was in the process of selling between five and six of its synagogues in order to meet its expenses.<sup>125</sup> Yet they were not alone; other groups suffered as well. As a leading historian of Egyptian Jewry notes:

though the Jews figured prominently on the lists of victims of these prevailing trends, they were by no means the only ones under threat. The Greeks, Armenians, Italians and other Christian groups were affected as well. . . . Still, the creation of Israel and the wars that ensued between the young state and Egypt aggravated the position of the Jews well beyond the precarious position of the other minorities.<sup>126</sup>

In February 1960 the American Embassy reported to Washington that Jews wishing to emigrate were allowed to go. They were able to take out £E20 in cash upon departure, and anyone possessing an Egyptian passport was required to relinquish it in favor of a one-way *laissez passer*. However, the smuggling of assets abroad was widely practiced. Overall, the embassy reported that most Jews remaining in Egypt wanted to leave, but not because of government persecution:

Jews are subject to various forms of subtle discrimination on the personal plane, but their legal rights are not violated. They are not physically mistreated and in comparison with Jews in other Arab states they are subjected to relatively few restrictions on their freedom to engage in commercial or professional enterprise and to congregate socially with other groups. There is definitely a strong desire among most Jews to emigrate, but this is prompted by the feeling that they have limited opportunity, or from fear for the future, rather than by any direct or present tangible mistreatment at the hands of the government.<sup>127</sup>

Two other waves of Jewish property confiscations occurred in Egypt, this time in the 1960s. From 1960 to 1964 the government nationalized hundreds of businesses under President Jamal ‘Abd al-Nasir’s (Gamal Abdel Nasser) socialist decrees. Given their strong position in certain sectors of the Egyptian economy, these decrees affected Jewish as well as other Egyptian businesses. Jews who chose to leave Egypt could do so legally and could take with them clothing, £E50 (about \$144 in 1956 dollars) worth of jewelry, household furniture, and £E30 (about \$86) in cash.<sup>128</sup> Jews were later deported in the wake of Egypt’s massive defeat at the hands of Israel in the June 1967 Arab-Israeli War. They could sell their property and deposit the proceeds in Egyptian banks but were not allowed to make any withdrawals. Deportees could take only £E5 and some personal effects with them.<sup>129</sup>

Statistics on how much property Jews lost in Egypt over the years are

hard to come by. By December 31, 1950, 149 Jews who left Egypt for Israel had filled out government forms for the Finance Ministry's Foreign Claims Registration Office. They estimated the value of their property losses in Egypt at \$1,977,856.<sup>130</sup> By February 1956 this figure had risen to \$2,171,196 in registered losses.<sup>131</sup> In the wake of the traumatic events of 1956–1957, the B'nai B'rith organization estimated the £E27 million in land and £E14 million in moveable property was seized by Egyptian authorities from November 1956 through January 1957 alone. The group also claimed that the government was auctioning £E500–3,000 worth of seized Jewish furniture and households weekly.<sup>132</sup> The Central Registry of Jewish Losses in Egypt (discussed more fully in chapter 2) collected 1,035 claim forms from Jews around the world by June 1959, totaling £E11,279,270 (approximately \$32,371,504 in 1956 dollars).<sup>133</sup> Another estimate was that Jews lost 101,255 feddans of land (approximately 101,255 acres, or 4,200 sq. m.) and 2,807 buildings, worth £E24,200,000.<sup>134</sup> The Israeli government established a special commission in March 1957 to register Israeli Jewish property claims against Egypt, which from July to September 1957 registered 640 claims totaling £E5,531,755,370 (see chapter 2). Work continued for over a year and a half, and eventually over 3,500 claims were made.<sup>135</sup> The Association of Jewish Victims of Egyptian Persecution held a conference in Paris in July 1971 and estimated the value of lost property at \$500 million in personal property, \$300 million in communal religious property, and \$200 million in religious artifacts.<sup>136</sup> The organization had been established in 1958 by Sami 'Atiyya, who had lived in Alexandria until his expulsion in 1956.

## Yemen and Aden

The issue of Jewish property losses in Yemen presents a much more complicated picture than that found in Syria and Egypt. It is important to note that Jews had been leaving Yemen for Palestine for many years prior to 1948. The creation of Israel caused a large percentage of Yemeni Jews to move to the new Jewish state, more out of messianic religious belief than from a belief in political Zionism. Yemen did not participate in the 1948 war, nor did anti-Semitic disturbances break out (although they did in Aden, as documented below). When large numbers of Jews did begin leaving Yemen in 1949, it also was not simply a case of Jewish emigrants abandoning all their property during their flight, nor of the government seizing or sequestering

it. In fact, by and large property dispossession did not feature into the saga of the Jewish exodus from Yemen.<sup>137</sup> Yemeni Jewish emigrants usually sold what property they possessed prior to departure, although not always at market rates. Others were so poor as to own practically nothing to begin with. Still, the question of what to do with Jewish property, especially communal property, did figure into the story of their exodus.

What to do with the Jews' property was clearly on the mind of both the Jewish community and the government of Yemen by the mid-1940s. Jews had been emigrating from Yemen to Palestine long before the emergence of the State of Israel in 1948. In 1934 Imam Yahya Muhammad reportedly ordered that an older ban on Jewish emigration be more strictly enforced, and that the property of emigrants be turned over to the state.<sup>138</sup> The Jewish exodus nonetheless became so large that in July 1946 the imam tried to encourage the return of Jewish emigrants living temporarily in neighboring British-controlled Aden by declaring that they would have their land, houses, and citizenship restored.<sup>139</sup> Creation of Israel in 1948 led to a much more massive wave of Yemeni Jews seeking to leave Yemen. To deal with this situation, the new imam, Ahmad bin Yahya, in early January 1949 ordered that all Jewish land be surveyed and valued to prepare it for sale, at the cost of the Jews themselves. He also banned further Jewish sales or purchases of land, just as he forbade Muslim Yemenis from buying Jewish property. After the imam later decreed that the Jews could leave Yemen in the spring of 1949, Jews were informed that they could sell all of their land and property. Reportedly, Imam Ahmad stated that they had to sell everything; nothing could be taken with them.<sup>140</sup>

Some Jews could not find buyers, while others sold their homes at below-market value. On occasion, the imam himself purchased their property. This occurred in 'Amran, where one of his agents, a certain al-Hajj 'Abdullah, bought all 121 Jewish homes in the town for between 30 and 80 riyals, along with 10,000 libnas (approximately 100 acres) of land.<sup>141</sup> The going rate for houses was much more, on the order of 200–500 riyals. Al-Hajj 'Abdullah bought the synagogue for 40 silver Maria Theresa thaler coins. It later became a storeroom.<sup>142</sup> The imam then sold much of this property to Muslim townspeople, presumably making quite a profit in the process.<sup>143</sup> In other instances, Jews did manage to command market rates for their homes.<sup>144</sup> Some later reported that they received "good money for what they had to sell [because] not a few Arabs believed that the Jews would return one day with the apparently omnipotent armed forces of Israel and take everything back."<sup>145</sup>

Still others just abandoned their homes altogether. What to do with Jewish communal property was also an issue of great concern. In January 1950 the imam ordered that the Jewish community of San‘a’ provide him with a list of all its synagogues. The exact disposition of such buildings is unclear.

The Jews of Yemen were generally quite poor, another factor that minimized the overall scope of their property losses compared with that of wealthier Jewish communities in countries like Egypt. Of particular concern to the emigrants was what little moveable property they carried with them, especially communal religious articles such as Torah scrolls and books. Personnel from the American Jewish Joint Distribution Committee (AJJDC, usually called the “Joint” within Jewish circles) coordinating the evacuation were instructed to buy as many such scrolls as possible, and to encourage emigrants to bring silver artifacts, foreign currency, and other moveable property with them to the Hashid transit camp in British-controlled Aden. The Joint would then ensure the shipment of these goods to Israel. The Yemeni government banned the export of gold but allowed silver, including silver riyals, and other valuables.

The real problem, however, was theft. Along the way, at Hashid, and even in Israel, emigrants were robbed or cheated out of some of their belongings. This was also true of religious artifacts they were carrying. Another problem that hindered the Jews’ ability to carry belongings with them was that the airline company transporting them, Near East Air Transit (NEAT, a company set up in partnership with El Al Israel Airlines), restricted passengers to carrying no more than thirty pounds of luggage for adults, and fifteen pounds for children. This did not stop certain wealthy Jewish businessmen from Aden from securing space on the planes for goods they were smuggling into Israel, however. Even Harry Viteles, head of the AJJDC’s office in Tel Aviv, reportedly arranged for exotic foodstuffs, even including canned pork, to be flown on NEAT planes from Aden to Israel.<sup>146</sup> Presumably the space occupied by these shipments could have been used to ferry more of the passengers’ belongings. The Jews were required to leave Torah scrolls and other religious items in Aden before boarding the planes. Although the AJJDC later arranged for the ship *Ophir* to transport the emigrants’ scrolls, manuscripts, and other such religious articles to Israel, most of these items disappeared after the ship’s arrival at Elat in June 1950 and ended up in antique stores and private collections in Israel.<sup>147</sup>

Jews in the Aden Protectorate, an area east of the Imamate of Yemen that later become part of British-administered South Yemen, also left for Israel. Once again, the circumstances there were more complex than a mere matter



of the abandonment or confiscation of property. In the state of Habban in the Wahidi Sultanate, 340 Jews emigrated in July and August 1950. Yosef Zadok, an Israeli originally from San'a' working with the AJJDC during the Yemeni exodus, managed to secure permission from the sultan for the Jews to leave. This came after a series of negotiations over debts owed by the Hab-bani Jews to various local Muslims. Zadok managed to reduce the amount owed and paid 13,440 rupees on June 30, 1950, to Sultan Nasir bin 'Abdullah bin Muhsin al-Wahidi on behalf of the creditors. The sultan received 1,000 rupees for his trouble and, more importantly, acquired the Jews' houses. These were worth "much more" than 15,000 riyals.<sup>148</sup> In Bayhan, Sharif Husayn bin Ahmad allowed the nearly 200 Jews living there to sell their land and leave, as did Sultan Salah bin Husayn, ruler of 'Awdhali.<sup>149</sup>

As for the Jewish population of the British crown colony of Aden, the bulk of them also left during the airlift of Yemeni Jews. Of the approximately 8,000 Jews who lived in Aden, some 6,700 emigrated in the airlift.<sup>150</sup> Those who left were able to sell or lease their homes prior to departure. British authorities allowed them to transfer £1,250 a year in cash or goods, for a maximum of £5,000 over four years.<sup>151</sup> A major problem for Adeni Jews was that a great deal of their property had been destroyed two years earlier during anti-Jewish disturbances in December 1947, which broke out in the wake of the United Nations plan to partition Palestine. Over £1,020,000 in damages were sustained (see chapter 2).<sup>152</sup> The British evacuated the entire remaining community except for two people as a result of the June 1967 Arab-Israeli War. Their personal property was safeguarded for them in a military depot.<sup>153</sup>

Eventually, 48,818 Yemeni and Adeni Jews left for Israel between 1949 and 1950.<sup>154</sup> Even after the exodus of most of southern Arabia's Jews in the early 1950s, property concerns continued to affect further Jewish emigration. Fear of losing their property, and the inability to liquidate their debts, proved to be disincentives to emigration for Yemen's few remaining Jews by the late 1950s.<sup>155</sup> Some Jews, like those in the regions of Shaghadra and Hashid, did manage to sell property and emigrate in 1958. In 1959, however, Jews from Anis who had been coerced into feigning conversions to Islam simply locked their houses, gave the keys to neighbors, and left.<sup>156</sup> The debt problem stemmed from the fear of Yemeni creditors that Jews would flee without paying them back. This issue became such a problem insofar as continued Jewish emigration was concerned that the Special Committee for the Jews of Yemen was created by the AJJDC's Max Lapidès and the Aden Jewish Council, which told the Jews of Ra'ida that it would work to pay all of their debts.<sup>157</sup>



Much less is known about the fate of Jewish property in Yemen than in other Arab countries. Hard data and statistics on what property losses did occur are even scarcer. The only figures I have seen for the value of Jewish claims against Yemen and Yemeni citizens came from the Israeli government, which had the Finance Ministry's Foreign Claims Registration Office collect statistics on property losses in Arab countries starting in 1949. As of December 31, 1950, fifteen claims had been presented by Yemeni immigrants totaling \$83,512.<sup>158</sup> By February 1956 the total amount of registered losses had risen to \$191,502.<sup>159</sup> I was not able to locate any figures detailing lost or stolen property.

## Iraq

The country where the fate of Jewish émigré property rose to the greatest level of notoriety was Iraq. Prior to 1948 Iraq had been home to an ancient community of approximately 135,000 largely Musta'rab Jews. Like their coreligionists in Egypt, Iraqi Jews as a community were highly involved in the Iraqi economy and generally quite prosperous. However, they resembled Syrian Jews in that they did not carry foreign passports, spoke Arabic (albeit with a distinctive accent), and were part and parcel of the fabric of Iraqi life. Most lived in Baghdad, but other communities existed in communities like Basra, Mosul, and al-Hilla. The urban Iraqi Jewish bourgeoisie was quite prosperous, having generated wealth from trading and banking. Jews also were very well represented within the professions and other sections of the middle classes. On the other hand, about 18,000 of Iraq's Jews lived very rural, traditional lives in the mountainous northern region of Kurdistan. They spoke various Judeo-Aramaic dialects; some of them referred to these dialects individually as Targum.

There had been an underground Zionist movement in Iraq starting in the early 1940s that encouraged emigration to Palestine. Despite the large-scale attacks and massacres visited by Muslims upon Jews in Baghdad in June 1941 following fighting between the Iraqi army and invading British forces (an incident known as the Farhud), however, most Iraqi Jews were not attracted to the possibility of life in Palestine. But the first war between Arabs and Jews in Palestine and later events in 1950 and 1951, including bombings of Jewish buildings, proved catastrophic for Iraq's Jews, and attitudes changed. Between 1950 and 1952, 120,070 left for Israel.<sup>160</sup> The vast

majority of Iraq's ancient Jewish community was thus gone within three years of the 1948 Arab-Israeli War.

As occurred elsewhere in the Arab world, the Iraqi government turned its attention to its Jewish community more and more in the late 1940s, as the Jewish-Arab struggle over Palestine escalated. Iraqi Arabs were strongly anti-Zionist. Iraqi volunteers had fought with the Palestinians during the 1936–1936 anti-British and anti-Zionist revolt in Palestine. Anti-Western nationalist feelings also ran high. Iraq had emerged from British rule only in 1932 and was reinvaded by British forces in 1941 following a military coup in Baghdad that the British feared could threaten Britain's delicate position vis-à-vis the Axis powers in the region early in the Second World War. By the late 1940s the Iraqi government feared that Jewish emigrants would leave for Jewish Palestine with their assets and thus assist Zionist preparations for war. This concern was magnified by the fact that the Jewish community in Iraq overall was the wealthiest in the Middle East. In late 1947 the government banned the transfer of funds out of Iraq, although Jews who already had moved to Palestine still found ways to access their funds in Iraq.<sup>161</sup>

The Iraqi government declared martial law on May 14, 1948. The next day, Iraqi forces entered into the six-month-old fight. The government used the imposition of martial law to begin a campaign of arrests aimed particularly at Zionists and members of Iraq's large Communist party. Between May and November 1948 the government arrested 537 Jews, along with 926 Muslims and Christians.<sup>162</sup> A number of Jews were fined as a result for a variety of reasons, including having purchased land in Palestine or even having received letters from Palestine prior to the war. One Arab press report claimed that the equivalent of \$80 million was accumulated in fines levied against Iraqi Jews.<sup>163</sup> One quarter of this amount came from one Jew, Shafiq Ades. Ades was arrested for allegedly shipping war materiel to Israel, convicted, and executed in Basra in September 1948.<sup>164</sup>

In addition to the money they lost in fines, Iraq's Jews found themselves facing other property restrictions during the war. Various estimates were floated at the time about the total value of Jewish assets in Iraq. Yusuf al-Kabir, a lawyer and respected figure among Iraqi Jews, estimated the wealth of Iraq's Jews at £UK90 million.<sup>165</sup> S. P. Sasson of the Sephardic Association of Tel Aviv gave a figure of £76,150,000 in land, homes, and communal property.<sup>166</sup> The AJC gave a figure of £55 million (about \$220 million).<sup>167</sup>

In one of the first moves against Jewish property, Minister of Defense Sadiq al-Bassam revoked the foreign currency licenses of the Zilkha Bank,

Credit Bank, and the Edward Aboodi Bank in July 1948, severely crippling their operations. He claimed that he was preventing the smuggling of capital out of the country.<sup>168</sup> Jews were not allowed to sell property worth more than 2,000 dinars (one Iraqi dinar = one £UK = \$US 4.03).<sup>169</sup> On October 18, 1948, the treasury gave Jews who were outside of Iraq until the end of the month to return to the country or face the seizure of their property by the Defense Ministry. Provincial authorities were tasked with making lists of the property of such emigrants. Jews known to be in Israel were tried in absentia and had any remaining property in Iraq seized.<sup>170</sup>

As one scholar points out, such harsh measures against Jews served to sow the seeds of distrust of their government among Iraqi Jews and yet reflected a real Iraqi concern about a Jewish fifth column within the country operating on behalf of Israel. The government knew that an underground Zionist movement existed in Iraq, a movement that was in secret radio contact with Israel and possessed arms caches. Based on archival research in Israel, Esther Meir-Glitzstein notes that most Iraqi Jews arrested from 1948 to 1950 were indeed involved with Zionist or illegal activities, including wartime spying for Israel:

The severity of the punishment did not always correspond to the severity of the offence, and the methods of arrest and interrogation did not always comply with the principles of international law. The resultant sense of injustice and malevolence destroyed what remained of the Iraqi Jews' trust in their country's legal system. However, it is only fair to mention that throughout the period some Iraqi Jews were indeed supplying Israel with information about the strength of the Iraqi troops sent to the front and about various military and political issues, and others were engaged in illegal activity such as smuggling people and money out of Iraq.<sup>171</sup>

Unlike Egypt, the government of Iraq did not carry out widespread property sequestrations or confiscations in 1948. Some Jewish hospitals, synagogues, and clubs, as well as the Alliance Israélite Universelle and Khadduri schools, were requisitioned for use in housing Palestinian refugees from the fighting.<sup>172</sup> An Arab press report from July 1954 claimed that 5,221 refugees were housed in abandoned Jewish homes in Iraq by that point.<sup>173</sup> As a report made by the AJC noted, "It is significant that by and

large individual Jews did not suffer any sequestration or expropriation of property as was the case in Egypt.<sup>174</sup>

Iraqi forces withdrew from the battlefield in Palestine and never did sign an armistice agreement with Israel. Martial law ended in Iraq on December 18, 1949. But some Iraqi Jews decided that the time to leave for Israel had come and began fleeing the country illegally. So many Jewish goods were being auctioned that the prices fetched for these items were very low. By early 1950 the governor of the southern province of Basra reported that between thirty and forty Jews were bribing their way across the river into Iran each day. They continued onward to Tehran, whereupon they flew to Israel. Beyond that, the smuggling of Jewish assets out of the country continued as well. Iraqi Jews worked with coreligionists in Iran to devise a system of credit slips, which were then used by Iranian Shi'ite Muslim pilgrims who visited Shi'ite holy sites in Iraq when making purchases in Iraq. Funds accumulating in Iran in the name of Iraqi Jews could then be picked up later after the pilgrims crossed into Iran.<sup>175</sup> Even then, some Jews found that they sustained some losses by the time they ended up in Israel. The Israeli treasury charged new immigrants a 20 percent commission for exchanging their assets into Israeli currency, compared to 5 percent commissions, for example, in Britain.<sup>176</sup>

The Iraqi government changed its attitude completely toward its Jewish population in March 1950. The restrictions against emigrants taking property with them were lifted on March 3.<sup>177</sup> Even more dramatic was Law No. 1 of March 5, which formally allowed Jews to emigrate. The Annex to the Ordinance for the Cancellation of Iraqi Nationality (Law No. 62 of 1933) gave Iraqi Jews one year to register for emigration with the Ministry of the Interior. In so doing, such Jews were stripped of their Iraqi citizenship. The supporting arguments attached to the law stated:

It has been noticed that some Iraqi Jews are attempting by every illegal means to leave Iraq for good and that others have already left Iraq illegally. As the presence of subjects of this description forced to stay in the country and obliged to keep their Iraqi nationality would inevitably lead to results affecting public security and give rise to social and economic problems, it has been found advisable not to prevent those wishing to do so from leaving Iraq for good, forfeiting their Iraqi nationality. This law has been promulgated to this end.<sup>178</sup>

Iraqi Prime Minister Tawfiq al-Suwaydi believed that only about 6,000 to 7,000 Jews actually would emigrate.<sup>179</sup> A series of bombings at Jewish sites in Baghdad helped scare the entire community, however, and approximately 105,000 ended up registering within the year. Eventually, a total of 129,292 Iraqi Jews left for Israel between the years 1948 and 1972. Most of them were flown to Israel on Near East Air Transport (responsible for flying Yemeni Jews to Israel as well; see above) between May 1950 and August 1951 during the “Operation ‘Ezra and Nehemya” airlift.<sup>180</sup>

Israeli officials were both ebullient and nervous at the news. Foreign Minister Moshe Sharett sent a cable to Israeli diplomatic missions around the world crowing that the decision vindicated Zionist efforts to persuade Iraq’s Jews to move to Israel. His cable, written in the terse, word-saving method of telegrams, noted:

Permission Jews leave Iraq represents triumph of urge for mass aliyah which intensified with establishment State and manifested by mass Ha’apala [illegal immigration] despite persecution inside Iraq and perils journey. It is striking vindication persistent and daring efforts of Mossad Ha’Aliyah [underground Zionist movement for encouraging emigration] which in long years of underground work since days Enzo Sereni’s mission in Baghdad [1942–1943] succeeded creating movement which breathed new spirit into traditionally submissive Iraqi Jewry.<sup>181</sup>

At the same time as they were pleased at the prospect of thousands of new immigrants, Israeli officials worried about what would become of the property of these new residents. Sharett himself believed that “[Iraq is] probably also tempted by prospect spoliation Jewish property, whose fate now gravely uncertain.”<sup>182</sup> It was in fact true that denationalized Jews were being allowed to carry only their personal belongings and fifty dinars in cash with them, although they were allowed to grant power of attorney over their property in Iraq to someone remaining behind.<sup>183</sup> In an internal January 1951 report, the Israeli Foreign Ministry stated that most of the 17,000 Jews who had arrived in Israel by that time had not liquidated their real estate—which constituted the vast majority of Iraqi Jewish assets. Instead, they transferred title to the real estate to family or friends.<sup>184</sup>

Worried that more property could not be extricated, the Israelis approached the British and the Americans to see if they could use their good

offices to convince the Iraqis to raise the amount each emigrant could take out of the country 50–250 dinars. Neither party did.<sup>185</sup> Circles within the Israeli government also worried that Jews were selling their assets at below-market prices. Zalman Lif in Prime Minister Ben Gurion's office sent a memorandum to him and several others stating: "As a first means, I would advise instructing our representative in Persia to contact Jewish circles in Iraq and have them desist from the wholesale liquidation of assets at depressed prices and hint to them that the prospect exists that they will be able to liquidate their property at better terms on an exchange basis."<sup>186</sup>

Finally, they worried about rumors that had begun to circulate in Basra that Jews were leaving the country before paying off their debts. A Foreign Ministry official noted, "If charge even partly true advise Mossad take proper steps if possible."<sup>187</sup>

Others had given thought to the question of the emigrants' property as well. Tawfiq al-Suwaydi spoke to British ambassador Sir Henry B. Mack about a week before the emigration law was enacted and asked his opinion about the matter. Mack intended to follow up with a meeting on March 2, 1950, but al-Suwaydi was unavailable. According to a memorandum he sent to London, Mack intended to recommend, among other things, that the Iraqi government find out what other Arab states had done already with regard to Jewish emigration to Israel. He also was going to suggest that "[t]he Iraqi Government should study the action taken by the Israeli government in respect of the property left behind by the Arab refugees." Mack's memorandum claimed that the American ambassador agreed with the various points that he intended to bring up with al-Suwaydi.<sup>188</sup>

Overall, there had been much discussion in the years immediately prior to Iraq's decision to allow Jews to emigrate about what to do with Iraqi Jewish property (see chapter 2). Shortly after the law was passed, Eliahu Eliashar, a Jerusalem-born Sephardic Jew and unofficial head of the Mizrahi/Sephardic Jews in Israel, visited Britain. During his May 1950 talks with various Jewish leaders, he discussed the question of Jews intending to leave Iraq. World Jewish Congress official Alex Easterman suggested that the WJC might look into working on the matter with the JA and the American Jewish Joint Distribution Committee.

On March 10, 1951, one year and five days after passage of the denationalization and emigration law, the Iraqi parliament suddenly passed Law No. 5, Law for the Control and Administration of Property of Jews Who Have Forfeited Iraqi Nationality. The law sequestered the property of those

Jews who had registered for emigration and been denaturalized, but who were still waiting in the country to leave. One source estimated that the law froze the property of 104,670 Jews.<sup>189</sup> According to the law, a Custodian General for the Control and Administration of the Property of Denationalized Persons would take control of the property of any person who had been denationalized. ‘Abd al-Hamid Rif‘at, former director general of the Ministry of the Interior and former controller of foreigners’ property, was appointed as the first Custodian General. Assisting him as secretaries were Adham Mushtaq, director of minorities’ property; Fu‘ad Nasif, assistant director general of accounts; and Isma‘il al-Sharbati, from the Directorate-General of Tapu (land registration).<sup>190</sup> The same day, the Regulations for the Control and Administration of Property of Jews Who Have Been Deprived of Iraqi Nationality No. 3 of 1951 was enacted as well. This lengthier law outlined the steps and procedures governing the new Custodian General’s office, in whom were vested all rights concerning the property of denationalized Jews.

Article 1 of the law stated, among other things:

The Custodian General may exercise the following powers:

- a. To sequester, administer, dispose of, and liquidate all property belonging to a denationalized person in accordance with the provisions of the said law and of this regulation.
- b. To represent a denationalized person before the courts and government departments, etc., or appoint an agent to represent him before the courts, government departments, etc.
- c. To appoint custodians to administer the property of denationalized persons.
- d. To liquidate the business or commercial premises belonging to a denationalized person, appoint custodians for this purpose, and pay the salaries and expenses required therefore.<sup>191</sup>

Article 1 also made provisions for the custodian to make certain payments to the denationalized person from the sequestered property:

- h. To pay the legal maintenance allowance imposed by competent courts to persons maintained by a denationalized person from his property, if such persons have no one to support them or have no means of livelihood, and also to pay from his property the passage



expenses of a denationalized person and persons maintained by him and their maintenance expenses until their expatriation.

Article 2 of the law allowed the custodian to sell sequestered property if certain circumstances warranted, including:

- a. To discharge the obligations due from him [denationalized person] to the Treasury, government departments, the Water and Electricity Board, municipalities and all quasi-governmental departments.
- b. To redeem established debts due from him . . .
- c. If the property is in such condition that it is about to collapse or cannot be utilized.
- d. To pay the maintenance allowance due from him in accordance with the provisions of paragraph (h) of the preceding article.
- e. To pay any expenses or charges in accordance with this regulation.

Article 3 allowed the Custodian General to liquidate the company of a denationalized person, or even one in which he was a shareholder, if the custodian “is convinced that the continuance of the company . . . is harmful; or would lead to the smuggling of goods from Iraq.” The law also called on banks, persons, institutions, etc., that had any property belonging to a denationalized person to hand it over to the Custodian General.

American diplomats felt that the sequestration law probably was designed both to stem smuggling and to pressure the Israelis to speed up immigration procedures. The 1950 law had given Jews one year to register for emigration. But in Israel, only 5,000 Iraqi Jews were being allowed into Israel each month, although this was later raised to 6,500.<sup>192</sup> The result was that while 103,860 had been denationalized as of March 8, 1951, only 35,645 actually had left one year later.<sup>193</sup> One American diplomat wrote, “it appears likely that the freezing legislation was designed not merely to prevent the illegal removal of Jewish assets from Iraq but also as a means of pressure upon the Israeli Government to speed emigration.”<sup>194</sup>

On March 22, 1951, a third law dealing with Jewish property was enacted, this time related to the property of Jews who had left Iraq after January 1, 1948, and before the denationalization law. Law No. 12 of 1951, Supplement to Law No. 5 of 1951 (Control and Administration of Property of Jews Who Have Forfeited Iraqi Nationality) stated in article 1: “With effect from the date of coming into force of this law, the property of Iraqi



Jews who left Iraq with a passport with effect from the 1st day of the year 1948 shall be frozen, and the provisions of Law No. 5 of 1951 and the Regulations which have been issued, or which may be issued, thereunder shall apply thereto.<sup>195</sup> It also gave Jews abroad who wished to retrieve their property from sequestration two months to return to Iraq. Even then, they would be obliged to pay the Custodian General any administrative charges (for maintaining the frozen property) claimed by the custodian. Failing that, any Jew who remained abroad would be considered a permanent emigrant, be denationalized, and have his or her remaining property in Iraq sequestered. The law did allow exemptions for those under twenty-seven years of age who were studying abroad, those who had established a business, and those who were too ill to travel (or were with a close relative abroad who was too ill to travel). Law No. 12 also stated that any Jew who left Iraq after the denationalization law, or who left illegally, would be denationalized as well.

On March 12, 1951, the Iraqi government closed all Jewish businesses throughout the country in order to determine what assets belonged to denationalized Jews. Banks and government agencies were required to report all Jewish assets. The Custodian General's office dispatched approximately forty committees to inventory property in the closed businesses. Each committee consisted of a lawyer who acted as custodian, a police official, and a clerk. The committee would ask the owner of each closed shop to meet it on a certain date and time and unlock the establishment, and then the committee and owner would inventory the shop's contents and sign the inventory statement. The owner would then turn over the keys to the committee. Jews who were determined not to be denationalized Jews intent upon leaving were issued identification cards and could thereafter reopen their businesses. Some denationalized Jews managed to bribe the committees into allowing them to retrieve cash, documents, and other goods prior to inventorying the contents of their businesses. Some also managed to obtain resident identification cards through bribery.<sup>196</sup>

The sequestered contents of stores belonging to denationalized Jews were then moved to the Custodian General's warehouse in Baghdad's Khan al-Daftardar area. Gold, jewelry, and other such valuables were moved to vaults in the Rafidain Bank. The committees had completed work on nearly 720 Jewish businesses by mid-April 1951. As noted above, Law No. 12 ordered Jews who had left the country after January 1, 1948, but before the denationalization law of March 1950, to return to Iraq within two months or face se-

questration of their property. If the Custodian General determined that any of the closed business establishments belonged to such persons, they were reopened under the management of special custodians pending the return of the owners from abroad. This affected about fifteen businesses.<sup>197</sup>

Because Jews played such an important role in the Iraqi economy—they were particularly strong in banking and finance—business life in Iraq was thrown into turmoil during the period of time that Jewish firms were closed for inventorying. The Iraqi cabinet met in extraordinary session with Custodian General Rif‘at two days after Jewish firms were closed down to discuss the situation. One problem was that some of the storerooms of larger Jewish commercial firms that were closed included among their wares goods belonging to non-Jews, who were unable to get them out. Another problem was that banks remained closed because so many of their employees had been Jews who had left their jobs. This was such a serious problem that the Baghdad Chamber of Commerce wrote to the Ministry of Education suggesting that students from the College and the Secondary School for Commerce be allowed to study at night so they could work in banks during the day.<sup>198</sup>

The chamber moreover was worried that were the Custodian General to auction off sequestered Jewish assets, it could wreak havoc with prices, to the detriment of the rest of the Iraqi business community. But the Regulations for the Control and Administration of Property of Jews Who Have Been Deprived of Iraqi Nationality No. 3 of 1951 allowed the Custodian General to sell sequestered property only under certain circumstances. In fact, in May 1953 the government rejected calls to sell sequestered land, or use it for the benefit of Palestinian refugees.<sup>199</sup> The Custodian General did auction off moveable property such as jewelry, however, starting in November 1953.<sup>200</sup> A particularly large auction was held in early December 1954.<sup>201</sup> In November 1958, Baghdad Radio announced that sequestered property belonging to emigrants affected by Law No. 12 of 1951, regarding Jews who had left Iraq prior to the denationalization law, would be auctioned on the first day of December 1958.<sup>202</sup>

The Iraqi government issued notifications, changes, and clarifications to the law of sequestration in the days and weeks after its passage. The Custodian General issued Notification no. 4 of 1951, for example, just a few days after the law was enacted, calling on Jews and non-Jews in possession of property belonging to denationalized Jews to hand such property over to the Custodian General's office. The notification stated:

In view of the fact that this, apart from its necessitating legal punishment, is prejudicial to the interests and rights of the Jews who have been deprived of their Iraqi nationality, we therefore advise all those individuals to deliver these properties within the legal period to this Secretariat-General against an official receipt and we confirm that the delivery of property in this manner is more liable to safeguard the rights of its owners.<sup>203</sup>

During the third week of March 1951, the cabinet also authorized Jews to sell some of their frozen property—household furniture, clothing, and the like—to support themselves while they waited for planes to take them to Israel.<sup>204</sup>

Reactions to the sequestration of denationalized Jewish property varied. Israel, which was in the process of receiving the emigrants, was outraged. Among other things, it now meant that future Iraqi immigrants—the bulk of those who had signed up and been denationalized would be traveling to Israel—would arrive penniless. The government dispatched a communication to the American government on March 20, 1951, that included this statement:

The seizure of the property of peaceful and law-abiding Jews who had applied for exit permits in full conformity with the law containing no warning as to their proprietary rights being thereby placed in jeopardy, is nothing short of State-organised spoliation. The threat implied in these measures is not confined to those immediately affected. If Jewish property can be despoiled without challenge, this form of legalised plunder is likely to be extended to other groups of the population and to foreign interests. In the light of recent occurrences and agitations in other parts of the Middle East, it is hardly necessary to stress the serious implications of this precedent.<sup>205</sup>

The Israeli government also took immediate steps to link the value of lost Jewish property in Iraq with the compensation it had pledged to pay Palestinian refugees for the property they left behind in Israel (see chapter 2).

Other parties did not share the Israelis' alarm. The American government noted that Israel had done essentially the same thing to the property of the Palestinian refugees as the Iraqis had done to the Jews and thus was hardly in a position to complain. One American government document stated:

A comparison of this Iraqi freezing legislation with the Israeli legislation concerning so-called absentee property may be of practical value in view of the Israeli protests against the Iraqi legislation. One aim is common to both legislations. They are a means of preventing persons having assets within the country of using them in ways detrimental to that country or transferring them to hostile foreign states.<sup>206</sup>

An American diplomat connected the sequestrations with Israeli policy toward the refugees, noting that the United States could not intervene with Iraq on behalf of Israel given the Israeli record vis-à-vis the refugees:

There is very little choice between the policy being applied by the Government of Iraq in freezing assets of denationalized Jews and the policy previously instituted by the Government of Israel with respect to assets of Arab refugees and displaced persons. Anyone approaching Iraq on this score would be in a very weak position unless it could be shown that Israel had taken constructive action to return Arab properties or give adequate compensation in lieu thereof.<sup>207</sup>

The Israelis were quick to deny the implication that Iraq had merely done to its Jews what Israel had done to the Palestinians. In a June 27, 1951 *aide-mémoire* to the American government, the Foreign Ministry stated:

The Government of Israel is unable to accept as valid the comparison, implied in the [American May 1, 1951] *aide-mémoire*, between the confiscation of Jewish property by the Government of Iraq and the legal measures adopted by the Government of Israel to deal with the property of former Arab residents of this country who opposed and fought against the establishment of Israel in defiance of the decision of the United Nations and fled the country in guilty haste (with their own leaders' encouragement) leaving behind their property behind them.<sup>208</sup>

Even some Jewish groups did not share the Israelis' stance. The AJC dispatched a letter to the U.S. Department of State in April 1951 that stated, "We do not find fault with the Iraqi Government's decision to freeze the property of those of its citizens who have expressed their intention to leave the country for good." The AJC did argue, however, that those in Iraq waiting for

transport to Israel should be allowed to use their frozen property, that Jews already in Israel should be able to keep their property, and that the policy by which the Custodian General could deduct the costs of his administration from the frozen assets “can lead to virtual confiscation.”<sup>209</sup>

The authorities continued to take action regarding Jewish property after the mass exodus of Iraqi Jews was completed, although it was not always action to the detriment of the Jews. After the July 1958 military coup that overthrew the monarchy, the government of Prime Minister ‘Abd al-Karim Qasim enacted Law No. 11 of 1960 on January 20 of that year. It eliminated paragraph (b) of Article 5 of Law No. 12 of 1951, which had stated that Jews who were Iraqi citizens and who left Iraq legally after passage of the law had to return within the time period that their passport was valid or face denationalization and the sequestration of their property. Qasim’s government stated that this provision had been inconsistent with the aims of the 1958 revolution and merited cancelation. As a result, 450 Jews who had left in the early 1950s reportedly returned to Iraq by the first of April 1960.<sup>210</sup>

However, things changed after Qasim’s violent overthrow in February 1963. In June 1963 the new government ordered Jews living abroad to return. In September 1963 it enacted a law banning Jews from selling property unless they could prove their citizenship.<sup>211</sup> Finally, on December 6, 1963, the government passed the Fourth Amendment Law No. 161 of 1963 to the Supplemental Law to the Law for the Control and Administration of Property of Jews Who Have Been Deprived of Iraqi Nationality No. 12 of 1951. It required all Iraqi Jews, in Iraq or abroad, to register and receive identification cards within ninety days. Otherwise, they would be stripped of their citizenship and property would be taken over by the Custodian General. Jews abroad also had to submit proof that they had not acquired citizenship from another country. Beginning in September 1964 the Iraqi press began carrying the names of hundreds of Jews who had forfeited their nationality according to the law. By November 1964 more than 400 names had appeared.<sup>212</sup> Why did the Iraqis pass a new law in 1963 that seemingly replicated earlier legislation? The U.S. State Department felt the reason was twofold: first, to stem the ongoing smuggling of Jewish assets to Israel, and, second, to update its records on the thousands of Jews who had left the country since 1948.<sup>213</sup>

Three other laws dealing with Jewish property were passed in Iraq in the 1960s. Law No. 64 of 1967 was enacted on June 28, 1967. Both it and Law No. 10 of 1968, passed on February 14, 1968, amended the original seques-

tration Law No. 12 of 1951 to bar certain financial transactions and prevent smuggling. The 1968 amendment also forbade the Land Registration Department from registering the sale of Jewish property. Sales could occur, but the transactions could not formally be registered, and the considerations realized from the sale must be deposited in banks.<sup>214</sup> However, both of these laws from 1967 and 1968 were soon overturned via Law no. 86 of June 12, 1969, after the Ba‘th Party came to power in July 1968. As Qasim had blamed the royal government for its legislation against the Jews, the new Ba‘thist government denounced the previous leadership and announced on April 3, 1970, that all anti-Jewish laws in Iraq would be abolished.

The new government still took hold of the property of Jews who left Iraq surreptitiously, however. An October 1970 document from the Iraqi General Intelligence Department notes that several Jews had left the country illegally for Iran, leaving behind their houses in the process. It goes on to note that the authorities then sealed the doors of their homes, with official seals stamped with red wax pending sequestration of the homes and their contents by the Department of Frozen (Arabic: *mujammad*) Property. The document lists over twenty Jewish names, in addition to the addresses of their homes.<sup>215</sup>

The Ba‘thist government undertook significant action vis-à-vis Jews and Jewish property in Iraq. On April 4, 1970, it ordered the Custodian General to release sequestered landed property in order that it be leased to farmers as part of the wider agrarian reform program.<sup>216</sup> On November 26, 1975, the Ba‘thist Revolutionary Command Council (RCC) adopted a measure stating, “Iraqi Jews who left Iraq since 1948 are hereby entitled to return home.” The decree was published in newspapers around the world.<sup>217</sup> Finally, Saddam Hussein’s government took the step of abolishing the Custodian General’s office after near thirty years of existence. The RCC’s Decision No. 1928 of December 27, 1980, abolished the Custodian General and transferred all sequestered Jewish assets to the Ministry of Finance.

A number of estimates of the value of Jewish property lost in Iraq were floated at the time of the massive sequestration in 1951. Many of these were figures estimating the total value of Jewish property in Iraq *prior* to the sequestrations. Based on “internal” Iraqi figures, the Israeli Ministry of Foreign Affairs in August 1951 thought that Jews owned perhaps 8–9 million Iraqi dinars worth of property (1 dinar = £UK1 = \$US4.03 at that time).<sup>218</sup> British diplomats obtained data from three British banks in Iraq, as well as from American officials who in turn had received information from Iraqi

Jews. These data showed that Jews had an estimated 600,000 to 1 million dinars in bank accounts. The sources varied on the amount of land and other moveable assets. The three banks put the value of land at 4–5 million dinars, while the Iraqi Jews put the value much higher, at 12–15 million. The banks estimated that moveable Jewish assets were worth 1–2 million dinars, while the Jewish figure was 3–6 million.<sup>219</sup>

How much actually was sequestered? The Lebanese press cited figures from an Iraqi newspaper to the effect that £UK2 million in bank accounts and £2 million in land had been frozen (compare with statistics on bank accounts in chapter 2).<sup>220</sup> A knowledgeable Israeli informant on the ground in Iraq in April 1951 offered the following “rough estimate” of sequestered Jewish assets. Because some denationalized Jews managed to obtain residency cards through bribery and could thus withdraw funds from their temporarily blocked bank accounts, he estimated that no more than 500,000 dinars would remain in sequestered Jewish bank accounts. An additional 100,000 dinars were probably contained in safe deposit boxes in banks, and 1.5 million dinars of goods were sequestered in shops, along with 150,000 dinars in port, customs, and railroad warehouses. Bullion and jewelry worth 150,000 was sequestered, although this included the value of items owned by non-Jews that were in Jewish shops at the time they were closed. The informant believed that 4,000 homes were sequestered, of which half were owned outright by Jews, and half leased. Based on the estimate of 1,200 dinars per home and 600 dinars per leasehold unit, this came to 3.6 million dinars. He did not venture an estimate of the value of household goods given that it was fairly easy, in his opinion, for departing Jews to arrange for Jews staying behind to sell their furniture for them. In total, the informant gave a figure of 5.9 million dinars in sequestered Jewish property.<sup>221</sup> When the U.S. State Department in 1956 asked one of its diplomats, Hermann Eilts, to come up with an estimate for Jewish losses, he referred to a much higher figure of \$1.2 billion given by the chief rabbi of Iraq.<sup>222</sup>

The Israeli government exerted efforts to convince Iraqi Jewish immigrants in Israel to register their property losses. From late 1949 until the last day of December 1950, 1,619 claimants filed a total of 50 claims for \$1,997,184 in property lost in Iraq. This included \$31,920 in bank accounts.<sup>223</sup> After the massive influx of Iraqi Jews in 1951, 2,150 more claims were filed for a total of 2,220, worth \$51,585,189, by August 1, 1952. Considering that 37,124 families had arrived from Iraq, Israeli officials were disappointed that fewer than 6 percent bothered to submit claims.<sup>224</sup> By February 1956 total registered



Iraqi losses stood at \$48,796,014.<sup>225</sup> In 1956 the Israeli government commissioned a “public body” led by Iraqi immigrants to carry out a second registration specifically of Iraqi property, as was done later for Egyptian property (see chapter 2). After a year’s labor looking into land and real estate losses only, the Commission for the Registration of the Claims of Iraqi Immigrants issued an interim report to the Foreign Affairs Ministry on December 17, 1956, indicating that only 3,000–4,000 families filed claims.<sup>226</sup> No figures for the extent and value of the property ever were released. I have not seen any concrete data on Jewish property lost after 1951.

## Libya

Approximately 40,000 Jews lived in Libya by the late 1940s, mostly in Tripoli, the main city in the Tripolitania region, and Benghazi in Cyrenaica. Libyan Jewry included both the ancient Mustaʿrab community and the post-fifteenth-century Sephardic community. Some possessed Italian and other foreign citizenship. The regions that comprise today’s Libya were an Italian colony from 1911 until 1943, when a British military administration was established following the defeat of Italian forces in North Africa. In addition to suffering under Italian fascist racial laws when Benito Mussolini was in power in Italy, and deportation by Nazi forces during the Second World War, Libyan Jews were also affected negatively by the growing conflict between Zionist aims and those of the Arabs of Palestine. In November 1945 anti-Semitic disturbances in and around Tripoli killed scores of Jews as strikes broke out there and in cities in several Arab countries in commemoration of the November 1917 Balfour Declaration, the declaration by which Britain pledged its support to Zionist aims in Palestine. As a result, some Jews living in smaller locales in Libya later sold their homes and businesses and moved to Tripoli after 1945, presumably to avoid living in isolated areas that were easier to attack.<sup>227</sup>

In June 1948, shortly after the entrance of Arab armies into the first Arab-Israeli War, another Muslim attack on Jews took place. Despite this, and despite the fact that, according to an American diplomat, Libyan Jews had become “aggressive” as a consequence of Israeli victories in the war and were known to be in contact with Israelis, some believed that relations between Arabs and Jews were good in 1948. The American consul in Tripoli, Orray Taft, Jr., had this to say in a report to Washington:



There is reason to believe that the Jewish Community has become more aggressive as the result of the Jewish victories in Palestine. There is also reason to believe that the community here is receiving instructions and guidance from the State of Israel. Whether or not the change in attitude is the result of instructions or a progressive aggressiveness is hard to determine. Even with the aggressiveness or perhaps because of it, both Jewish and Arab leaders inform me that the inter-racial relations are better now than they have been for several years and that understanding, tolerance and cooperation are present at any top level meeting between the leaders of the two communities.<sup>228</sup>

The British military administration in Libya forbade emigration to Palestine because of British immigration restrictions in Palestine. After Israeli independence and the end of the 1948 war, however, British authorities allowed Jewish emigration to Israel starting in April 1949.<sup>229</sup> As a result, 30,482 Jews left for Israel between 1948 and 1951.<sup>230</sup>

The Jewish exodus in those years affected Jewish property as it did in other countries, although not by sequestration and/or confiscation. The Jewish Agency's immigration office in Tripoli established a special department to register Jewish assets in the country.<sup>231</sup> Lillo Arbib, president of the Jewish community in Tripolitania, estimated the total value of Jewish property in Libya at approximately £UK1.5 million in 1949.<sup>232</sup> Another estimate for that same year put the value of Jewish property in the eastern Cyrenaica region alone at £UK500,000.<sup>233</sup>

Several problems relating to property faced Libyan Jews seeking to emigrate. One was how to sell their real estate assets. Because of the lack of industry in Libya, wealthy Jews traditionally had invested their capital in real estate, and there was not a great demand on the market for buildings, making them difficult to sell.<sup>234</sup> Furthermore, the British administration allowed each family to take with it only £UK250 in personal belongings upon emigration and no currency whatsoever, although they could transfer £250 out of the country. Any other financial assets had to be deposited in blocked accounts.<sup>235</sup> This was true for Jews and non-Jewish emigrants alike. The Foreign Office told the WJC's Alex Easterman, however, that exceptions to this rule could be made in individual cases.<sup>236</sup> About 400 wealthy French and British Jews were unable to emigrate in 1949 because they could not manage to sell and transfer their assets.<sup>237</sup> Other rich Jews reportedly used their connections to smuggle their assets to Italy anyway. Less well-off Jews

used another technique to circumvent British regulations and transfer their assets to Israel. As a result of the Second World War, there was a good deal of surplus machinery in Libya, which, as a developing country, had no great use for it. Some Jews used their capital to buy and export such machinery to Israel prior to their emigration, in order to sell it in their new homeland after their arrival.<sup>238</sup>

Debts owed by Jews presented another financial problem related to emigration. In 1949 British authorities barred the emigration of indebted Tripolitanian Jewish farmers who had borrowed £4,000–4,500 worth of rye. Some British officials wondered whether Israel might be able to pay their debts for them.<sup>239</sup> Others, in London, apparently felt that local British officials' insistence upon repayment of the debt by the impoverished Jews of the interior was too severe and violated London's instructions not to place obstacles in the way of Jewish emigration.<sup>240</sup> Eventually, the Jewish Agency paid over £2,000 to British authorities to settle the matter.<sup>241</sup>

As for homes and land vacated by Jewish emigrants, most departing Jews made arrangements for land and houses left behind. One way was by leaving them in the care of family and friends. An interesting side point is that British authorities allowed Palestinian refugees from Gaza to move into some empty Jewish houses in the fall of 1950, although most of the Palestinians returned in September 1951.<sup>242</sup> Another idea was to leave them with a holding company that could manage Jewish assets and dispose of them on behalf of the owners. As noted above, several hundred wealthy Jews were unable to leave Libya because they could not manage to sell their property and transfer their assets abroad. Rather than suffer major losses, they elected to stay in the country until such time as they could find a solution to this problem.

In late 1949 an emissary from the American Jewish Joint Distribution Committee attended a meeting in Tripoli to discuss creating such a holding company for Jewish assets. Hélène Cazes Benatar (b. 1900), the first female lawyer in Morocco, a prominent Zionist activist, and a key player in arranging for refugees from Nazi Europe to enter Morocco during the Second World War, was present at a meeting attended by most of the important Jewish real estate owners still left in Tripolitania. Also present was the property owners' lawyer, a Mr. Delia, as well as two Israelis: Max Varadi, and Barukh Duvdevani, the latter of whom was the JA's Immigration Department official in Tripoli. At the gathering, the owners agreed to form and capitalize a committee that could lend money to emigrating Jewish property owners without

the latter having to dispose of their property first, given that this already had presented itself as a major obstacle for potential emigrants. The amount of such loans would equal the amount that the owners could yield from one year's rent of their real estate. The owners agreed that they would obtain the committee's working capital of between MAL<sub>4-5</sub> million (MAL = Military Administration Lire; I have seen documents giving different values for the MAL, from 119 MAL = \$1, to 170 MAL = \$1, to 480 MAL = £UK1) from banks in Tripoli, secured with notes signed by the landowners.<sup>243</sup>

While documents do not indicate that the Jewish property owners who created this committee gave it a name at the meeting, a holding or trust committee for managing the assets of emigrating Jews did emerge at that time that was called CABI Olim—and presumably this is the same “committee” that they established. CABI is an Italian acronym for *La Commissione per la Liquidazione dei Beni Israeli* (The Commission for the Liquidation of Jewish Properties), while Olim (Hebrew: those who ascend) is a term denoting Zionist immigrants to Israel. As envisioned in that 1949 meeting, CABI Olim managed properties on behalf of emigrants, who gave to officials of CABI Olim letters stating who should receive the consideration from any sales the group would arrange on their behalf, or from any rent received. The nominated person would then arrange to smuggle the funds to the owner in Israel. There were two branches of CABI Olim, one in Tripoli, and one in Benghazi. By early 1951 the former reportedly managed approximately 500 properties worth 20 million MAL, which generated 200,000–250,000 MAL per month in revenues. The same document claims that the Benghazi CABI Olim might have controlled several million dollars worth of property.<sup>244</sup>

In November 1949 the United Nations General Assembly recommended that the three separate regions of Libya that were under Allied occupation—British-controlled Tripolitania and Cyrenaica, and French-occupied Fezzan—be reunited and granted independence no later than January 1, 1952. In the interim, a UN Commissioner in Libya was appointed, UN Assistant Secretary-General Adrian Pelt, from the Netherlands, as was a multinational, ten-member Council for Libya. International Jewish organizations such as the WJC and the AJC were anxious to ensure that the process of producing an independent Libyan government and constitution would guarantee Jewish rights, including property rights and the right to emigrate in the future.

In January 1950 the WJC's Maurice Perlzweig met with Pelt in Wash-

ington to discuss such matters. Perlzweig also met with members of the UN Political Committee and recommended that Libyan minorities—Italians and Jews—be given seats on the ten-member Council for Libya.<sup>245</sup> The AJC's Abraham Karlikow met Pelt in Geneva in the summer of 1950, as well as with Giacomo Marchino, the Italian who eventually was indeed selected to represent the various non-Arab minority communities in Libya on the UN Council for Libya. In the fall of 1950 he also met with several UN delegations before eventually traveling to Libya and meeting with representatives of the Jewish community in February 1951. In the process, he convinced them to send a series of formal proposals (that the AJC had developed) to the UN that spelled out their concerns, including about the ability of CABI Olim to function in an independent Libya.<sup>246</sup>

The visions and proposals of the AJC in particular did not always coincide with those of Israel, however. This was particularly true about ways to guarantee that the rights of the Jews in Libya be maintained. AJC official Morroe Berger met with the U.S. ambassador to the United Nations, Ernest A. Gross, in New York in November 1950. According to an AJC account of their meeting, Berger

presented the AJC position on the protection of minorities in Libya as adopted by the [AJC's] Committee on Near Eastern Affairs at its meeting of October 24, 1950. The AJC's long-range aim, he said, is to see UN authority over and responsibility for the observances of human rights in the future state of Libya even after its independence, not merely in the interim period of 1951. This, he realized, would be an innovation, but the AJC feels that this is a time for innovations in the United Nations and for extending its authority and influence.<sup>247</sup>

The AJC was not alone in pushing for this idea. Nearly one year earlier from Berger's meeting with Gross, Pelt expressed interest in the idea that Israel negotiate some kind of minority protection treaty with an independent Libya. Both the WJC and the Israelis were concerned about this idea. Perlzweig wrote to the congress' president, Nahum Goldmann, in January 1950: "To put it very mildly, I am myself very doubtful about either the wisdom or the practicality of this proposal."<sup>248</sup> Israel, too, was a UN-created state that controlled an ethno-religious minority population which it had subjected to martial law rule, and from which it had expropriated property. Granting the UN ongoing responsibility for how Libya dealt with its Jews

could subject Israel to UN scrutiny about how it dealt with its Palestinian minority. As Perlzweig noted: “What is, from the point of view of Israel, perhaps the most serious consideration of all, a Minorities treaty signed by Israel to protect a Jewish Community would provide a very powerful argument for a corresponding minorities treaty, negotiated perhaps by the members of the Arab League, to protect the Arabs in Israel.”<sup>249</sup> He begged Goldman to talk with Israeli Foreign Minister Moshe Sharett to find out Israel’s thoughts about such a treaty.

The Israelis in fact were not enthusiastic about the proposal, for the reasons outlined by Perlzweig. Several months later, in October 1950, when Berger showed the AJC’s proposals for inclusion in the proposed Libyan constitution to Israeli delegate to the UN Gideon Rafael, the Israeli was less than sanguine. Rafael took particular note of the suggestion that the constitution define the “inhabitants” of Libya in such a way as to guarantee their rights to representation in the legislature on the basis of the distribution of the population in the three regions of the country, which could guarantee the Jews a larger percentage of seats than their numbers in the total population of the country might warrant. Again, this could set a precedent about guaranteeing Palestinian representatives in the Knesset, Israel’s parliament, that the Israelis might be asked to follow. Berger later recalled that “The Israel delegate, upon seeing the draft resolution, was hesitant because he felt that to given the UN continuing authority over human rights in Libya might set a precedent to which the Arab minorities in Israel might some day be stimulated to appeal.”<sup>250</sup>

As the date for Libyan independence drew near, the AJC continued its work on behalf of Jewish rights to emigrate with their property. Once again, the AJC realized that its goals were not always consistent with those of its Western and Israeli friends. Berger noted in a letter to a fellow AJC official, “It will be difficult to insist upon the right to remove all assets upon emigration, because not even the democracies permit such removals.”<sup>251</sup> Still, the group continued to lobby into the closing days of December 1951, just prior to Libya’s declaration of independence on December 24. On December 17 the AJC’s Zachariah Shuster wrote to Eleanor Roosevelt, acting chair of the U.S. delegation to the United Nations in Paris. He expressed concern that the new October 1951 Libyan constitution did not guarantee the right of emigration and ability to expatriate assets, something that the UN General Assembly had expressly allowed Italian residents of Libya in a decision it made in December 1950. Shuster implored Roosevelt to have

the U.S. delegation agree in principle to these two rights, and to seek UN action on the matter. There is no indication in the files of the online AJC archives that Roosevelt ever responded.<sup>252</sup>

The new, independent Libyan government took several decisions in the 1950s to restrict Libyan Jews' ability to visit or conduct other matters with Israel. On May 29, 1952, the Libyan Council of Ministers decided to prohibit Libyans from traveling to Israel as tourists, although this did not hinder Jews from moving to Israel permanently.<sup>253</sup> In mid-1957 the government enacted a law requiring those with family in Israel to register with the Office for the Boycott of Israel in Benghazi. People taking care of property left behind by such immigrants also had to register, a requirement that presumably included CABI Olim as well.<sup>254</sup>

In early 1959 the government of the province of Tripolitania made a move against the property of Jews still in that region as well, but for different reasons. It took over all property, files, books, and other assets of the Jewish Community Organization in that part of Libya and placed a Muslim commissioner in charge of them. The national Libyan government stated that the provincial government had been asked to do so by leading members of the Jewish community itself in order to investigate charges of corruption, as well as to replace the fascist-era law governing the organization with newer legislation.<sup>255</sup> There may have been some truth to the charges of corruption: Several years later, in late 1961, the WJC's Perlzweig wrote to his colleague Alex Easterman that the government's takeover of the community organization actually improved its performance: "You may recall that our information from Rome some years ago was that the presence of the [Libyan] Commissioner meant that for the first time the services [of the Jewish Community Organization] took place on time and the affairs of the community were honestly and efficiently organized."<sup>256</sup> Internal WJC documents also indicate that another reason the community organization was shut down was that it had been implicated in the transfer of emigrants' funds to Israel—perhaps a reference to CABI Olim's activities.<sup>257</sup>

More significantly, Law No. 6 of 1961 Concerning the Sequestration of the Properties of Some Israelites<sup>258</sup> was enacted on March 21, 1961. Article 1 stated: "All property and possessions in Libya belonging to bodies or individuals residing in Israel or belonging to her by reason of their nationality or working on her account are placed under sequestration."<sup>259</sup> Sequestered property was placed under the authority of a Guardian General, who was authorized to sell moveable property (if it were perishable or expensive to

preserve) and some immoveable property (with the permission of the cabinet). The guardian was also allowed to take salaries and administrative costs from the value of the property. Article 6 required all Libyans, in the country or abroad, who possessed or were in charge of sequestered property to report it to the Guardian General. The victims of sequestration were not allowed to bring suit according to article 4. The wording of article 6 seems to target, among others, those responsible for the property left with CABI Olim. It is unclear what transpired with the property managed by that organization. However, by 1967 CABI Olim apparently still existed,<sup>260</sup> raising the possibility that it continued to function despite the fact that its property had been sequestered. In April 1969 the Guardian General, ‘Abd al-Rahman Lagheli, left his position, after which the position was assumed by the director of the Office of the Boycott of Israel, Mas‘ud ‘Ali Bukaykis.<sup>261</sup>

Certain international Jewish organizations, such as the AJC, gave much publicity in 1961 to the situation facing Jews in Libya. The AJC released a statement to the press, which was published by the Jewish Telegraphic Agency on October 30, 1961, about the allegedly dire situation of Jews in Libya. Among other things, the statement discussed the March 1961 sequestration law (which affected the property of Jews who were *not* living in Libya any longer) and the placing of the assets of the Jewish Community Organization of Tripolitania under the control of a Muslim commissioner, something that had occurred over two years earlier in 1959. Certain WJC officials privately doubted the wisdom, veracity, and sincerity of such AJC publicity efforts, however. Perlzweig wrote to Easterman with his frank and cynical assessment of the AJC’s motives and of the truth of its reports:

The American Jewish Committee obviously has revived this question as a stunt to be used for the publicity of one of its meetings. These crises by a remarkable coincidence always break out a week or so before such meetings. In order to give it [the story] more importance, the Jewish population has been about doubled, and the account is replete with mysterious hints. There is very little that is new in these allegations, if they describe the true situation. . . . I write to you because the jackals of Jewish international politics will seize this excuse to make my life miserable.<sup>262</sup>

A few weeks later Perlzweig wrote WJC official Fritz Becker that “My own conjecture was that nothing had changed substantially [for Libyan



Jews in recent months], otherwise some intimation would undoubtedly have reached us.” He went on to accuse the AJC of having provided the Libyans with a convenient opportunity to denounce Zionism and reiterated his accusations that the AJC’s hunger for publicity motivated its statements to the press:

You ought to know that the Libyan Embassy shortly afterwards wrote a letter to the NEW YORK TIMES denying the whole story and taking the opportunity, so kindly provided for them, to make an attack on Zionism. The AJCommittee consequently found itself in a position, which it did not relish, of being accused of Zionist propaganda. Although some time has passed, the Committee has not publicly reacted in any way to this. Quite clearly this was a major blunder. I am sorry to say that the competitive passion among American Jewish organizations for publicity on foreign affairs, which is the real explanation of what the Committee did, is a source of constant anxiety to us. We feel it much nearer home. Fortunately, no one is in a position to hold us responsible for what the AJCommittee does.<sup>263</sup>

The massive Arab defeat in the June 1967 Arab-Israeli War provoked more anti-Semitic disturbances and attacks in Libya that provoked the bulk of the country’s remaining Jews to flee. King Idris decided to lift the ban on Jewish emigration shortly after the war. Several thousand departed rapidly, mostly for Italy, leaving behind homes and businesses. Jews wishing to leave could take their personal effects with them, along with the standard £L20 (\$56) allowed any Libyan traveler by the country’s currency laws.<sup>264</sup> However, the £L20 was only convertible by the Banco di Roma in Rome, at the rate of 1.676 Italian liras per Libyan pound.<sup>265</sup> The amount Jews were allowed to expatriate later was raised to £L300 (\$840).

The plight of Libyan Jews and their property concerns continued to garner attention by international Jewish organizations. On July 17, 1967, representatives from the AJJDC met with exiled Libyan Jewish leaders in Rome, including the former head of the Jewish community in Tripoli, Lillo (Eliyahu) Arbib. Those in attendance discussed forms for listing property damages and losses that had been given to them by the AJJDC and decided that they were too complicated. They also discussed whether they would ever be able to access the bank accounts they left behind in Libya.<sup>266</sup>

Several other developments affected Jewish expatriate property in Libya in



the waning years of the 1960s. By October 1967 emigrants who had settled in Italy could withdraw an additional £L600 from their bank accounts. Some also had some of their property in Libya sold on their behalf in order to export the consideration, as long as it was under £L600.<sup>267</sup> Some Jews also returned to Libya to retrieve more money.<sup>268</sup> By November 1967 about 300 had come back to attend to their businesses or sell off property.<sup>269</sup> By August 1968 members of 127 different families made a total of 267 return trips to Tripoli, and 2 to Benghazi.<sup>270</sup> In fact, Jewish families by and large were fairly successful in returning to deal with their assets. According to AJC statistics, 130 or 169 families for which it had data succeeded in recovering some or all of their property.<sup>271</sup> Despite this, additional property restrictions were put in place. In August 1967 the Bank of Libya notified the Bank of Benghazi to freeze the internal and external accounts of Jews.<sup>272</sup> At some point in late 1967 the king also ordered the Islamic courts to stop registering the sale of Jewish property, as they had been doing. Reportedly he wanted to save Jews from having to sell their property at ridiculously low prices.<sup>273</sup>

King Idris was overthrown by a military coup in September 1969. Within months the Revolutionary Command Council set up by the officers moved against Italian property in the country, as well as Jewish property left behind by the 1967 emigrants. Law No. 14 of 1970 Concerning the Arrangements for the Administration of Certain Property and Possessions was enacted on February 7, 1970.<sup>274</sup> It essentially renewed Law No. 6 of 1961. It sequestered the property of all Jews<sup>275</sup> who left for Israel and called on all Libyans to report any agreements, oral or written, that had been made concerning such property since June 1967. Articles 3 and 4 dealt exclusively with this subject, indicating that the Libyans were eager to stop arrangements whereby Jews abroad were transferring property to those still residing in Libya. British authorities reported that even foreign Jews who tried to leave after passage of the law were surrendering their property as the price for leaving.<sup>276</sup>

On May 9, 1970, the government of Prime Minister Mu‘ammar al-Qadhafi enacted Law No. 57 of 1970, which sequestered the property of all persons who left Libya permanently. Appended to the law was a list of 643 names. While 15 were those of Muslims or Christians, including supporters of the deposed monarchy, the bulk of the names were Jewish. Most of the Jews had left Libya after the 1967 Arab-Israeli War. Sixty of the Jews were Italian citizens, at least 9 were British citizens, with a few French Jews and at least 8 non-Jewish Italians appearing on the list as well.<sup>277</sup> It also contained the names of 32 Libyan Jews who still were in the country.<sup>278</sup>

The Revolutionary Command Council then took a step that no Arab state yet had done: It formally confiscated Jewish property that had been sequestered. Through the Law Concerning the Restitution of Certain Assets to the State of July 21, 1970, the government formally confiscated (the Arabic term used meant “restitute”) all property sequestered under Laws No. 6 of 1961 and No. 57 of 1970. It also appended a list of names. Articles 2 and 3 provided for payment of compensation:

Article 2: An indemnity shall be due to the persons indicated in the preceding article for assets and property transferred to the state, which shall be fixed by one or more commissions constituted by decree of the council of ministers and presided over by a member of the judiciary with a rank not inferior to that of president of a court or a director of the office of procurator of the first grade. The appointment to the presidency of the commission is made by ordinance of the Minister of Justice without further formality. The decisions of the commission are ratified by the Council of Ministers.

Article 3: The indemnity paid in conformity with the preceding article shall be made in the form of the issuance of registered bonds redeemable in fifteen years. On the proposal of the Minister of Finance the Council of Ministers shall fix by its own decree the means of issue of the afore-mentioned bonds, their domination and the relevant formalities of circulation and issue.<sup>279</sup>

Article 4 specified that the Guardian General would transfer land suitable for agriculture to the General Institute for the Reclamation of Agricultural Land, while the Ministry of Housing and Related Affairs would receive real estate and houses. Six days later, on July 27, Housing Minister Muhammad al-Muqarif issued an order forming a five-person committee to draw up lists of such real estate and advise him on the best way to utilize them.<sup>280</sup> The Guardian General would retain control of all other assets that had been under his control.

In response to the nationalization of expatriate Jewish property, Libyan Jews in Italy began organizing. They formed an organization called the Association of the Jews of Libya, headquartered in Rome, on December 13, 1970. The first meeting of the association’s executive council took place on February 14, 1971. The group’s president was Clemente Habib, and one of its cosecretaries was Raffaello Fellah, who later would feature

prominently in efforts to obtain compensation from the Libyan government (see chapters 2 and 3). The association held a conference on compensation in Rome in November 1971 and wrote to the Libyan government later that month concerning the Jewish cemetery and the Bet El Synagogue in Tripoli in response to reports that the government intended to use them for other purposes.<sup>281</sup> It also met with lawyers from the Italian section of the International Jewish Jurists organization in November 1971 to discuss matters relating to nationalized Jewish property. The WJC's Fritz Becker also was present.<sup>282</sup>

The Association of the Jews of Libya began collecting compensation claims from its members. By July 1972 it had collected 108 claims, totaling £L21,267,431. However, most of its wealthiest property owners did not submit claims. The association estimated that total Jewish assets in Libya in 1969 amounted to some \$350–400 million.<sup>283</sup> In 1972, acting on advice from two lawyers, Simone and Jusef Habib, the association sent a delegation to meet with a representative of the Italian Ministry of the Treasury responsible for Italian property abroad to discuss procedures for claiming compensation as Italian citizens for confiscated Jewish property in Libya.<sup>284</sup>

Dealing with Jewish communal property left behind soon became an issue. In 1972 the Libyan government ordered roadwork done through the Jewish cemetery in Tripoli. The Association of the Jews of Libya in Italy contacted the government and asked that the work be halted pending review of the situation by a religious committee. The Libyans agreed. Given that there were no longer any rabbis in Libya, the association contacted the Conference of European Rabbis and formed a committee in December 1972. By that time, however, the roadwork had proceeded anyway.<sup>285</sup> By 1987 former Libyan Jews claimed that 72 synagogues and schools had passed out of Jewish hands in Libya: 44 in Tripoli, 4 in Benghazi, 2 in Barce, 2 in Derna, 4 in Tobruk, and 16 in villages in Tripolitania.<sup>286</sup>

What was the value of Jewish property lost in Libya? By December 31, 1950, Libyan Jews who had arrived in Israel during the first and largest wave of emigration had filed 203 claims with the Israeli Finance Ministry's Foreign Claims Registration Office. They estimated the value of their property losses in Libya at \$1,065.927.<sup>287</sup> Most other data seems to refer to the value of property confiscated in 1970. In response to the confiscation law of 1970, Libyan Jews held two conferences in Italy during the second half of 1971. The Association of the Jews of Libya collected 108 claims, totaling £L21,267,431, but estimated that total value Jewish assets in Libya as of

1969 amounted to some \$350–400 million.<sup>288</sup> More recent estimates vary considerably, and most assign a value in today's dollars. It also is not clear upon what basis calculations are made. For example, Ya'akov Haggiag-Liluf, head of the Institute for the Study of Libya Jewry, put the amount at \$1 billion in 2004 dollars.<sup>289</sup> The Israeli Ministry of Justice's Department for the Rights of Jews from Arab Lands reportedly stated a much lower amount—\$200 million—although once again it is not clear the basis for the estimate or whether the amount refers to 1970 or present-day dollars.<sup>290</sup> Israeli investigative journalist Itamar Levin places the amount of property confiscated in 1970 at \$1 billion (in 2004 dollars).<sup>291</sup> Finally, journalists have cited the figure of \$500 million in private assets, and \$100 million in communal property.<sup>292</sup>

## Lebanon

Lebanon's small Jewish community of 5,000 people, mostly Musta'rab and Sephardic but with some Ashkenazic Jews as well, was almost exclusively concentrated in Beirut in 1948. About 500 lived in Sidon. The community was unique among those in Arab countries in several ways. First, sympathy for Zionism was extremely weak. Not only did few Lebanese Jews immigrate to Jewish Palestine before 1948, few did thereafter either. According to Joseph Attie, lay head of the Jewish community in Beirut, only some 300–500 Jews, mostly youths or poor people, moved to Israel in 1949 and 1950.<sup>293</sup> Indeed, Lebanon was the one Arab country whose Jewish population actually rose in number as a result of the first Arab-Israeli War—to about 6,000—as coreligionists leaving Syria and Iraq settled in the country. In 1955 the Lebanese Office of Civil Registration estimated that 6,612 Jews lived in the country.<sup>294</sup> Lebanon's overall safe climate and tolerant governmental attitude can be seen in the fact that in March 1950 the authorities allowed foreign Jews to cross the border into Israel, taking their property with them.<sup>295</sup> The result was that several hundred Syrian and Iraqi Jews entered Israel with the assistance of the Lebanese-Israeli Military Advisory Commission of the United Nations Truce Supervision Organization (UNTSO). Lebanon did send troops into Palestine to fight the Israelis in May 1948, but they fared badly, and the Israelis went on a counteroffensive that captured over a dozen villages in southern Lebanon. Lebanon and Israel signed an armistice agreement on March 23, 1949.

Anti-Jewish tensions did flare on occasion, with consequences for Lebanese Jewish property. After Palestinian refugees flooded southern Lebanon, some Jewish homes in Sidon were temporarily seized and handed over to the refugees. Lebanese police returned the property to its owners after a few days, however.<sup>296</sup> With some Arab countries discussing the fate of Jewish property in the first half of 1951, the subject came up during several sessions of the Lebanese parliament as well. In July 1951 legislator Nazim al-Qadri called on the government to freeze or confiscate Jewish property. Deputy Emile Bustani also raised the subject on several occasions, in February and March 1952, and again in November 1953.<sup>297</sup> In January 1953 a group of Lebanese landowners who had seen their property in Israel seized by the Israeli government—Israel confiscated the land owned by citizens of Arab states as well as that of Palestinian refugees—demanded that their government compensate them by seizing Jewish property in Lebanon.<sup>298</sup> The government did not do so, but in September of that year it banned Jewish emigration except with a permit from the Foreign Ministry.<sup>299</sup> This ban was later lifted, however. During 1958–1959, for example, some Jews left Beirut for South America, taking most of their property with them.<sup>300</sup> By June 1959, in the United States, the Hebrew Immigrant Aid Society told the State Department that it had received approximately 300 applications for assistance from Lebanese Jews seeking to leave. The State Department opined that Jews who left Lebanon were not doing so because of “economic or political distress”: “The community is not in economic or political distress at the moment and its members can communicate freely with the outside and travel at will.”<sup>301</sup> In fact, most Jews chose to stay.

In the summer of 1959 the question of Jews and landownership came up yet again. Resident Jews could buy and own land in Lebanon, although not near the border with Israel. The government of Prime Minister Rashid Karamah introduced a bill before parliament that would allow Lebanese émigrés, as well as non-Lebanese Arabs, to buy land in Lebanon. Some legislators objected. Kamil al-As‘ad claimed that such a law would enable Lebanese Jews overseas to acquire land on behalf of Israel. Taqi al-Din Sulh declared, “I don’t believe Lebanese Jews owe their allegiance to Lebanon. It is to Israel that their allegiance goes.” Other parliamentarians, like Joseph Shadir, defended Lebanon’s small Jewish community. They “are more loyal to this country than many other citizens,” he declared. Emile Bustani then proposed an amendment to the bill banning any Jews, even a citizen of an Arab state, from purchasing land in Lebanon. The measure

was sent to committee where a compromise was sought, but there is no record of the outcome.<sup>302</sup>

Emigration later gradually reduced the size of the Lebanese Jewish community. Lebanon's two periods of civil war (1958 and 1975–1990) heightened this trend, as Jews joined thousands of other Lebanese in leaving the chaos of civil strife in Lebanon and the war-torn economy. The June 1982 Israeli invasion and subsequent lengthy occupation of south Lebanon (until June 2000) worsened the situation for Lebanon's dwindling Jewish community. During the invasion, Israel reportedly offered citizenship to Lebanese Jews, although none accepted.<sup>303</sup> Several leading Jews were kidnapped and murdered in the 1980s by Shi'ite extremists. By the dawn of the twenty-first century, the community was virtually extinct.

The Lebanese government never sequestered or seized Jewish property, but some Lebanese Jews still claimed losses. From 1949 to 1950 Jews in Israel lodged 74 claims with the Israeli Ministry of Finance's Registrar of Foreign Claims, for a total of \$390,981.<sup>304</sup> By February 1956 this had risen to \$499,924 in claims.<sup>305</sup>

Finally, as in Syria, non-Lebanese Zionist Jews lost land that they had purchased in Lebanon prior to 1948. The Palestine Jewish Colonization Association (PICA) bought land in southern Lebanon during the period of the French mandate, as it had done in Syria. Over 4,000 dunums in the Marj 'Ayun district were registered to PICA on April 26, 1938. The 1948 war cut PICA off from its land in Lebanon, although I could not find information about what transpired with the land thereafter. The organization continued to pay taxes on the land to the Lebanese government until 1958, when PICA transferred ownership rights to the Israeli state (see table 1.2). The Israeli government may have transferred its rights to the JNF as it did in the case of former PICA land in Syria. I have never seen estimates of the value of this property.

## Jordan

Modern Jordan never had an indigenous Jewish population. During late Ottoman times, a few Jewish merchants from Palestine and Syria set up small stores in three localities in the northern governorate of 'Ajlun.<sup>306</sup> Jews from Palestine purchased land in the regions that also came to be called Jordan.<sup>307</sup> However, it does not appear that they maintained ownership

TABLE 1.2 Former PICA Land Claimed by Israel in Lebanon after 1948

VILLAGE	AMOUNT ( <i>dunums</i> )
Mawtil	1,389,958
Khiyam and Khiyam Marj 'Ayun	394,400
Kufr Kala	784,578
Ibil al-Kama	1,782,698
Total	4,351,634

Source: ISA (80) 5721/gimel/23.

into the period when Transjordan was controlled by the British as part of their Palestine mandate. A few individual Jews lived in Transjordan during the 1930s, including a carpenter who worked in the palace of Emir 'Abdullah.<sup>308</sup> So native Jews and Jewish property were not an issue once Jordan entered the first Arab-Israeli War in May 1948. Like Syria and Lebanon, however, the question of property in Jordan that had been purchased by foreign Zionists and Zionist organizations did arise after the war and the Jordanian-Israeli armistice agreement of April 3, 1949.

The main Zionist-owned property in Jordan that quickly became of great concern to the Israeli government was land owned by the Palestine Electric Corporation (PEC). In February 1927 authorities of the British mandate for Palestine, who controlled the area then known as Transjordan as well, prompted the Transjordanian government of Emir 'Abdullah to sell 6,000 dunums (6 sq. km) of land to the PEC. The land lay near the confluence of the Yarmuk and Jordan rivers, along the border with Palestine, in a region known as Sukhur al-Ghawr. In June 1928 the Transjordanian government moved the settled Bedouin inhabitants out of Sukhur al-Ghawr and created a new locality called Jisr al-Majami' (which the Jews called Naharayim; today, Jordanians refer to the region as al-Baqura). The corporation, which in 1921 had acquired a concession from the British to generate electricity on both sides of the Jordan River, paid £P12,965 for the land.<sup>309</sup> The head of the PEC, Pinhas Rutenberg, a Russian Jewish immigrant to Palestine, later allowed some Jews to settle on and farm some of the excess land of Jisr al-Majami' after he built a large electricity generator there. It was the only land publicly purchased by Jews in Transjordan.<sup>310</sup>

On May 14, 1948, Jordanian forces overran the PEC facility, which later was looted by local villagers. Its ruins stand to this day. At some point, the



PEC later sold its rights to the sequestered land to the JNF.<sup>311</sup> Jordan sequestered the PEC land and placed it under the control of the Guardian of Enemy Property, based on the Trading with the Enemy Act that had been enacted at the outbreak of the Second World War in 1939. The guardian was located within the Jordanian Ministry of the Interior and, while controlling the land, was not legally empowered to sell it. The government formally canceled the PEC's electricity concession in October 1953 and vested the land with the guardian in April 1954.<sup>312</sup>

During the Arab-Israeli armistice talks on Rhodes in early 1949, Israeli negotiators discussed the fate of the PEC land. They were quite interested in recovering the ruined plant, given that it had been the main electricity plant in Palestine before the war. Based on their interpretation of the maps and agreements signed as part of the Israeli-Jordanian armistice of April 1949, the Israelis sent a force across the river and occupied part of the PEC land in August 1950. Diplomatically, the PEC hired a New York law firm to investigate what could be done to retrieve its lost property in Jordan. In July 1953 the firm of Cahill, Gordon, Zachry, and Reindel (Cotton and Franklin) met with American State Department officials in Washington to discuss the cancellation of the PEC concession, as well as plans to construct a dam on the Yarmuk River.<sup>313</sup> Nothing materialized, and the land and ruined plant of the PEC (which was renamed the Israel Electric Corporation in 1961) remained under the control of the Jordanian Guardian of Enemy Property.

Another Jewish company had acquired a concession in Jordan, the Palestine Potash Company (PPC). The head of the PPC, A. Moshe Novomeysky, built a potash and bromine plant along the Palestinian side of the Dead Sea in 1930. The PPC also contracted a seventy-two-year lease with the Transjordanian government for 2,149 dunums of state-owned land nearby, just north of the Dead Sea on the Jordanian side of the Jordan River. This land lay in the Zawr Kattar area of the village of Ghawr al-Rama. The PPC also leased both land and water rights—one-third of the river water flowing through Wadi Hasa into Ghawr al-Safi, on the southwestern end of the Dead Sea.<sup>314</sup> The government formally canceled the PPC lease in December 1952.

I have never seen any specific estimates for the value of the PEC property or any PPC claims related to the broken lease, nor have I uncovered any definitive proof of other Jewish-owned property or its value. However, from 1949 to 1950 Israelis lodged thirty-eight claims with the Finance Ministry's Registrar of Foreign Claims for losses in Jordan. These totaled \$9,826,590, more than for any other Arab country. Presumably, the PEC



land constituted a large percentage of this.<sup>315</sup> By February 1956 this figure had risen only slightly to \$9,826,780.<sup>316</sup>

## The West Bank and Gaza

As a result of the 1948 war, Jordan controlled that portion of Palestine that Jordanian authorities called the West Bank, including East Jerusalem, from 1948 until Israel captured the area in June 1967. Jordan thus came into control of a good deal of Jewish property that had been acquired in the decades prior to 1948. During the 1948 fighting, Jordan took control of nine Jewish localities that were either destroyed or evacuated in the West Bank. These were the settlements of Bet ha-Arava (established in 1939), Neve Ya'akov (1924), 'Atarot (1922), and the four Gush 'Etsiyon ['Etsiyon Bloc] settlements of Kfar 'Etsiyon (1942), 'En Tsurim (1946), Massu'ot Yitshak (1945), and Revadim (1947). Additionally, the Palestine Potash Company's potash and bromine works at Rabbat Ashlag and a hotel complex at Kaliya (both on the Dead Sea) also were captured. The Jordanians also found themselves in control of a number of Jewish private, corporate, and communal properties in localities such as Bayt Jala, East Jerusalem, Silwan, Hebron, Bayt Iksa, Bayt Safafa, and elsewhere.<sup>317</sup> Reportedly over a thousand Jews lost property in the West Bank because of the war.<sup>318</sup>

To administer this property, Jordan established an office for the Guardian of Enemy Property in Jerusalem in January 1949.<sup>319</sup> Various persons held this position. For example, the Jordanian government's official newspaper published a notice in October 1951 stating that according to article 9 of the Trading with the Enemy Law of 1939, the Minister of the Interior appointed 'Abd al-Qadir al-Ja'uni as Guardian of Enemy Property as of September 1, 1951.<sup>320</sup> In 1955 two different governors of the Jerusalem province, Hasan Katib and 'Adnan al-Husayni, served as the guardian alongside their duties as governor.<sup>321</sup> Jordan's Department of Lands and Survey later determined that 16,684,421 dunums of Jewish property was captured, a full 6,676 dunums of which was located in the four Gush Etsiyon settlements.<sup>322</sup> Some of the land had been owned by individual Jews; other land had been acquired by land-purchasing agencies, such as the JNF, PICA, and the Mizrahi Land Improvement Co. Still other land belonged to corporate entities like The Hebrew University of Jerusalem and the Anglo-Palestine Bank (which became Bank Le'umi le-Yisra'el in 1951). Finally, Jewish communal

property came under sequestration by the guardian as well, including the Jewish cemeteries in Hebron and Nablus, and waqf (religious endowment) land such as that in Jerusalem belonging to the 'Ets Hayyim, Vilna, and Ashkenaz waqfs.<sup>323</sup> Table 1.3 is based on Jordanian records.

Throughout the 1950s and 1960s, as the Jordanian land department carried out survey and settlement of title operations in the West Bank, the government published orders in the official government newspaper listing villages where Jewish land was sequestered by the Guardian of Enemy Property.<sup>324</sup> For example, in April 1954 the newspaper printed the names of several Israeli people and institutions whose property had been vested with the Guardian of Enemy Property, including Yona Bern; Yona Friedman; Shlomo ben Avraham Abu Jadid and the Hayy 'Olam waqf in Jerusalem; the land of the Palestine Electric Corporation; the Jewish cemetery in Hebron;

TABLE 1.3 Jewish Land in the West Bank Controlled by Jordan after 1948

DISTRICT	AMOUNT ( <i>dunums</i> )
Nablus	5.850
Tulkarm	688.118
Ramallah	145.976
Jerusalem	
URBAN	
East Jerusalem	77.108
No Man's Land	25.458
Government House	47.494
The Hebrew University	
Hadassah Hospital enclave	880.195
RURAL	
Government House	119.675
Settlements	8,708.693
Bethlehem	2,928.095
Hebron	3,031.579
Total	16,684.421

Source: UNSA DAG 13-3, UNCCP, Land Identification and Valuation Office, Records of the Land Specialist, 1937-1967/Box 38/1964-66/Israel; Jarvis to Comay (March 17, 1966).

the Jewish cemetery in Nablus (presumably this referred to the cemetery of the Samaritan sect); and the JNF, Pinhas Liebkun, and their partners.<sup>325</sup> In April 1963 a notice was printed announcing that the land of the Anglo-Palestine Bank had been vested with the guardian.<sup>326</sup> Sometimes, the guardian would issue blanket orders taking over all Israeli-owned property in a certain village or region rather than list individual names. This occurred on several occasions in 1966. In July the property of “enemy subjects” (Arabic: ra‘aya al-‘aduww) in Bayt Iksa in the Jerusalem governorate was taken over, as was all Israeli property in Jerusalem and in the city and governorate of Jenin in October.<sup>327</sup> While preserving the original Jewish owners’ legal title to the sequestered properties, the guardian was free to lease the properties as he saw fit. The guardian’s office leased land both to individual Palestinians and to corporate bodies. UNRWA, for instance, leased sixty-eight dunums of land where the Jewish settlement of ‘Atarot had stood, in order to build the Qalandiya Vocational Training Center in the Qalandiya refugee camp.<sup>328</sup> The Dehaysha refugee camp near Bethlehem was built on land that had been owned by the Himnuta Company, a subsidiary of the JNF.

A particularly controversial question was the fate of Jewish communal property in the West Bank, especially in Jerusalem’s Old City. Fierce fighting had raged in the city between the Jordanian Arab Legion and both the official Israeli army and Jewish forces from the Irgun Tsva’i Le’umi (the Irgun, or Etsel) and the Lohamei Herut Yisra’el (LEHI, or Stern Gang). The battle for the Jewish Quarter was particularly fierce and led to the destruction of much of the area. The Rav Yehuda ha-Hasid Synagogue (popularly called the Hurva Synagogue) was Jerusalem’s largest and had been used as both a shelter by Jewish civilians fleeing the fighting and a military position by Jewish soldiers. Damaged during the fighting, it later apparently was deliberately blown up by the Arab Legion after the surrender of the Jewish Quarter. Between battle damage, looting by Palestinian civilians, and deliberate destruction, the Quarter ended up in ruins, including twenty-seven synagogues and thirty schools. The ancient cemetery on the Mount of Olives outside the Old City, reputed to be the oldest Jewish cemetery in the world, was desecrated as well during the period of Jordanian rule. Tombstones were dislodged—40,000 of the total 50,000 tombstones were desecrated in some fashion or another—and three roads and a parking lot were built on top of the cemetery.<sup>329</sup>

A similar situation occurred with Jewish communal property in Hebron. The Avraham Avinu Synagogue, which had stood vacant since anti-Jew-

ish attacks in August 1929, was destroyed after 1948. Jordanian authorities allowed a vegetable market to be built on Jewish property in town, and buildings like Bet Romano and Bet Hadassah were converted into schools. Other Jewish land in Hebron was leased. For example, in May 1967, the Guardian of Enemy Property leased two dunums of Jewish land in Hebron to a Palestinian named Jawda Salim al-Bakri for five dinars per year for seven years.<sup>330</sup>

From 1949 to 1950, 1,414 people submitted a total of 1,284 claims for losses in the West Bank with the Israeli Finance Ministry's Registrar of Foreign Claims. These claims for lost property in the West Bank totaled \$36,664,023, by far the largest amount of the total \$54,032,576 recorded by the Registrar.<sup>331</sup> By February 1956 this figure had risen to \$38,677,701 in registered losses.<sup>332</sup>

By contrast, Jews had purchased relatively little land in the part of Palestine that came to be called the Gaza Strip, which was occupied by Egyptian forces during the 1948 fighting. The land that received the most attention was that of the Kfar Darom settlement, which became the only Jewish settlement abandoned in Gaza because of the war. The origins of the settlement go back to 1930, when a Jewish farmer from Rehovot, Tuvia Miller, bought 262 dunums of land in the Palestinian village of Dayr al-Balah. During the Arab Revolt of 1936–1939, Miller abandoned the land, and he eventually sold his land to the JNF in the early 1940s.<sup>333</sup> The JNF then allowed settlers from the religious ha-Po'el ha-Mizrahi movement to build the kibbutz of Kfar Darom on the land in October 1946. The settlers abandoned the kibbutz during fighting with the Egyptian army in June 1948. The Egyptian military government established in Gaza then enacted Order No. 25 The System for Administering the Property of Jews in the Areas Subject to the Egyptian Forces in Palestine that same month to take possession of this and any other Jewish property. The order was published again in March 1950. A Director General was appointed to manage the property thereafter, who leased some of it to Palestinian farmers in the area. The land remained under Egyptian control, except for the brief Israeli occupation of Gaza from October 1956 through March 1957, until the June 1967 war.

In 1954 the Israeli Ministry of Finance began discussing ideas about how to compensate Israeli citizens who had lost land in the West Bank and Gaza. In May the government placed announcements in the Israeli media requesting such people to registrar their claims, even though 1,414 claims already had been lodged. Approximately 500 did so. Most of the property

claimed consisted of buildings in East Jerusalem and land in northern West Bank between Jenin, Nablus, and Tulkarm. One of the major claims was made by an attorney named Auster—probably Daniel Auster, a lawyer who served as mayor of Jerusalem from 1948 to 1951. The following year, a plan was devised by which these persons would be compensated through provision of land inside Israel owned by Israel's Development Authority, and in return would sign away their rights to the land in the West Bank and Gaza to the state. It is not clear from the archival record what, if anything, ever happened in this regard.<sup>334</sup>

## The Maghrib

In one part of the Arab world—the Maghrib (Arabic: the West) countries of Tunisia, Morocco, and Algeria—Jews largely did *not* suffer large-scale property losses upon emigration. Why most Jews left these countries once again is a complicated question. The circumstances here were much different from those in Arab countries farther east in northern Africa and the Middle East. None of the Maghrib countries were independent in 1948. Most, but not all, Jews ended up leaving these states over the years, although this process occurred later than in the Arab countries to the east. A number of factors explain why most Jews in the Maghrib left, largely for France and Israel, during the 1950s and 1960s.

Because property dispossession largely was not a problem for Jewish emigrants from the Maghrib, it is difficult to find information about Jewish property there. I cannot offer much evidence detailing the question of what was done with the property of Jewish emigrants from Tunisia, Morocco, and Algeria. The particular question of what happened to communal assets such as schools, cemeteries, and synagogues after the large-scale emigrations has not always been such a problem as it was in the eastern Arab world given the continued existence of small Jewish communities to look after the property in all three countries. Thus, in this section I will discuss the Jewish experience in the Maghrib in the broadest of terms and offer what little I have been able to find about Jewish property concerns in those countries.

Morocco, Tunisia, and Algeria were not independent in 1948, or even during much of the 1950s. The rulers of Morocco and Tunisia were subject to French protectorates, while Algeria was part of France. None of the countries participated in the 1948 Arab-Israeli War as a result, and Jews living there were free to dispose of their property and emigrate to Israel after

the war if they wished. As the anti-French nationalist struggles for independence in the Maghrib intensified in the 1950s, at least some international Jewish organizations began expressing concern about the fate of Jewish property there. Yet even here, the concern seemed to be less that Jewish property would be seized than that in their haste to leave, Jews would face a glutted property market and be unable to command normal market considerations for the sale of their property.

In 1952, for example, the JA sent Dr. B. Roth of the France-Israel Chamber of Commerce to North Africa to estimate the value of Jewish property there. He determined that such property in Algeria, Tunisia, and Morocco, including Spanish Morocco and the international zone of Tangier, was worth between \$600 and \$700 million. Roth felt that between 60 and 70 percent of this consisted of land and real estate, mostly in the big cities. He also felt that most of this land was owned by a relatively small number of owners. Upon his return to France, he proposed an idea for “saving” Jewish property in the Maghrib, which he claimed had first been devised by North African Jews themselves. The plan called for creating an American trusteeship company to which Jewish land would be entrusted. This company would then gradually sell the property in order to forestall the disastrous drop in prices that a sudden, mass liquidation of property would bring about.<sup>335</sup> This idea had surfaced earlier concerning Iraqi and Libyan Jewish property as well.

In mid-1956 Roth was still trying to stimulate interest in the plan in the wake of Moroccan and Tunisian independence. In July he claimed that in the first instance, Jews who had waited to liquidate their assets were sure to be interested in such a proposal rather than sell their property at prices as low as 15 percent of their actual value. He felt that French authorities were likely to take an interest in it as well in service to their ongoing interests in the region, although they surely would want the proposed trusteeship company to be a French-owned one, not American. Roth believed that the Israeli authorities would be interested in receiving French goods, services, or public works projects, or even cash as part of such an arrangement. He was confident that in addition to helping Maghribi Jews preserve their property upon emigration, this arrangement would be extremely profitable for the proposed French company, help promote French exports to Israel (and help the Israeli economy as well), and help the French government further its interests in North Africa.<sup>336</sup> It is unclear what, if anything, transpired with the plan.

The situation actually facing Jewish property in the Maghrib varied

according to country, and even regions within each country. Tunisia had become a French protectorate in 1881. Its ancient Musta'rab community and the more recent Sephardic immigrants lived under the titular authority of the Bey of Tunis, although in practice the French granted him authority only over internal religious affairs. From 1942 to 1943 Tunisia was occupied by German forces. Jews suffered under Nazi rule until the Allies defeated Axis forces in the country in May 1943. The establishment of Israel in 1948 did not trigger a massive exodus of Tunisian Jews, although 6,821 immigrated to the Jewish state that year, 17,353 in 1949, and about 10,000 more over the next four years.<sup>337</sup> By the early 1950s there still were approximately 95,000 Jews in Tunisia. The vast majority lived in Tunis, but there also were communities in Sfax, Sousse, the island of Djerba, and elsewhere.

While the reasons for Tunisian Jewish emigration are complex, certain issues and events generated concern and led most Jews to leave the country by the 1970s.<sup>338</sup> The June 1952 anti-Jewish attacks in Hafsia were one factor. So was the presence of Zionist organizations. The growing nationalist struggle against France triggered a wave of immigration from 1954 to 1956 in advance of Tunisia gaining independence in March 1956. The new government did not impose restrictions or bans on Jewish emigration, even when it was known that Jews were heading to Israel. Indeed, President Habib Bourguiba was considered the most liberal Arab leader in his stance toward the Jewish state. However, his government's decision to abolish rabbinical courts and place Jews under the Islamic-inspired national personal status code in September 1957, and its dissolution of the Tunisian Jewish Community Council in July 1958, proved unsettling to some Jews. The Franco-Tunisian military conflict over the French military base at Bizerte in the summer of 1961 also generated Jewish concern and emigration. Finally, anti-Jewish attacks in Tunis in June 1967 saw the passions of the Arab-Israeli conflict affect Tunisian Jewry. By 1970 the bulk of Tunisia's Jews had left the country, more than half of whom (46,885 from 1948 to 1972) went to Israel.<sup>339</sup>

Some reports state that Jews seeking to leave Tunisia were required to dispose of their property first<sup>340</sup> and could not take personal items without permission from the treasury.<sup>341</sup> They could take out only one dinar in currency with them, although this was the same requirement faced by Muslims as well.<sup>342</sup> A more serious problem for some was the nationalization of certain businesses as part of Tunisia's socialist decrees imposed in the early 1960s. Here, the property was not nationalized because it was Jew-



ish-owned, but Jewish businesses nonetheless suffered losses as a result.<sup>343</sup> Another government expropriation that caused distress to the Jewish community of Tunis was the June 1958 expropriation of the Avenue de Lourdes cemetery, which the community had purchased in the nineteenth century. The mayor of Tunis had reached an agreement with the Jewish community by which the city would take over the cemetery, the graves would be moved, and the community would receive some compensation for the property. The mayor's replacement disregarded this verbal agreement. The city took over the cemetery without compensation, moved the tombs of five rabbis, but bulldozed the rest of the cemetery to build a park that was opened to the public in March 1960. The matter was referred to the courts for resolution.<sup>344</sup> Jews still live in Tunisia, however, especially on the island of Djerba, and maintain their synagogues and other communal property.

Like Tunisia, Morocco did not achieve independence until March 1956. From 1912 until independence, it had been divided into French and Spanish protectorates, in addition to Tangier, which was an international zone from 1923 to 1956. Morocco was home to approximately 250,000 Jews at that time. Some were Sephardic, while others were the much older Musta'rab and Berber Jewish communities. The question of Zionism and the outbreak of the Arab-Israeli War of 1948 did have some effect on Moroccan Jewry. Anti-Jewish disturbances broke out in Oujda and Djerada, among other places. The French had outlawed emigration to Israel prior to 1949 and tolerated it thereafter. Yet other factors prevailed, particularly the struggle for independence. Some Jews viewed the prospect of Moroccan independence with concern, fearing their status under independent Moroccan law. Economic issues were another factor; for many poorer Jews, emigration to Israel seemed to promise the possibility of a better way of life.

From May 1948 until December 1951, 30,750 Moroccans immigrated to Israel.<sup>345</sup> Ironically, Zionist immigration authorities in the early 1950s often did not want them moving to Israel. They were less than thrilled about the prospects of admitting thousands of sick and/or destitute Moroccan Jews. Diseases like trachoma were rampant, and those who left Morocco for Israel tended to be among the poorest in the country. Among the concerns was that Israel would now be responsible for their health care and livelihood. There were debates in Israel about whether the Moroccans and other Jews in French North Africa were even communities "in distress" requiring immediate evacuation.<sup>346</sup> Such discussions occurred among Jewish groups in the United States as well. After a delegation of three top officials of the



AJC visited Tunisia, Morocco, and Algeria in late 1954, AJC Executive Vice President John Slawson was critical of Zionists who encouraged the “panic migration” of North African Jews. He said he saw “salesmen for the Jewish Agency actually empty out whole villages.”<sup>347</sup>

The JA in fact decided to begin applying immigration selection criteria to immigrants from all regions beginning in 1952. In 1953 World Zionist Organization executive member Moshe Kol noted: “Today the Jews of Morocco have jobs and a source of livelihood. They receive disheartening letters from here; there is no work. Apart from that, the French are in control of the situation, so the Jews feel more secure and are in no hurry to leave. Those who do want to come here are the most wretched beggars.”<sup>348</sup>

However, some Israeli officials were not above discussing Jewish immigration from Morocco in dramatic terms that stressed the financial burden upon Israel, efforts that other Jewish and Israeli officials felt were little more than publicity stunts to raise money from Jews abroad. Veteran Israeli diplomat Walter Eytan had this to say in a frank December 1955 letter to the WJC’s Alex Easterman:

It is true, of course, that in order to get more money for the U.J.A. [United Jewish Appeal] and other funds one has to put across a story that will loosen Jewish purse-strings, and the growing immigration from Morocco in a way speaks for itself. I don’t know about the 100,000 who according to Mr. [Shlomo Zalman] Shragai are knocking at the Jewish Agency’s doors, but it is a fact that immigration from Morocco has increased and it is increasing. . . . But I agree that there has been altogether too much loose talk of one kind and another, and I shall try to see whether something can be done about it—by means of a confidential directive or in some other way.<sup>349</sup>

After independence in March 1956, Moroccan policy toward Israel hardened in line with that of the Arab League, and Jewish emigration was prohibited for awhile by King Muhammad V. Moroccan Minister of Interior Driss M’Hammedi sent a notice to provincial authorities in September 1956 stating that the government forbade emigration to Israel and would not allow Jews who previously had gone to Israel to return. The document noted, among other things, that “The government is neither prepared to approve the departure of Jews nor to allow them to take with them the assets they accumulated [here]. . . . It [also] runs contrary to Morocco’s inter-

ests to welcome back people who deserted it, took their capital with them, and now, after they have spent it [in Israel], are begging to return.”<sup>350</sup>

Even then, Jews managed to get out with their capital. In fact, the ability of Jews to take assets with them prompted nationalist newspapers to complain that the government was not doing enough to prevent Jewish capital from reaching Israel. In May 1959, one paper complained: “Moreover, the Moroccan government did not embrace a serious posture vis-à-vis the Zionist factions scattered among Moroccan Jewry, bodies whose sole aim is to smuggle Jewish capital to occupied Palestine.”<sup>351</sup>

Not just Moroccan Arabs felt that their government’s attitudes toward Jews and Jewish emigration was tolerant. So, too, did some important Jewish organizations and officials. One such individual was the WJC’s Alex Easterman. In April 1962 Easterman once again was angered by reports—this time, a report from his own organization—about Jewish emigration from Morocco. Although his main concern was that by publicizing the ongoing emigration of Jews, such reports could endanger the future success of such operations, he also did not believe that public talk about Moroccan Jews leaving for Israel because they were being treated as second-class citizens was true. He also once again discussed international Jewish organizations’ need to keep themselves in the public view by periodically issuing distress calls about the alleged situation facing Jews in Arab countries. In a letter chastising a WJC colleague, Monty Jacobs, for having issued the press report, he noted:

Not only is the [April 6, 1962] press communique politically unwise, but it contains serious, dubious, to say the least, statements of fact. It is just not correct that Moroccan Jews were leaving the country “simply because they were being treated as second-class citizens.” I know of no political, legal or administrative measure by the Moroccan authorities which justifies this statement. It is true, of course, that your press statement—and the Institute [of Jewish Affairs] report—refer to, but do not quote in terms, the editorial in the journal of the Moroccan Council of Jewish Communities, in speaking of Moroccan Jews as being treated as second-class citizens, but I feel certain that these words were merely rhetorical, and intended to be read as such. Your and the Institute’s report give the clear, but wrong, impression that there has been official or officially-sponsored lowering of the civic status and equality of Moroccan Jews. . . . I appreciate the necessity

of keeping the [World Jewish] Congress in the public eye through reports and statements in the press. I realise equally the compulsion to keep pace with the competitive passion for publicity of American Jewish organizations in particular. But I feel strongly, and have always done so, that the Congress, which is more directly involved in delicate problems and situations, must adjust and restrain its public statements in relation to its responsibilities and to the interests of the Jews and Jewish communities on whose behalf it operates.<sup>352</sup>

King Muhammad V later relaxed the ban and allowed Jews to leave, as did his successor, King Hassan II. Thousands of Jews then left Morocco. From 1952 to 1972, 224,883 more Moroccans emigrated after the first wave from 1948 to 1951.<sup>353</sup> They generally were able to dispose of their property prior to leaving. Upon emigration, Jews could take their personal effects with them but could export only 30,000 francs (about \$60) in Moroccan currency.<sup>354</sup> One way to export additional assets was for women to buy silver bracelets and other such valuables to take with them.<sup>355</sup>

A bigger dilemma than how to evade currency export laws was what to do with the communal property in towns and villages where the entire Jewish population had left. Such land legally was considered *habous*<sup>356</sup> and, like Muslim *habous*, technically was not supposed to be sold (although sales occurred).<sup>357</sup> Much Jewish endowment land was registered with the Moroccan Ministry of the Interior after independence. If any of it subsequently was sold, the revenues were either reinvested in the purchase or rent of other property or deposited in banks in Morocco in the name of the particular Jewish community. The funds could not be transferred abroad, however.<sup>358</sup> In other cases, such as the towns of Sefrou, Oujda, and Beni Mellal, where the entire Jewish community departed, there were reports that communal property left behind initially had been taken over by Muslim inhabitants on an ad hoc basis.<sup>359</sup> More research is needed to determine the ultimate fate of such property. Events that transpired later suggest that such seizures may have been reversed (see below).

The situation was very different for locales where there still was a Jewish community. Here, Jews continued to manage communal assets as they had before. Jewish communities in Tangier and Casablanca, for example, still possessed communal property reportedly worth millions of dollars by the mid-1970s. On at least one occasion one of these communities faced a problem with its property, but it was resolved by the government. In the early

1970s the city of Fez took over three large Jewish-owned buildings in the Old Mellah (Jewish Quarter), including the former Em ha-Banim school. Together, the three buildings reportedly were worth 500,000–600,000 dirhams, which amounted to one-third of the entire assets of the Jewish community of Fez. The Conseil des Communautés, the national grouping of local Jewish community councils, complained to the Ministry of Interior, which ordered the city to either buy the buildings or pay back rent.<sup>360</sup>

In the 1970s the Moroccan Ministry of Interior notified the Conseil des Communautés of an important and welcome decision: Jewish communal property left behind in small towns where no more Jews resided could legally be taken over by the Jewish community in the nearest city. The American Jewish Joint Distribution Committee, which was providing over \$1 million annually in assistance to Moroccan Jewish communities, encouraged the Conseil to inventory all communal property in the country to prevent the ad hoc seizure of abandoned Jewish property when various small communities died out. By December 1976 the Conseil, under its secretary-general, Georges Berdugo, had started to do this.<sup>361</sup>

The situation facing Jews and Jewish property in Algeria was quite different from that of any other country in the Maghrib and, indeed, throughout the entire Arab world. Because Algerian Jews possessed French citizenship, and because Algeria was considered an integral part of France, Jews who left there prior to Algeria becoming independent in 1962 were able to liquidate property freely and export any and all assets. However, any property they left behind during the massive and hasty exodus of Jews and Europeans in 1962 was taken over by the new Algerian state.

Algeria had become a French colony in 1830. By virtue of the Crémieux Decree of October 1870, the French government made virtually all Algerian Jews—most of whom were Sephardic, but some of whom were indigenous—French citizens. A July 1961 law extended French citizenship to the remainder of Algerian Jews, who lived in the south of the country. Jews lived in over ninety locales in Algeria, although approximately 62 percent resided in the cities of Algiers, Oran, and Constantine.<sup>362</sup> Few were interested in moving to Palestine and later Israel. In 1950 only 506 immigrated to Israel, 272 in 1951, and 176 in the following two years.<sup>363</sup> Only 13,135 immigrated to Israel during the period 1948–1972.<sup>364</sup>

As the bloody Algerian war of independence intensified in the late 1950s and early 1960s and negotiations to end it began, most of the 140,000 Jews living in Algeria as of 1960 began to leave. In 1961 and the first three months

of 1962, 15,000 left. On March 18, 1962, French and Algerian nationalist negotiators signed the Évian Accords, which paved the way for Algerian independence. In Article 12 of the accords, Algeria pledged to assure the free use of private property acquired in the country prior to independence and not to deprive anyone of such rights without equitable compensation. Shortly after the accords were signed, from April through June 1962, 60,000 Jews joined hundreds of thousands of other French citizens (the so-called *pièds-noirs*) in a mass exodus from the country. Like the *pièds-noirs*, most Jews left for France. By June 1962 virtually the entire Jewish community had departed. Only 2,000 of the 18,000 Jews in Constantine remained, for example.<sup>365</sup> Algeria declared its independence on July 3, 1962.

As noted, Jews did not face any property restrictions when leaving. Like other French nationals, the problems they faced with their property came from their relatively hasty departure after the Évian Accords were signed. From February to March 1962, for example, Jews from Ghardaia began selling their goldsmith shops, tanneries, and slipper-making shops, reportedly well below cost, in their haste to board ships bound for France.<sup>366</sup> Others in the town left by airplane. In fact, Air France arranged to send extra aircraft to Ghardaia to accommodate them. The last of what had been a 1,500-strong Jewish community in Ghardaia were gone by the end of June 1962. Reportedly, most of these Jews went to Israel, unlike most of their coreligionists who left for France.<sup>367</sup>

Jewish property that was not sold was left behind. After the mass exodus of Europeans and Jews, the new Algerian government quickly adopted legislation to take control of what was called *biens vacants* (vacant properties) left behind by those who had fled. It enacted Ordinance No. 62-020 of August 24, 1962, Concerning the Protection and Administration of Vacant Properties<sup>368</sup> to regulate such vacant properties, by which it placed them under government control. Article 1 of the decree granted local authorities throughout the country the power to take control of all moveable and immoveable property whose legal owner had not occupied or used it for more than two months. Article 5 called for inventorying of all such vacant property. Two months later, Decree No. 62-03 of October 23, 1962, Regulating the Transaction, Sale, Rental, Concession, Lease or Sublease of Moveable or Immoveable Property, went further and annulled any contracts to sell vacant properties.

The new government enacted other laws, such as Decree No. 63-88 of March 18, 1963, Governing Vacant Properties, and Decree No. 63-168 of

May 9, 1963, Concerning the Placement under State Protection of Moveable and Immoveable Property Whose Acquisition, Management, Development or Use Might Undermine Public Order or Social Peace, by which it took more and more control of such French property, much to the chagrin of the repatriates now living in France. The only compensation the Algerian government discussed was compensation for the wine and cereal harvested from the agricultural estates of former French farmers that had been nationalized by Decree No. 63–388 of October 1, 1963, Declaring Farms Belonging to Certain Natural or Legal Persons State Property (compensation of FF10 million was mandated according to Opinion No. 16 Z.F., published on March 17, 1964).<sup>369</sup>

Thus, Jewish personal and corporate (but not communal religious) property left behind in Algeria in 1962 came under the control of the Algerian government by the end of 1963. Communal property left in Algeria was either managed by those Jews who remained in the country or in some instances put to other uses by Algerian Muslims (see chapter 2). As far as communal religious artifacts were concerned, almost all Torah scrolls managed to be transported to France.<sup>370</sup>

The vast exodus of Jews from Arab countries that took place between the late 1940s and the 1960s stemmed from many factors, both global and local. Some of these factors were the residual effects of the inroads made into the Middle East and North Africa by Western capitalism and imperialism, shifting economic patterns, and the search for better livelihoods. The Arab-Zionist struggle over Palestine that began after the First World War, the first Arab-Israeli War of 1948, and the subsequent flight of over half of Palestine's Arabs into exile also triggered anti-Jewish sentiment in the Arab world that certainly contributed to many Jews' decision to leave the countries of their birth. Most Jews who left the Arab world immigrated to Israel, and a number of them faced new lives bereft of much if not all of their property. Willingly or unwillingly, they soon found that their new country assumed for itself wholesale power of attorney over the matter of seeking redress for their property claims from the Arab countries of their origin. Virtually from the beginning, Jewish property claims against the Arab world were interwoven into the foreign and diplomatic policy of Israel vis-à-vis the Palestinians and the wider Arab-Israeli conflict. Individual and community losses quickly rose to the level of international diplomatic discourse.



## Jewish Claims in the Context of the Arab-Israeli Conflict and the Peace Process, 1948–2001

The ten years after the end of the Second World War in 1945 saw a massive demographic shift in the world's Jewish population. During the Holocaust in Europe, the Nazis murdered one-third of all the world's Jews. Holocaust survivors began leaving war-ravaged Europe, formerly home to two-thirds of the globe's Jewish population, destined for Israel, the New World, and elsewhere. Additionally, as noted in chapter 1, tens of thousands of Jews from the Middle East and North Africa began immigrating to Israel as well. The several-year period beginning in 1948 saw Israel's population double as over half a million immigrants flooded into the country during and after the first Arab-Israeli War. By the twenty-first century, over three-quarters of the world's Jews lived in just two countries, the United States and Israel. English and Hebrew were the world's main two Jewish languages.

The creation of Israel, and the challenges it faced absorbing all these newcomers with its weak economy, certainly were a major focus of international Jewish public attention during the late 1940s and early 1950s. But in terms of refugees, emigrants, suffering, and claims for property dispossession, global Jewish attention largely was focused on the tragedy faced by Jewish communities in Europe during the Holocaust, not the sufferings



of Jews from Arab countries. In terms of property claims, both Israel and international Jewish groups like the WJC therefore exerted their greatest efforts dealing with assets lost by Ashkenazic Jews in Europe during the Holocaust. The experiences and claims of Jews formerly resident in Arab countries took a back seat, at least for a while.

### Holocaust Reparations, Israel's Finances, and Claims Against Arab Countries

Jewish groups made intense efforts to make the defeated German government pay for the Nazis' crimes against the Jews almost as soon as the Second World War came to an end with Japan's surrender on September 2, 1945. On September 20 the JA's Chaim Weitzmann sent a letter to the victorious American, British, French, and Soviet governments demanding reparations, restitution, and indemnification from Germany, over which the four powers had established separate occupation zones. Efforts toward securing Holocaust claims were institutionalized in 1948 with the establishment of the Jewish Restitution Successor Organization to pursue unclaimed, heirless Jewish property, and the United Restitution Office (later the United Restitution Organization), a nonprofit legal aid organization to assist Nazi Holocaust survivors pursue legal claims against the West German government. In addition to the JA, Israel also demanded reparations. In a March 12, 1951, letter to the four main Allied powers, Foreign Minister Moshe Sharett demanded reparation payments (Hebrew: *shilumim*) of \$1.5 billion from West Germany to cover the cost of settling 500,000 Holocaust survivors in Israel. Israel later dropped its demand to \$1 billion, reserving for itself the right to seek the rest from East Germany someday.<sup>1</sup>

West Germany agreed to enter into negotiations over reparations on September 27, 1951. The lead Jewish figure in the talks that followed in the Netherlands was Nahum Goldmann. Goldmann was simultaneously president of the WJC and chair of the JA's executive committee and arguably the most influential Jewish leader in the world. In October 1951 he brought together in New York twenty-three American and international Jewish organizations to discuss reparations from West Germany, a grouping that became known as the Conference on Jewish Material Claims Against Germany. On September 12, 1952, Goldmann, Sharett, and West German Chancellor Konrad Adenauer signed a final reparations agreement

in Luxembourg. West Germany agreed to provide DM3,450 million (\$845 million) to Israel, mostly in goods, along with a further DM450 million (\$110 million) to the conference for allocation to Jews outside Israel. The agreement was a major accomplishment. It worked to address the horrific injustice suffered by Jews in Europe, and to assist Holocaust survivors. It also significantly strengthened the Israeli economy.

Although accepting the payments was an extremely contentious and divisive issue in Israel and the wider Jewish world, Israeli Prime Minister David Ben Gurion was adamant that Israel needed the assistance. Even prior to that, Israel was very concerned with securing as much hard currency for its cash-strapped economy as possible. Gold and foreign currency reserves were all but nonexistent, and Israeli citizens faced rationing and a strict austerity regime during the country's first few years of independence. The government was anxious to obtain hard currency in any way it could. Authorities in the new state quickly began asking all Israeli citizens in 1949 to register their claims for any property or assets they had left behind anywhere in the world prior to immigrating to Israel. This included not only assets lost before and during the Second World War in Germany, former Axis countries like Italy and Bulgaria, and former Axis-occupied countries like the Netherlands, Poland, Yugoslavia, Czechoslovakia, but also property owned by Israelis in former Allied countries like the United States, France, Canada, the Low Countries, Australia, Britain, and elsewhere. A Foreign Ministry document from 1950 noted: "It is unnecessary to stress the importance of claims such as these in terms of the economic interests of the State of Israel. The importance of these claims stems from the fact that the property in question represents an especially significant potential source of foreign currency."<sup>2</sup> As a result of the government's 1949 appeal, the Ministry of Finance's Foreign Claims Registration Office collected 29,357 claims.<sup>3</sup>

Israel's first efforts to quantify the property losses suffered by immigrants from Arab countries stemmed from this same need to secure hard currency. Documents indicate that what Israel was most concerned about regarding Jewish property in the Arab world was not making claims for lost property, but trying to ensure that Jewish immigrants could avoid losses and bring their assets with them. A January 1951 Ministry of Foreign Affairs report on Jewish immigration from Iraq, the wealthiest such community in the Arab world, noted, "The greatest problem that arises in connection with the property of Iraqi Jews is the need to liquidate it and convert it from real estate to liquid assets" that could be smuggled out to Israel.<sup>4</sup> Three months

later, the Foreign Ministry noted that “It is also appropriate that this office attempt to deal with saving property and transferring it to Israel.” However, it rued, most Iraqi Jews were sending their assets to countries besides Israel: “As it turns out, Jews today, as well, are succeeding in taking funds out of Iraq . . . [but] . . . only of tiny percentage of these will enter Israel.”<sup>55</sup>

In 1949 the government announced that it was beginning a second campaign to register foreign claims, this time claims specifically against Arab countries and citizens. The announcement, signed by S. Hirsh, registrar of foreign claims in the Ministry of Finance, and published on November 3, called on Israelis to complete forms detailing property losses—land, factories, moveable property, patent rights, claims commercial and financial agreements (for stoppage of goods and services, for instance), bank accounts, stocks and bonds, etc.—in Egypt, Saudi Arabia, Iraq, Yemen, Syria, Lebanon, Jordan, as well as any debts, etc., owed to them by Palestinian refugees. The public was given until December 31 to comply, although the office continued accepting and registering claims through June 30, 1950. In each instance they were asked to list the claims in the local currency involved. The registrar eventually recorded 2,049 claims, filed by 3,748 claimants, totaling \$54,032,576. Table 2.1 lists the countries and amounts involved.

Significantly, 1951 the Israeli government began moving beyond cataloguing Israeli citizens’ property losses in the Arab world and started championing the cause of its new propertyless immigrants from the Middle East and North Africa in diplomatic contexts, assuming for itself virtual power of attorney to address their claims. As a result, these claims ended up featuring in Arab-Israeli diplomacy for decades, especially in one particularly important aspect of that diplomacy: discussions and negotiations over Israeli compensation payments to Palestinian refugees for the property that they had abandoned in 1948. The 1948 war and the ensuing years of stalemate and negotiation brought together the Palestinians’ claims with those of Jews from the Arab world, largely because Israel insisted upon reducing any amount it paid in compensation to Palestinian refugees by an amount commensurate to the property losses sustained by Jewish emigrants from Arab countries. Resolution of the two issues has remained linked, appropriately or inappropriately, and in one form or another, ever since.

Why did the Israeli government do this? To what degree is the lost property of Palestinian refugees and that of Jews who left the Arab world something that logically should have been linked together in the minds of

TABLE 2.1 Value of Jewish Property Losses in Arab Countries and/or to Arab Citizens Recorded by Israel Registrar of Foreign Claims, 1949–1950

COUNTRY	CLAIMANTS (number)	CLAIMS (number)	AMOUNT (currency)	TOTAL AMOUNT (1950 \$US)
Libya	203	203	£Lib.629,636,340	1,065,927
Egypt	153	153	£Egypt.19,135	1,977,856
			FF1,248,620	
			£Egypt.619,473	
			£Pal.17,901	
			£UK45,287	
Iraq	1,619	50	Rupees 74,357	1,997,184
			\$US3,025	
			FF107,500	
			Iraqi dinars 709,955	
Yemen	15	15	£UK3,525	85,512
			£Pal.15,000	
			Riyals 167,024	
Syria	121	121	Rupees 116,217	1,410,467
			£Syr.2,453,090	
			£Pal.100,902	
			Gold pounds 4,608	
Lebanon	74	74	Ottoman pounds 34	390,981
			£Leb.289,946	
			£Pal.90,417	
			£Syr.2,459	
			£UK1,667	
Jordan	38	38	\$US253	9,826,590
			£Pal.3,509,180	
West Bank Palestinian refugees*	1,414	1,284	£Syr.1,950	36,664,023
			£Pal.3,094,294	
			£Pal.219,015	
			£UK998	616,036
				616,036
Total	3,748	2,049		54,032,576

Source: ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950."

\* Debts, etc., owed to Jews by refugees.

Israelis, Arabs, even the world community? How did Middle Eastern and North African Jews themselves understand this process, as well as the forces that brought them to Israel in the first place?

### Comparability of Jewish and Palestinian Property Claims

Linkage between the two sets of claims, Jewish and Palestinian, has been the source of considerable controversy in the decades since Israel first articulated its policy of linkage in March 1951.<sup>6</sup> The basic issue at hand has been: Should resolution of the one set of claims, whether through compensation (payment for the property) or restitution (return of the property), or both, be made contingent on resolution of the other? On a more basic level, should the two sets of claims even be discussed together, let alone resolved together? Are the two cases of flight and dispossession related? Are they comparable on the bases of history, politics, equity, and/or morality?

For their part, Palestinian refugees in particular steadfastly refuse to accept any linkage between their property losses and those sustained by Jews in the Arab world. Their argument is that, as displaced and dispossessed refugees, they cannot be saddled with the additional political and financial liability for what Arab governments did to their own Jewish citizens. Aggrieved Jews should seek redress from those governments, the argument goes, or through other means, but Palestinian compensation should not be compromised by deducting from it amounts representing the value of property taken from Jews by other Arabs. In any event, they argue, most Jews left the Arab world voluntarily, not as refugees who were expelled or who fled from war in their homeland.

For their part, the Israeli government and people supportive of its diplomatic stance have contended that on the final, macrolevel analysis, a population and property exchange has occurred in the Middle East because of the events of 1948. They say that because of the conflict Palestine was emptied of most of its Arabs, who took up residence in surrounding Arab countries. Soon thereafter, for the same reason, the Arab world was emptied of most of its Jews, who largely took up residence in Israel. The fleeing Arabs of Palestine left behind their land and other property, and the Jews of the Arab world did likewise. That Israel helped integrate its new Jewish immigrants while the Arabs allowed the refugees to languish in camps is

not Israel's problem. In the end, so goes the argument, the situation ended up as a draw, an even exchange of people and property.

Partisanship aside, to what extent are the two questions comparable and “linkable”? The answer depends upon perspective. There certainly are some key differences between the two sets of property claims. The Palestinian refugees lost their property as the result of war in their homeland. Armed conflict broke out between Jewish forces and Palestinian and other Arab forces in the wake of the United Nations' adoption of the November 1947 plan to partition Palestine into separate Jewish and Arab states. Some Palestinians left in advance of the fighting, especially the refugees from towns and cities, generally considered middle class. Others fled from actual fighting or the capture of their communities by Jewish forces. Still others were expelled by these forces. Their sudden flight allowed them little or no time to carry moveable assets or dispose of landed property prior to leaving. Their country, British-ruled Palestine, ceased to exist in a juridical sense as of May 15, 1948, which left the bulk of the refugees stateless (although Jordan extended citizenship to those in Jordan and the West Bank). After the war, nearly all were barred by Israel from returning to their homes and property. Israel quickly agreed to pay compensation to the refugees for some of their abandoned property, but most refugees demanded repatriation and property restitution rather than exile and compensation.

Another factor unique to Palestinian refugee property claims is the fact that the United Nations historically has assumed a significant level of responsibility for alleviating the plight and losses of the refugees, given its intimate involvement in the causes that led to their exile. In addition to defining the exiles as “refugees,” the world body has called for indemnifying them for their losses. Even before the war, United Nations General Assembly Resolution 181 (II) of November 29, 1947, (the partition resolution) anticipated the fate of Palestinian property in the proposed new Jewish state, and vice versa. It stated that the new Jewish authorities could expropriate Palestinian property only for “public purposes” and that they must compensate the owners for the land. The same would be true for Jewish property in the Arab state. According to Section I.C.2.8.: “No expropriation of land owned by an Arab in the Jewish state shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court [of the Jewish State] shall be paid previous to dispossession.”<sup>7</sup>

United Nations Mediator for Palestine Count Folke Bernadotte was also concerned about the refugees' lost property and noted in his September 1948 report to the world body that:

There have been numerous reports from reliable sources of large-scale looting, pillaging and plundering, and of instances of destruction of villages without military necessity. The liability of the Provisional Government of Israel to restore private property to its Arab owners and to indemnify those owners for property wantonly destroyed is clear irrespective of any indemnities which the Provisional Government may claim from the Arab States.<sup>8</sup>

Later that year, the General Assembly passed its landmark Resolution 194 (III) of December 11, 1948, which created the United Nations Conciliation Commission for Palestine (UNCCP). That resolution also laid the basis for the UN call for compensating the refugees for abandoned property:

The refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for the loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible<sup>9</sup>

Over the decades, the UNCCP exerted considerable efforts on behalf of Palestinian refugee compensation and eventually produced the most thorough documentation of the scope and value of individual refugee losses ever assembled by any party (see below), even though no compensation regime has ever been accepted by the parties to the conflict.

The origins of Middle Eastern and North African Jewish property losses and claims, as well as the international responses to them, differ from those of the Palestinian claims in certain key aspects. Jews rarely left Arab countries because those countries were the scenes of military conflict. Nor were most expelled by Arab governments. Their flight was not the result of armed conflict in those countries, but it often *was* in part a by-product of the armed conflict between Jews and Arabs in Palestine, as well as hostile anti-Zionist and anti-Semitic attitudes and actions. Most Jews chose to leave permanently and not return, but they often did so under conditions of duress and even violent intimidation. A notable exception to these gen-

eralizations about voluntary departure from noncombat situations was the expulsion from Egypt of Jews during the wartime conditions of October and November 1956. Another exception concerned Palestinian Jews whom Jordanian forces expelled from those parts of Palestine held by the Arab Legion in 1948. Some Jews were forced to forfeit their Arab nationality or declared “stateless” upon emigration, but most regained some type of citizenship rights, and those who settled in Israel were granted Israeli citizenship. Some departed for Italy, France, Brazil, and other countries, including in some cases Arab countries like Lebanon. In the process, many had their property seized under a variety of different laws and thus had to leave behind both personal and communal moveable and immoveable property.

Another important difference between the cases of the Palestinians and Jews formerly from Arab countries lies in international attitudes toward the two cases. The United Nations never adopted resolutions or programs to deal with Jewish property claims, although both the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations High Commissioner for Refugees (UNHCR) worked with Jewish refugees in the Middle East. Similarly, the UN has not linked these claims with resolution of the Palestinians’ own claims. The U.S. attitude has been more nuanced and has fluctuated. Initially, some American officials felt that a peaceful solution to the Arab-Israeli conflict should involve mutual compensation. In 1951, one American diplomat noted: “It certainly would be desirable to have property settlements accomplished for both the Arab and Jewish properties involved. However, it is hard to see how this can be done except within a framework of a general settlement of the Arab-Israeli conflict.”<sup>10</sup>

They did not exert any efforts on behalf of Jewish property claims, however, nor any efforts at linking the two questions. President Bill Clinton may have signaled a change in American policy when in July 2000 he openly called for an international fund that could compensate both Palestinian refugees and Jews for their respective property losses. Still, the international community never has explicitly accepted the notion of linkage.

Despite their differences, however, the two exoduses and sets of property losses do stem in part from the same historical circumstances: the struggle between Zionist Jews and Palestinian Arabs for control of Palestine/Israel. As noted, this struggle, which widened to include surrounding Arab states, ended up affecting the destinies of Jews and Arabs throughout the Middle East and North Africa. Both Palestinian refugees and at least some of the many Jews who left Arab countries lost property for reasons related to this



wider struggle between Zionism and the Arab world, and the specific war between Arabs and Israelis in 1948. Beyond the fact that both sets of losses stemmed in part from the same historical processes, another similarity between the two cases is that both peoples have factored these losses into their respective discourses of trauma and exile. Both have seen others expropriate their suffering for nationalist purposes, using and even exploiting their trauma as part of the diplomatic twists and turns of the Arab-Israeli conflict. And both have seen their claims for compensation and/or restitution linked with the other's claims diplomatically, whether they liked it or not.

This discussion does not suggest that the two sets of claims should have, or should not have, been linked diplomatically, nor does it in any way elevate one over the other in any political or moral sense. Nor does this account detract in any way from the painful losses sustained by both Palestinians and Jews who left their homes and lost their property under difficult circumstances. It merely recognizes what has occurred historically.

The basic question, then, becomes how and why the two sets of property losses and claims became linked diplomatically within two years of the signing of the Arab-Israeli armistice agreements in the first months of 1949. This chapter explores this question in detail, noting how various people began linking the future of Palestinian and Jewish property even before 1948; how after the war the government of Israel formally insisted upon linking Jewish compensation with the compensation it pledged to pay Palestinian refugees; how linkage was greeted by the international community; how the Israeli government tried to register Jewish losses in the 1950s with only partial success; three “aberrant” cases in which Jewish claims against Arab countries were dealt with without reference to Israel and its policy of linkage; how Jews felt about Israeli power of attorney over their claims; and how linkage was, or was not, addressed during the Arab-Israeli peace talks of recent years.

## Demand for 1948 War Damages

One of the first instances in which the State of Israel tried to link Jewish property claims against the Arab world with the compensation it stated it would pay to Palestinian refugees dealt with the matter of war damages sustained by Israeli Jews during the 1948 war. Israel's provisional foreign minister, Moshe Sharett, brought up Jewish property captured by Jordanian forces in the West Bank and East Jerusalem, and Egyptian forces in Gaza,

when he met with Count Folke Bernadotte in Tel Aviv on July 26, 1948. He told Bernadotte that this issue was linked to the future of the refugees, and the fate of a final peace settlement between Israel and the Arab states.<sup>11</sup> When the UNCCP mediated between Israel and the Arab states at the Lausanne Conference from April through September 1949, the Israeli government informed it that any Palestinian compensation payments would be reduced by an amount commensurate with the damages Israel sustained during the war. Even though fighting had raged for six months prior to the entrance of the Arab armies into the fray in May 1948, and Jewish forces had conquered portions of the proposed Arab state in Palestine, the Israelis insisted that the 1948 war amounted to an unprovoked Arab invasion of Israel for which the Arab states were liable for damages.

An October 1952 Israeli Foreign Ministry document argued for demanding four types of war damages: (1) the Israeli army's expenses in fighting the war; (2) direct and indirect costs to Jewish individuals, companies, state organs, and public institutions; (3) the physical and psychological damage incurred by the war and the resulting burdens put on the new state; and (4) the damage to individuals, companies, and public institutions caused by the Arab boycott of Israel and companies doing business with Israel. Yet even at this point, three years after the war had ended, and after at least two years of arguing its war damages claims, Israeli thinking on the matter still was evolving. Coming up with concrete amounts they could claim was still in its infancy. The author of the October 1952 document, Shim'on Shapir, stated as much: "It is important to note that work on the wording of these claims and their translation into monetary tools is still in the beginning stages, or even earlier."<sup>12</sup>

On the macro level, twenty-three Jewish settlements were destroyed during the 1948 fighting. Arab forces captured three of these communities briefly before yielding them. They held onto the remains of eight others, and the land on which they had stood was incorporated into the West Bank and Gaza after the war. These were, in the West Bank: Bet ha-'Arava, Neve Ya'akov, 'Atarot, plus the Gush 'Etsiyon ['Etsiyon Bloc] settlements of Kfar 'Etsiyon, 'En Tsurim, Massu'ot Yitshak, and Revadim. Additionally, the Palestine Potash Company's works at Rabbat Ashlag and the hotel complex at Kaliya were lost. One settlement in Gaza, Kfar Darom, lay behind enemy lines after 1948. Twelve Jewish localities were destroyed but held by the Israeli army. The Jewish quarters of Jerusalem's Old City and Hebron also were captured. Thirty-two other Jewish communities sustained battle damage.

Despite the difficulties, some Israelis were trying to put a figure on the

damages. JNF land expert Yosef Weitz estimated that Israel suffered £11.5 million (\$6,048,387) in war damages, based on rebuilding costs.<sup>13</sup> The Department of Property Damage within the Israeli Ministry of War Victims recorded 8,598 claims for damaged property, worth £18,624,100 (\$24,157,142) as of December 1949. The ministry also estimated that the Jewish agricultural sector sustained an additional £14 million (\$11,204,481) in losses.<sup>14</sup> The figures mounted. By December 1950 the government had registered 9,510 claims from urban areas alone, worth £19,197,717 (\$25,763,913).<sup>15</sup> Jerusalem suffered the most damage; the Israelis estimated in 1950 that the Jewish portion of the city suffered £12.6 million (\$35,294,117), including agricultural losses.<sup>16</sup>

However, the UNCCP rejected Israel's claims for war damages in connection with what it owed to Palestinian refugees in the form of compensation. United Nations General Assembly Resolution 194 (III) created the UNCCP with the mission of mediating a peaceful resolution of the Arab-Israeli conflict. Paragraph 11 of called on Israel, among other things, to allow the Palestinian refugees to return to their homes, and to compensate those not wishing to do so for the property they left behind. It also called for compensation to be paid "for the loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible." The UNCCP had decided as early as October 1949 that claims for war damages lay outside its mandate to arrange for compensation as spelled out in Resolution 194. It argued that the resolution referred to only the property of refugees, and that the specific phrase dealing with "the loss of or damage to property" referred to "illegal" war damages caused by looting or wanton destruction, not "ordinary" destruction of property that occurs as a result of military action. It argued that the fact that "ordinary war damages do fall outside the scope of the resolution of the General Assembly would seem to be clearly illustrated by the legislative history of paragraph 11 of the resolution."<sup>17</sup>

Accordingly, the UNCCP claimed that it possessed no mandate to entertain the property damages claims of the belligerent parties themselves. It also did not want to bring the matter of war damages into its negotiation efforts because it was trying to bring about action on Palestinian refugee return and compensation, in accordance with paragraph 11, independently of its wider efforts at conciliation among the parties.

Interestingly, an internal Israeli commission formed in late 1949 to study the question of compensation for Palestinian refugees determined that Is-

rael's policy of linking such compensation with claims for war damages was illegal, but still politically useful, and must be pursued. The Lif Committee issued a report to the Israeli government in March 1950 that noted that Israel could not legally make the Palestinian refugees liable for war damages inflicted by the Arab states during the 1948 fighting. On the other hand, the report argued that the international legal ambiguity surrounding this point offered Israel certain diplomatic opportunities to raise war damages claims in the context of compensation anyway. The report opined:

Actually, the lack of a clear set of rules in international law and the absence of a uniform procedure in the case of compensation and the payment of damages enables Israel to make its arguments and to condition the Arab states' representation of the refugees on the payment of war indemnities to Israel. . . . As long as the Arab states refuse to enter into peace negotiations with Israel, there is no reason for Israel not to adopt a firm stance on the issue of compensation for refugee property. This would be in order to make it necessary for them to begin negotiation and to adopt a more conciliatory stance on the issue of war indemnities.<sup>18</sup>

At the Paris peace conference it sponsored from September to November 1951, the UNCCP later proposed that all sides give up war damages claims against one another. Israel by and large did retreat on this issue, and little was heard of it again after the mid-1950s. Still, the issue was historically important as it represented the first time that Israel connected the issue of Jewish property claims with its payment of property compensation to Palestinian refugees.

### Early Actions Linking Jewish and Palestinian Property Losses and Claims

Israeli officials and Arab leaders alike began pondering the connection between the fate of the Arabs of Palestine and their property and that of the Jews in the Arab world even before the 1948 war was in full swing. The WJC became concerned about an alleged Arab plot to seize Jewish property in the wake of the outbreak of Jewish-Arab hostilities in Palestine in late 1947. On January 19, 1948, the WJC submitted a memorandum on what it

viewed as the precarious position of Jews in the Islamic world to the United Nations Economic and Social Council. Among other things, the memorandum, which asked that the world body consider the matter during its spring 1948 session, reported on an alleged Arab League proposal to freeze Jewish property in Arab countries. The WJC claimed that the proposal had been approved by Egypt, Saudi Arabia, and Iraq. According to the report—which did not indicate how or when the purported Arab League plan was obtained—the proposal was produced by the Arab League’s Political Committee and called for declaring Jews in Arab countries to be “members of the Jewish minority state of Palestine” at some unspecified future date. Among its seven points were:

1. Beginning with (date), all Jewish citizens of (name of country) will be considered as members of the Jewish minority State of Palestine and will have to register with the authorities of the region wherein they reside, giving their names, the exact number of members in their families, their addresses, the names of their banks and the amounts of their deposits in these banks. This formality is to be accomplished within seven days.
2. Beginning with (date), bank accounts of Jews will be frozen. These funds will be utilized in part or in full to finance the movement of resistance to Zionist ambitions in Palestine.<sup>19</sup>

There is no indication that the Arab League adopted the proposal, and subsequent events indicate that it was not adopted (see below).

The Economic and Social Council decided at its March 11, 1948, meeting to request that its NGO Committee submit a report on the matter to the full council. The committee held hearings on June 21–22, 1948, and the full Economic and Social Council eventually adopted Resolution E/1179 on February 16, 1949. The resolution stated:

The Economic and Social Council

*Takes note* of the report of the Council NGO Committee prepared in response to Council resolution 133(VI)H of 11 March 1948 regarding communications from the World Jewish Congress;

*Notes* that unsettled conditions in Palestine may have affected the observance of fundamental human rights in Palestine and some other areas;

*Expresses* the hope that governments and authorities concerned will not cease to exert whatever efforts are necessary to safeguard the fundamental human rights of individuals and groups of different faiths; and *Requests* the Secretary General to transmit the records to the Security Council.<sup>20</sup>

After the 1948 war was over and Arab states like Iraq, Syria, and Egypt had taken harsh measures against their Jewish citizens, the WJC twice again approached the Economic and Social Council with reports on Jews in Muslim countries, on October 22 and November 8, 1949. On February 6, 1950, it submitted yet another memorandum to the council asking that it investigate “the effects of its resolution of February 16, 1949.”<sup>21</sup> Apparently the council, which by that time consisted of representatives of India, the United States, the United Kingdom, France, and (Nationalist) China, did not take any further action on the WJC’s concerns.

With the outbreak of the war, one practical way that the Palestinian refugees’ plight and property losses were linked with the fate of Jewish property in the Arab world was when the various belligerent powers began housing emigrants and refugees in one another’s vacant homes. Certain Arab states began using Jewish property in their countries for the benefit of displaced Palestinian refugees. For example, Syrian and Iraqi officials allowed Palestinian refugees to occupy the empty homes of Jewish emigrants, although Palestinians were settled in non-Jewish dwellings as well. For their part, Jewish authorities in Palestine began settling new Jewish immigrants in abandoned Palestinian housing as early as February 1948, when JA head David Ben Gurion ordered the commander of the Hagana (the official prestate Jewish military forces) in Jerusalem, David Shaltiel, to begin settling Jews in captured Palestinian districts of West Jerusalem.<sup>22</sup> Most of these were not new immigrants from Middle Eastern and North African countries, although such immigrants later were given Palestinian refugee housing both in big cities like Haifa and Jaffa and in abandoned rural villages. In September 1949 Foreign Minister Sharett told his colleagues in the Israeli cabinet, “I met one of these families that had already settled in one of the abandoned villages—people who had come from Egypt just a day or two before.”<sup>23</sup>

More direct connections between Jewish and Arab property began emerging as well. On July 28, 1948, the *New York Times*, citing the Egyptian press, reported that the Arab League was considering a plan to raise money

to assist refugees by imposing a special levy on Jewish property in Arab countries. The Egyptian government apparently already had been thinking about using some of the Jewish property it had sequestered to help pay for war damages caused by Israeli forces, including the bombing of Cairo by the Israeli air force.<sup>24</sup> The very next day, the Israeli provisional council of state discussed linkage. During his report on Bernadotte's mediation mission, Sharett (who at that time still was known as Moshe Shertok) told his colleagues:

The solution to this problem [Palestinian refugees] must be part of the comprehensive, organic settlement that will follow in the wake of peace, a settlement that will take into account all the factors impinging upon this problem and all its aspects. . . . The future of the Arabs in Israel, the future of the Jewish communities in Arab countries will then be brought up for a linked discussion, and the responsibility of each of the sides involved for the situation that has developed and for its outcome will be one of the factors in the settlement.<sup>25</sup>

Five days later, Sharett was quoted in the *New York Times* as saying that the Arab states' treatment of their Jewish populations would factor into eventual peace negotiations with the Arabs. He stated: "The Governments of the Arab states, especially Egypt, are forewarned that there will be a day of international reckoning for the way they are letting Jews be free game for infuriated mobs, incited in many instances by official propaganda."<sup>26</sup> In November 1948 the Israeli government indicated that it would raise the specific subject of the confiscations and sequestrations of Jewish property in Egypt and Iraq in future peace negotiations as well.<sup>27</sup>

Beyond this, the warring powers also took concrete steps to sequester and/or confiscate property of certain categories of people. Israel's formal confiscation of Palestinian refugee property left behind in Israel via the Emergency Regulations (Absentees' Property) of December 2, 1948, was greeted with great hostility in the Arab world, including on the part of Arab governments. Almost immediately, at least one Arab government responded by linking its own Jewish citizens' property and what Israel was doing to Palestinian refugee property—that is, it retaliated against Israeli expropriation of Palestinian property by placing restrictions of the property of its own Jewish citizens. Less than three weeks after the Israeli Knesset adopted the Absentees' Property Regulation, the Syrian government,



on December 22, 1948, halted the purchase and sale of land by its Jewish citizens to prevent potential emigrants from selling their property and smuggling the money to Israel.<sup>28</sup> Two months later, on February 1, 1949, the Syrian parliament discussed moving behind freezing Jewish property to actually seizing hold of it, something the government was discussing with other Arab countries as well. The following day the government froze Jewish bank accounts and ordered banks to make lists of Jewish assets as well as to halt all real estate transactions.<sup>29</sup> Ibrahim Ustuwani, acting director general of the Syrian Ministry of Foreign Affairs, told American diplomats at the time that the Arab world was weighing “reciprocal treatment of Jewish property in Arab countries.”<sup>30</sup>

It was during this time that many parties around the world began thinking about a wider connection between Palestinian and Jewish property: exchanging the Palestinians for Jews in the Arab world. Press reports from July 1948 indicate that various delegations at the United Nations already were discussing this by mid-1948, as was the Israeli government.<sup>31</sup> In February 1949 Egyptian Prime Minister Ibrahim ‘Abd al-Hadi gave “an intimation” of exchanging Egyptian Jews for Palestinian refugees to an official of the UNCCP.<sup>32</sup> Yet much of this talk focused in particular on Iraqi Jews and continued after the fighting was over. Israeli Minister of Police Bekhor Shalom Shitrit, himself of Moroccan Jewish heritage, suggested to the Israeli cabinet in March 1949 that Israel compensate Iraqi Jewish immigrants for any property losses they sustained upon leaving Iraq by giving them abandoned Palestinian refugee property in Israel. Knesset (parliament) member Eliahu Eliashar, a Sephardic Jew whose family had lived in Jerusalem for hundreds of years, made a similar proposal to the Knesset that same month. Shitrit brought up the idea once again in September, but Sharett dismissed the idea.<sup>33</sup> He noted sarcastically, “To address at this time the question of transferring the property of the Jews to Israel—that would be naïve. We are talking about an agreement, about establishing peace, and we are not budgeting—are we suddenly going to succeed in . . . getting the Arab states to accept an agreement regarding the Jews who reside in those countries? I am not blessed with that kind of diplomatic skill! Such thinking is quixotic.”<sup>34</sup>

The Iraqi government also had been thinking about such matters in 1949. In October of that year Iraqi Prime Minister Nuri al-Sa‘id threw out an idea to the members of the UNCCP’s Economic and Survey Mission (known as the Clapp Commission) who were visiting Baghdad: Iraq would absorb 100,000 Palestinian refugees if Israel agreed to absorb 100,000 Iraqi Jews



and permit Iraq to keep their property.<sup>35</sup> Some Israelis were skeptical about such talk. When the Israeli cabinet met in late October 1949 to discuss al-Sa'īd's proposal, Sharett expressed his concerns, which were eminently practical and indicative of Israel's early desire that any type of exchange or linkage between Palestinians and Jews and their respective property be as advantageous as possible to Israel. Sharett objected to al-Sa'īd's proposal because it would resettle only a fraction of the over 750,000 Palestinian refugees. Israel might be pressed to repatriate the rest. He preferred that Iraq take 300–400,000 of them.

Moreover, since Iraq would keep the Jews' property, Sharett worried that the new immigrants from Iraq might expect the Israeli government to compensate them for their losses—leaving Israel with the double burden of compensating nonrepatriated Palestinians and Iraqi immigrants:

Agreeing to this would mean, in my opinion, our agreement to have the property of Iraq's Jews confiscated by the Iraqi Treasury in return for the Arab property we have confiscated here, and then we assume responsibility for compensating the Jews of Iraq on account of the Arabs' property, as against the Jews' property there. That would create a dangerous precedent with regard to Egypt and other countries. It could also be construed to mean that every Arab country undertakes to accept refugees only to the extent that it has Jews.

Sharett continued: “This would be a dangerous precedent vis-à-vis other countries. We'll be confronted by tens of thousands of people who will arrive, naked and destitute, demanding that we given them property. This could entangle us in an inextricable impasse.”<sup>36</sup>

Another Israeli diplomat, former Egyptian Jew Emile Najjar, had earlier warned against linking Palestinian refugee property with that of Jews still living in the Arab world. He worried in particular that Israel's announced policy of compensating the Palestinians on a lump-sum, global, and not an individual basis might open the door for the Arab world to respond with some kind of general policy directed against the property of Jews. Najjar said as much to fellow diplomat Teddy Kollek, who in turn informed Sharett in June 1949 that such an Israeli policy “will be a dangerous precedent with regard to Jewish property in Arab countries.”<sup>37</sup>

In 1950 certain Israeli officials toyed with the idea of exchanging Iraqi Jewish property not for that of Palestinian refugees, but for that of Palestin-

ian *citizens of Israel*. In July 1951 Finance Minister Eli'ezer Kaplan authorized £11,000 so that Foreign Ministry official 'Ezra Danin could explore such a possibility. Apparently the idea reached beyond just the exploration stage. In October 1950 the British Consulate in Haifa reported that some Palestinian citizens of Israel, led by Sulayman Qutran, were involved with discussions with Iraqi Jewish landowners about swapping remaining Arab land in Israel, worth about £UK1 million, for Jewish land in Iraq. The British diplomats noted that "it is understood" that the Israeli government did not oppose the initiative, although it apparently came to naught.<sup>38</sup>

The year 1950 also saw some in Israel play with the idea of exchanging Palestinians for Libyan Jews. The Ministry of Foreign Affairs devised a plan in March 1950 by which British authorities in Libya would resettle 17,000–18,000 Palestinian refugees in place of that same number of Libyan Jews who had moved to Israel. Several years later, in May 1954, JNF official Yosef Weitz proposed to Sharett and other Israeli politicians that he and his colleague Yo'av Tsukerman travel to North Africa to investigate the idea further. It is worth noting that, like the proposals regarding Iraqi Jews, Syrian-born Israeli Foreign Ministry official Moshe Sasson had proposed in March 1952 that Jewish property in Libya be exchanged for that of Palestinian citizens of Israel.<sup>39</sup> By 1956 Israel raised money to buy some of the property abandoned in Libya by Italians who left the country after its independence in 1951. They either purchased or were close to purchasing a large amount of land—approximately 100,000 dunums (25,000 acres)—near Tripoli for resettling Palestinian refugees, in return for which they would drop all claims for monetary compensation against Israel. The plan never reached fruition.<sup>40</sup>

International Jewish organizations such as the WJC and the AJC also began raising the question of Jewish property losses in the context of Palestinian claims. They were some of the first parties to suggest that Israel bring up Jewish losses in Arab countries when faced with demands that it compensate the Palestinians. In February 1949 WJC official Alex Easterman wrote to the acting representative of the Israeli government in Britain, Josef Linton, about the measures adopted by the Syrian government against its Jewish citizens. Easterman told Linton: "I should be glad if you refer this matter to the Israeli Government and request that they might bear it in mind in connection with any negotiations with the Syrian Government. . . . The right of these Jews to live in peace and in freedom from legal or political disabilities should be regarded as an integral element in the peace settlement which will be negotiated between Israel and the enemy

Arab governments.<sup>41</sup> Similarly, in June 1949 AJC official Zachariah Shuster wrote a letter noting that he had sent information on Jewish losses to the Israeli negotiating team at Lausanne for its use in dealing with the Arabs' insistence on refugee compensation. He stated:

At the same time, I am sending copies of these memoranda to the Israeli delegation at Lausanne. This material will be useful in dealing with the question of Arab refugees. They [Israeli delegation] will be in a position to point out that while the Arabs make demands on the Israeli Government for the return of refugees and for damages suffered by those refugees, the fact that the Jewish citizens in those countries have been subjected to expropriation and their property used, at least ostensibly, for the purpose of covering the expenses of maintaining Arab refugees is entirely overlooked.<sup>42</sup>

Even the British thought about the connection between Palestinian and Jewish property. In late 1950 British military authorities in Libya allowed Palestinian refugees to inhabit homes left vacant by Jews who had moved to Israel.<sup>43</sup> In late February of that year, British Ambassador to Iraq Sir Henry B. Mack had met with Iraqi Prime Minister Tawfiq al-Suwaydi a few days before Iraq adopted the law denationalizing Jews who wanted to emigrate to Israel. Mack intended to meet with al-Suwaydi again to discuss some more ideas about the Iraqi plan but never did. It is nonetheless instructive to note one topic he intended to bring up. As mentioned in a subsequent memorandum to London, Mack was going to tell the prime minister that as the Iraqis drafted the denationalization law, they ought to examine Israeli legislation toward Palestinian refugee property. Whether Mack felt this merely would provide some comparable legal guidance or in fact believed that Iraq ought to add property measures to the denationalization bill as a response to the Israeli action is not clear. The memorandum indicated that the American ambassador was in agreement with the proposals he had intended to discuss with al-Suwaydi.<sup>44</sup>

More Arab discussions about reprisals against the property of Jews in their midst took place following passage of additional Israeli legislation that legalized Israel's confiscation of Palestinian refugee property. A month after passage of the Absentees' Property Law on March 14, 1950, the All Palestine Government based in the Gaza Strip called on the Arab League to expropriate the property of Jews in their countries, in response to what the

Israelis had done. The Arab League referred the matter to its Political Committee on April 9, 1950, although no decision apparently was taken.<sup>45</sup> On May 15, 1951, the Arab Higher Committee (AHC), the main Palestinian nationalist coordinating body before 1948, sent a memorandum from exile in Beirut to the Saudi, Jordanian, Iraqi, and Egyptian legations in the city. In it, the AHC made an explicit link not only between the property of Jewish emigrants from Arab countries and the fate of the Palestinian refugees, but also between Jewish emigration and the future military strength of Israel in a conflict with the Arab world:

While the Jews are enjoying the homes of the Arab refugees and bringing thousands of their co-religionists into Palestine, some Arab countries are permitting tens of thousands of their Jewish inhabitants to migrate to Palestine in order to take the place of the Arab refugees. This will increase the suffering of the refugees and provide the Jews with additional youths who could bear arms and who are conversant with conditions in the Arab countries. These Jews from Arab countries will sooner or later be in the vanguard of the Jewish forces which would invade the Arab countries.<sup>46</sup>

The Israeli Ministry of Foreign Affairs published a report stating that the Syrian government sent a proposal to the Arab League several months later, on January 16, 1951, asking that Arab states take reprisals against the property of their Jewish communities in the wake of the Israeli legislation. The Arab League's Legal Department reportedly decided in December 1951 that action against Jewish citizens of Arab states in reaction to Israeli actions against the refugees might indirectly imply Arab recognition of Israel. It suggested instead that Arab states consider denationalizing their Jewish citizens, as the Iraqis had done in March 1950, and then confiscate their assets.<sup>47</sup>

In April 1951 Egyptian officials discussed confiscating Jewish property, but they later objected to a September 1952 Iraqi proposal to the Arab League that the Arab states confiscate their Jews' property on the grounds that all Egyptian citizens should be treated the same.<sup>48</sup> Finally, in the wake of Israel's Land Acquisition (Validation of Acts and Compensation) Law of March 10, 1953, the Arab League Council once again placed discussion of confiscating Jewish property on its agenda. A meeting of the Arab Chambers of Commerce in May 1953 reportedly discussed everything from restrictions on

Jewish property to outright confiscation.<sup>49</sup> Given the lack of uniform Arab action on what to do with Jewish property, it does not appear as if the Arab League ever adopted a common policy on the matter.

### Israeli Linkage of Jewish and Palestinian Property after 1951

What firmly and fundamentally brought together the two sets of property claims was the Israeli government's announcement in March 1951 that it formally would link Palestinian compensation with Iraqi Jewish property claims. On March 19, 1951, just nine days after the Iraqi parliament sequestered the property of denationalized Jews—and seven days after he sent a letter to the Allied powers in Europe demanding \$1.5 billion in reparations from West Germany—Sharett addressed the Knesset:

The government of Israel . . . views this incident of plunder in the spirit of law as a continuation of the malicious regime of dispossession that has always prevailed in Iraq vis-à-vis defenseless and helpless minorities. . . . By freezing the assets of tens of thousands of Jews who are immigrating to Israel—today stateless but citizens of Israel immediately upon their immigration—the government of Iraq has opened an account between it and the government of Israel. We already have an account with the Arab world, namely, the account of the compensation that accrues to the Arabs who left the territory of Israel and abandoned their property. . . . The act now committed by the kingdom of Iraq . . . forces us to link the two accounts. . . . We shall take into account the value of the Jewish property that has been frozen in Iraq when calculating the compensation that we have undertaken to pay the Arabs who abandoned property in Israel.<sup>50</sup>

Henceforth, this would become a long-standing dimension of Israeli policy toward the question of Palestinian compensation: Israel would indeed pay compensation, but only after Jewish claims against Arab countries were deducted from the amount. This policy remained a bedrock principle of Israeli diplomacy toward the refugees for decades.

As noted above, Israel's weak economy made its leaders anxious both to secure hard currency from abroad and to reduce exports of capital. How much would Israel have to pay in compensation to the Palestinians? To this

day, no two studies agree on the value of abandoned Palestinian refugee property.<sup>51</sup> When it announced the policy of linkage, the Israeli government only had at its disposal several internal studies and estimates of the value of abandoned, individually owned refugee land only (the government already had decided not to pay compensation for Palestinian communal property or moveable assets such as household furniture and personal effects). The Weitz/Danin/Lifshits Committee of 1948 concluded that the refugees abandoned 2,008,114 dunums of land (2,008 sq. km) worth \$328,445,000.<sup>52</sup> Weitz concluded in his own studies published in 1948 and 1950 that the amount of land was 3,584,600 dunums, worth \$261,950,000.<sup>53</sup> The custodian of absentee property estimated in 1950 that he controlled 3,299,447 dunums worth \$36,681,935.<sup>54</sup> Finally, the Ministry of Justice later determined in 1962 that the value of the refugee land and real estate was somewhere over \$564,200,000.<sup>55</sup>

As for Arab estimates, the Arab Higher Committee estimated in 1955 the value of refugee property at \$1,626,100,000.<sup>56</sup> The following year J. Khoury published a study with the Arab League claiming losses of either \$7,789,990,000 or \$5,412,400,000.<sup>57</sup> Syrian-born economist Yusif Sayigh estimated land losses in 1966 at 6,611,250 dunums (6,611 sq. km, or approximately 1,652,813 acres) worth £P403,400,000 (\$1,625,702,000), plus buildings at £P236,800,000 (\$954,304,000).<sup>58</sup> Finally, in 1988 Palestinians Sami Hadawi and Atif Kubursi provided an even higher figure for refugee land losses: 19,031,012 dunums (19,031 sq. km, or approximately 4,757,753 acres) worth £P528,900,000 (\$2,131,467,000).<sup>59</sup>

Lastly, the UNCCP produced two studies of Palestinian losses. Its Global Estimate of 1951, which was based on maps and published British mandatory material, estimated that the refugees left behind 19,083,921 dunums of land worth \$404,546,448.<sup>60</sup> After over ten years of detailed study of mandatory British land and taxation documents, the UNCCP later determined in 1964 that the refugees lost at least 6,057,032 dunums (6,057 sq. km, or approximately 1,514,258 acres) of privately owned land, worth £P204,660,250 (\$824,780,808).<sup>61</sup> The commission felt that the refugees also had abandoned anywhere between £P17,400,000 (\$70,122,000) and £P42,069,000 (\$169,538,070) in moveable assets such as household goods, commercial stocks, and farm implements (see table 2.2).<sup>62</sup> It is worth repeating that the Israeli government only pledged to compensate the refugees for individually owned land and real estates losses, not moveable assets or communally owned property.

TABLE 2.2 Sample of Estimates of the Scope and Value of 1948 Palestinian Refugee Property Losses (Land and Real Estate Only)

STUDY	YEAR	SCOPE ( <i>dunums</i> ) <sup>a</sup>	VALUE <sup>b</sup> ( <i>US\$</i> )
Israeli			
Weitz/Danin/ Lifshits Committee	1948	2,008,114	328,445,000
Yosef Weitz	1948, 1950	3,584,600	261,950,000
Custodian of Absentee Property	1950	3,299,447	36,681,935
Ministry of Justice	1962	—	over 564,200,000
Arab			
Arab Higher Committee	1955	—	6,553,183,000
Arab League	1956	—	Either 7,789,990,000 or 5,412,400,000 <sup>c</sup>
Yusif Sayigh	1966	6,611,250	1,625,702,000
Plus 173,000 buildings			954,304,000
Total			2,580,006,000
Hadawi-Kubursi	1988	19,031,012	2,131,467,000
United Nations			
UNCCP Global Estimate	1951	19,083,921	404,546,448
UNCCP Technical Program	1964	6,057,032	824,780,808

<sup>a</sup> One dunum = 1,000 sq. m.

<sup>b</sup> In 1947–1948 dollars.

<sup>c</sup> The difference lies in the fact that the study did not indicate whether the value reflected 1947 dollars (the higher amount) or 1956 dollars (the lower amount).

The Israeli government was so concerned about the compensation question that it established two commissions about the matter in addition to its studies of the amount and value of Palestinian property. In October 1949 it created the Committee to Examine the Issue of Compensation for Absentee Property, headed by JNF official Zalman Lif (formerly Lifshits), to study the matter. In June 1953 the government established a second committee headed by veteran Israeli economist and diplomat David Horowitz. While neither dealt specifically with Jewish property in Arab countries and the question of linkage, two points illustrate Israel's concern with having to pay out large sums of money in compensation.



One of the points of reference that the Lif Committee was tasked to study clearly dealt with Israel's need to reduce the possible outlay of cash in any compensation scheme. The eighth and final question posed to the committee was, "How is it possible to link the payment of absentee [Palestinian refugee] property compensation with Israel's counter claims against the Arab states for war reparations and indemnities?"<sup>63</sup> During the Horowitz Committee's deliberations several years later, diplomat Gideon Rafael stated outright that the Israeli government wanted to find ways to decrease the amount of money that Israel would need to pay. Rafael also proposed several ideas about reducing the Israeli payment. Weitz also tied the need to reduce the amount of money Israel might be asked to pay with another topic: Jewish property claims against Arab countries. He cautioned against linking these Jewish claims with those of the Palestinians because he feared it would encourage the recent, dispossessed Iraqi Jewish immigrants to demand that the state pay them compensation pending any future arrangement.<sup>64</sup>

In presenting its public reasons for its new policy of linkage starting in 1951, the Israeli government felt it needed to state a good reason for having its compensation payments to Palestinians reduced: to account for the large sums of money it spent settling hundreds of thousands of dispossessed Jewish immigrants from the Arab world. Setting aside the issue of whether Israel wanted and needed these new immigrants anyway, this gives rise to the question of exactly how much Israel spent to settle new Jewish immigrants from Arab countries. Finding the answer to that question is not quite as simple as it may seem.<sup>65</sup> What is more, much of the money spent on immigrants from Arab countries came not from the Israeli government but from the JA, which further complicates Israel's demand for linkage on the basis of costs associated with settling immigrants. In fact, Yehuda Dominitz, former director-general of the JA's Immigration and Absorption Department, notes that "The main burden of financing immigration and absorption fell on the Jewish Agency."<sup>66</sup>

For decades since its establishment in 1929, the JA had coordinated Jewish immigration and settlement in Palestine. After the establishment of the state in May 1948, the agency and the new Israeli government agreed upon a division of labor. The state would be responsible for development projects within existing Jewish communities in Israel, while the JA became responsible for building and developing new settlements. This arrangement was codified by a law enacted by the Israeli Knesset in November 1952. The World Zionist Organization-The Jewish Agency (Status) Law of November 24, 1952—known as the Status Law—stated that the WZO and the JA



would be “the authorized agency which will continue to operate in the State of Israel for the development and settlement of the country, the absorption of immigrants from the Diaspora and the coordination of activities in Israel of Jewish institutions and organizations active in those fields.”<sup>67</sup> On July 26, 1954, the state and the WZO-JA also signed the Covenant between the Government of Israel and the Zionist Executive also known as the Executive of the Jewish Agency for the Land of Israel, by which the latter was recognized as the official, international Jewish representative responsible for settlement and development in Israel.

The peak period of immigration from Arab countries was from May 1948 to December 1951, when 260,041 Jews entered Israel from Arab countries. Dominitz estimates that during that time, the JA spent \$150 million transporting and absorbing immigrants from Arab countries, while the state spent \$300 million (in 1986 American dollars) on public works benefiting those immigrants. He calculates that the JA spent an additional \$330 million (1986 dollars) for transporting/absorbing Jews from Arab countries from 1952 to 1986. The JA also undertook a massive program for financing immigration and constructing new rural settlements. Indeed, the JA constructed 282 moshavs (cooperative communities) for new immigrants from 1948 to 1958, of which 145 were inhabited by newcomers from Arab countries. Dominitz estimates that settling Arab immigrants in the rural settlements totaled \$400 million (1986 dollars) in “public funds,” by which he presumably means the JA. Finally, he concludes that the state and the JA together spent approximately \$3 billion on housing, without noting what percentage was spent by each party. Including other costs such as job creation, education, and healthcare, Dominitz believes that the JA and the Israeli government together spent at least \$10,880,000,000 (1986 dollars) on settling immigrants from Arab countries after 1948, once again without being able to provide a specific figure spent by each party.<sup>68</sup>

Determining just how much of this amount represents Israeli state outlays is difficult, although it was a large figure regardless. Finances aside, the decision to adopt the policy of linkage also was an eminently political one that Israel hoped to use as part of its diplomatic battle with the Arabs. To do this, Israel had to convince the world that its policy was a valid one. Yet Israeli officials themselves expressed doubts. A few days prior to his statement on linkage in the Knesset, Sharett privately observed that Israeli actions toward Palestinian refugee property had in fact precipitated the very Iraqi move against the property of denationalized Iraqi Jews that had driv-

en Israel to adopt the policy of linkage. He told the cabinet that the Iraqis had looked to Israel's own actions with the refugee property as an example of what they could do to the property of their own denationalized Jews.<sup>69</sup> If Israel were responsible for provoking the Iraqi action, and he as an Israeli leader knew this, how, he wondered, would the great powers react to news of the Iraqi action? Sharett remarked: "The question that arises is what we can do. Approaches to England and France are possible, of course, but . . . they could say: You took the property of the Arabs who left Palestine and entrusted it to a custodian; they are doing the same."<sup>70</sup>

He also raised the specter that Iraqi immigrants in Israel might now demand that the state compensate them with property confiscated from the Palestinian minority still living in Israel: "There is tremendous excitement within the Baghdad community [in Israel]. I shall probably receive a delegation from them today. They will undoubtedly advise that we confiscate the property of all the Arabs in Israel, and that we give these people the property of the Arabs that is in the possession of the state. I do not have to explain to you—you understand the problem this gives rise to."<sup>71</sup> Another cabinet member, Finance Minister Eli'ezer Kaplan, agreed:

I think that the passage of any such resolution [establishing a fund to assist property-less Iraqi immigrants] by the Knesset would be an unmitigated disaster, because we would be stating a priori that whenever money is plundered from Jews, it will be paid [back] to them by the government of Israel. That is a very strange form of protest. If someone does a wrong, he should pay the consequences . . . [otherwise we would be] helping all new immigrants by spending millions of pounds to settle them in this country.<sup>72</sup>

But Bekhor Shitrit suggested that Israel did owe them compensation, even stating that it was responsible in some way for the fate of the Iraqi Jews: "I do not think we can make do with vague words; there is no doubt that their demand regarding the property of the Arabs in Israel is well-founded. We cannot simply say that we had a windfall. Their [Iraqi Jews'] situation is due to the creation of Israel, and we must think of a way to compensate them—compensation drawn from the property of the Arabs."<sup>73</sup>

It was during that meeting of the Israeli cabinet that the idea of publicly articulating a policy of linkage developed. In ruling out compensating Iraqi immigrants with confiscated Palestinian property, Sharett offered another

idea: “There is another possibility: a declaration on our part that all this will be taken into account in the payment of compensation in a final settlement, etc. Let us say that if for the time being we have not abandoned the principle of payment of compensation, we declare that we shall deduct the value of this property.”<sup>74</sup>

Such logic won the day and led to Sharett’s public articulation of linkage before the Knesset. A key fact underlying the entire policy of linkage is indicated by Israeli documents from that time. This was that the government was championing the Jewish property claims *en masse* in order to whittle down the amount it would have to pay to Palestinians *en masse*, not because it wanted to obtain compensation for individual aggrieved claimants. Indeed, thereafter Israel made no efforts at seeking actual compensation for aggrieved property owners with claims against Arab countries. When Foreign Ministry official Shamay Kahana recommended establishing “an office for the registration of claims against Iraq, similar to the claims registration for Germany” on March 30, 1951, he was quite clear about the purpose of such an office.<sup>75</sup> In a memorandum he wrote the same day, along with fellow Foreign Ministry officials Y. Gera and A. Natan, he said that true intent of the body—to subtract claims from the value of refugee compensation—should be kept secret.<sup>76</sup> Presumably this was to avoid creating a scandal among Iraqi immigrants, who otherwise would realize that the Israeli policy would leave them without compensation from anyone.

Some British diplomats claimed that the Israelis quickly came to regret their insistence upon linkage. Noting that their regret “was genuine,” an official in the Eastern Department wrote to the Foreign Office in March 1951, just two weeks after Sharett publicly announced the linkage policy, claiming that the Israelis had brought up linkage with the aim of securing peace but now found that they just had complicated such aims.<sup>77</sup> However, it is more likely that linkage was not a misguided ploy for peace so much as it was a calculated attempt to reduce any capital outlays that Israel might have to pay out to Palestinian refugees.

## International Response to Linkage

Israel quickly notified the UNCCP, the U.S. government, and others about its new policy. It highlighted in particular the fact that its financial obligations had now increased due to the arrival of dispossessed Iraqi immigrants. Israeli diplomat Walter Eytan wrote to the UNCCP on March 29, 1951, that

for this reason Israel could not pay its obligations to the new United Nations Rehabilitation Fund called for by the General Assembly in December 1950.<sup>78</sup> At the Paris Conference convened by the UNCCP from September to December 1951, Israeli negotiator Maurice Fischer reiterated Israel's insistence on linking Palestinian and Jewish property claims in his statement on November 14.<sup>79</sup> That conference was the UNCCP's last real effort at bringing about a peaceful resolution to the Arab-Israeli conflict, and the organization began to fade away from the active diplomatic scene. Its opinions on linkage were not nearly as important as those of the United States.

The American government's initial response to Israeli communications condemning Iraq's property confiscations, for example, noted that Israel had done essentially the same thing to the property of the Palestinian refugees as the Iraqis had done to the Jews. The Jewish state thus was hardly in a position to complain. One American government document stated:

A comparison of this Iraqi freezing legislation with the Israeli legislation concerning so-called absentee property may be of practical value in view of the Israeli protests against the Iraqi legislation. One aim is common to both legislations. They are a means of preventing persons having assets within the country of using them in ways detrimental to that country or transferring them to hostile foreign states.<sup>80</sup>

An American diplomat connected the sequestrations with Israeli policy toward the refugees, noting that the United States could not intervene with Iraq on behalf of Israel given the Israeli record vis-à-vis the refugees:

There is very little choice between the policy being applied by the Government of Iraq in freezing assets of denationalized Jews and the policy previously instituted by the Government of Israel with respect to assets of Arab refugees and displaced persons. Anyone approaching Iraq on this score would be in a very weak position unless it could be shown that Israel had taken constructive action to return Arab properties or give adequate compensation in lieu thereof.<sup>81</sup>

The Israelis were quick to deny the implication that Iraq had merely done to its Jews what Israel had done to the Palestinians, as the Americans stated in a May 1, 1951, aide-mémoire to the Israeli government. In a June 27 aide-mémoire sent to the American government in response, the Foreign Ministry stated:

The Government of Israel is unable to accept as valid the comparison, implied in the [American] *aide-mémoire*, between the confiscation of Jewish property by the Government of Iraq and the legal measures adopted by the Government of Israel to deal with the property of former Arab residents of this country who opposed and fought against the establishment of Israel in defiance of the decision of the United Nations and fled the country in guilty haste (with their own leaders' encouragement) leaving behind their property behind them.<sup>82</sup>

However, at least some American diplomats did feel that trying to settle both sets of property claims in the overall context of a peace settlement made sense. In the wake of the announcement of linkage, one noted: "It certainly would be desirable to have property settlements accomplished for both the Arab and Jewish properties involved. However, it is hard to see how this can be done except within a framework of a general settlement of the Arab-Israeli conflict."<sup>83</sup> Years later, other American diplomats expressed concern about linkage. They noted in a memorandum to the State Department in August 1963 that the Israelis' claims for Jewish property in certain Arab countries was weakened by the fact that these were not independent states in 1948. The memorandum specifically pointed out that Morocco, Tunisia, and Libya were "not under Arab sovereignty" at the time, and that the Israelis would be hard pressed to make the present independent governments responsible for any losses sustained under the previous French and British administrations.<sup>84</sup>

The Israelis continued to insist upon linkage during discussions on Palestinian compensation, even though these grew more and more infrequent as the 1950s progressed. Foreign Minister Golda Meir told the Americans in December 1959 that Israeli compensation to the refugees was contingent upon deduction for Jewish claims from Iraq, Egypt, and Yemen.<sup>85</sup> Prime Minister Ben Gurion brought up the claims to the American ambassador to Israel, Walworth Barbour, in April 1963, arguing that the UN resolutions on "refugees" applied to those Jews who left Arab countries as well. Barbour dutifully sent a report of the conversation to Washington. But ten days later the State Department bluntly informed him, "Re Jewish refugees, these have not repeat not been covered by UN resolutions."<sup>86</sup>

Not much was heard about the Jewish claims during the 1960s and early 1970s, given the attention paid to the momentous 1967 and 1973 Arab-Israel-

li wars. International reaction to the idea was negligible as a result. Jewish activists in Israel and elsewhere eventually felt that American policy about these claims shifted toward their position in 1975 during the administration of Gerald Ford. In his famous remarks before the House Foreign Affairs Subcommittee on the Middle East on November 12, 1975, Harold H. Saunders, deputy assistant secretary for Near Eastern and South Asian Affairs, made specific reference to the claims when he stated:

In the case of a solution which would rejoin the West Bank to Jordan or a solution involving a West Bank/Gaza state, there would still arise the property claims of those Palestinians who before 1948 resided in areas that became the State of Israel. These claims have been acknowledged as a serious problem by the international community ever since the adoption by the United Nations of Resolution 194 on this subject in 1948, a resolution which the United Nations reaffirmed and which the United States has supported. A solution will be further complicated by the property claims against Arab states of the many Jews from those states who moved to Israel in its early years after achieving statehood. In addition to property claims, some believe they should have the option of returning to their original homes under any settlement.<sup>87</sup>

Just who should have the option of “returning to their original homes”—Palestinians, or Jews, or both—was not clarified.

Within two years, overall American policy toward the Arab-Israeli conflict seemed to have made another significant shift under the presidency of Jimmy Carter. Carter was the first president to speak of the “legitimate rights of the Palestinian people,” as he did, for example, in his January 4, 1978, comments delivered after meeting with Egyptian president Anwar Sadat. Increasing American acceptance of linkage also was growing, as reflected in the October 5, 1977, joint American-Israeli Working Paper on the Geneva Conference. This stated, *inter alia*, “The solution of the problem of the Arab refugees and of the Jewish refugees will be discussed in accordance with terms to be agreed upon.”<sup>88</sup> Calling Jews who left the Arab world for Israel “refugees” represented a significant American policy shift. Carter himself noted on October 27, 1977, “there are also Jewish refugees . . . who have the same rights [as Palestinians].”

American administrations continued to accept Israel’s policy of linkage as time went by. For example, during the administration of Ronald

Reagan, in testimony before a subcommittee of the United States House of Representatives Foreign Affairs Committee on October 21, 1981, Assistant Secretary of State Nicholas A. Veliotes stated, in the context of Palestinian compensation, “I should mention there is an organization on the—I forget the name of it now. There are Jewish refugees who would also wish compensation.”<sup>89</sup> By the time that the Arab-Israeli peace process truly began to yield results in the late 1990s, American thinking had begun to change yet again, much more solidly in favor of Israeli diplomatic stances. This is explored later in this chapter.

### Israeli Documentation of Jewish Claims in the 1950s

Israel’s entire policy of linkage could only succeed in negotiations if it were able to produce concrete statistics detailing Jewish losses in Arab countries. By August 1, 1952, the Registrar of Foreign Claims had recorded additional claims beyond those registered from 1949 to 1950 before linkage was announced, for a grand total of \$86,870,456 in claims against Arab countries.<sup>90</sup> By 1952 Israel was particularly interested in determining how much in Jewish bank accounts had been frozen in the Arab world. As early as 1949 Arab delegations at UNCCP-sponsored peace talks began complaining about Palestinian refugee bank accounts that Israel had frozen in 1948. Because their March 1951 public announcement linking Palestinian claims with those of Jews from Arab countries made them concerned about quid pro quo property claims, Israeli officials began trying to ascertain from the registrar of foreign claims how much money in bank accounts owned by Israeli citizens had been frozen, sequestered, etc., by Arab states. If the Arabs were going to push Israel to release frozen refugee bank accounts, Israel would respond by demanding the concomitant release of Jewish accounts. Here was another example of Israel linking Palestinian and Jewish property claims.

Of the initial \$54,032,576 in losses recorded from 1949 to 1950 by the Israeli registrar of foreign claims, however, only \$131,600 represented bank accounts, \$31,920 of which were from Iraq.<sup>91</sup> This figure paled in comparison with the £P3,218,775 (\$12,971,663 in 1953 dollars) in Arab accounts that were frozen in Israel.<sup>92</sup> In May 1952 the UNCCP began investigating whether it could arrange for Israel to release some of the blocked refugee bank accounts. Israeli Ambassador to the United States Abba Eban pleaded with Sharett to provide him with updated statistics on sequestered Jewish



bank accounts, particularly in Iraq, so he could prepare his counterdemands and link Jewish accounts with those of the refugees.<sup>93</sup>

Even after more registrations, by the first of August 1952 the Israeli government had registered only \$1,252,944 in frozen Jewish bank accounts in Arab countries.<sup>94</sup> Israel quickly realized that linkage would not work and relented on its demands for quid pro quo releases of Jewish accounts in return for cooperation on releasing Palestinian refugee accounts. Israel agreed with the UNCCP in October 1952 on the release of some of the Palestinian accounts. An internal Israeli Foreign Ministry document written the following month noted:

The Israeli delegation to the UN announced during these discussions that Israel's willingness to release the frozen Arab bank accounts in the above manner was not dependent on the Arab states' fulfillment of our demands to release frozen Jewish property. Still, the Israelis firmly requested that both the State Department and the Conciliation Commission [UNCCP] support our demand that the Arab states release the Jewish property belonging to Jews living in Israel that had been frozen there. In the case of Iraq, this also includes the property of Iraqi citizens that were forced by the authorities to leave Iraq and are now living in Israel.<sup>95</sup>

Two other release agreements followed, in 1954 and 1959.<sup>96</sup>

The retreat on quid pro quo demands for joint release of Palestinian and Jewish bank accounts was worrisome. The Israeli government clearly was disappointed in the low public turnout in registering claims. Diplomats now began to worry that Israel's very public policy of linkage might backfire if the amounts claimed remained so low compared with Palestinian figures. The UNCCP's August 1951 "Global Estimate" of Palestinian refugee property losses came to £P100,383,784 (\$404,546,448 in 1947 dollars) in land and approximately £P20,000,000 (\$80,600,000 in 1947 dollars) in moveable assets (Israel long had refused to consider compensating for the loss of anything other than individually owned land and real estate).<sup>97</sup> Noting that only \$86,869,000 in Jewish claims—compared to \$485,146,448 in estimated Palestinian losses—had been registered by mid-1952, an Israeli Foreign Ministry official cautioned the Israeli Embassy in Washington in November 1952, "Considering this I would like to draw attention to the danger of emphasizing our claims to the frozen Jewish property in Arab



countries.”<sup>98</sup> This was just one month after Israel conceded the issue and agreed to release some of the blocked Palestinian bank accounts without demanding release of comparable Jewish accounts in Arab countries. Not even two years after Israel’s announcement of it, the Jewish state already was facing serious difficulties with the policy of linkage.

On September 30, 1952, the Israeli government decided to renew the campaign to register Jewish losses in the Arab world. The influx of tens of thousands of Iraqi immigrants in 1950–1951 offered the possibility of many new property claims. In fact, just ten days after Sharett announced the policy of linkage to the Knesset in March 1951, Foreign Ministry official Shamay Kahana recommended establishing “an office for the registration of claims against Iraq, similar to the claims registration for Germany.”<sup>99</sup> The task of registering Iraqi claims instead was given to the Ministry of Finance’s Foreign Claims Registration Office, which already had experience in registering immigrant claims. The government did not publicly announce the new registration until October 8, 1952. Once again, Israeli citizens were asked voluntarily to register lost assets in Egypt, Saudi Arabia, Iraq, Yemen, Syria, Lebanon, Jordan, the West Bank and East Jerusalem, and Gaza.<sup>100</sup> The registration process was kept open for several years, although less than \$20 million in additional claims were registered over the next three years, and by February 1956, the total amount registered by both campaigns was \$103,373,485 (see table 2.3).<sup>101</sup>

At the same time they were anxious to register claims against Arab states, Israeli officials worried that those who registered claims might expect that registration implied that the cash-strapped Israeli government itself might be preparing to compensate them for their losses in the meantime, pending a final arrangement with the Arab world. As noted above, this was a particular concern in regard to Iraqi Jewish immigrants, who represented the first large-scale wave of immigration of formerly wealthy Middle Eastern Jews to Israel to date. The concern about leaving them with the perception that the Israeli state would compensate them in fact predated the public articulation of linkage in March 1951. In March 1950 an operative for the Israeli Mossad intelligence service stationed in Iraq proposed exchanging Iraq’s Jews for the Palestinian refugees in one of his secret messages from Iraq. The agent, Mordekhai Ben Porat (himself an Iraqi-born Jew), was warned not to do anything that would raise the hopes of Jews waiting to leave for Iraq that they would receive land or compensation from Israel upon their arrival. The Israeli treasury told the

TABLE 2.3 Value of Jewish Property Losses in Arab Countries and/or to Arab Citizens Recorded by Israel Registrar of Foreign Claims, 1949–1956

COUNTRY	CLAIMANTS (number)	AMOUNT (\$US)
Egypt	176	2,171,196
Saudi Arabia	18	4,260
Iraq	3,040	48,796,014
Yemen	43	191,502
Syria	150	2,507,532
Lebanon	82	499,924
Jordan	48	9,826,780
West Bank, Gaza	1,587	38,677,701
Palestinian refugees	118	698,576
Total	5,262	103,373,485

Source: ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

Mossad, “You have to warn Dror [Ben Porat’s code name], firmly, not to promise any compensation to Jews who are leaving their homes in Berman [code name for Baghdad] and no exchanges are to be made with the [Palestinian] refugees. An incautious arrangement from our side will invite claims and difficulties in Israel.”<sup>102</sup>

Ben Porat continued his activities organizing the emigration of Iraqi Jews. Still anxious to help expatriate to Israel as many Jewish assets as possible, he arranged for some Iraqi Jews to produce a report for him on private and communal Jewish assets. He tasked Na‘im Yitshak Shammash, manager of the Ottoman Bank in Iraq, and engineers Salim Qahtan and Naji Efra‘im to draft the report. Their March 7, 1951, report on Jewish communal endowment properties (*waqf*) in Baghdad, and family endowment properties in al-Kifl, al-Hilla, and al-Hindiyya, was finished only three days before the sequestration law was issued and was a massive and detailed reckoning of such assets. The men faced several problems in assigning values to these properties, including the fact that the vast majority of such properties could not be sold legally, and that the real estate market for Jewish property was in flux following the 1950 denationalization law. Still, the three men determined that the total value of these *waqf* properties—which never before has been published—came to 2,567,620 dinars, or \$10,347,508 (1 dinar = £UK1 = \$4.03). Table 2.4 summarizes their findings.

TABLE 2.4 Value of Jewish Endowment (Waqf) Property in Iraq Estimated by Three Iraqi Jewish Experts, 1951

	VALUE* (1947–1948 Iraqi dinars)
Baghdad	
Hospitals	350,220
Menahem Dani'el Family Waqf	832,000
Schools	481,000
Waqf in the name of the Lay Council	45,000
Rivka Nura'il Waqf	233,200
No'am and Tuba Nura'il Waqf	100,000
Synagogues	154,500
Midrash	60,000
Old and new cemeteries	290,500
Subtotal	2,546,420
al-Hindiyya, al-Hilla, and al-Kiff	
Menahem Dani'el Family Waqf	21,200
Societies with Waqf for which no information could be obtained	
Hevra Kadisha	
Dorshei Torah	
Tomkhei Torah	
Total	2,567,620

Source: ISA (130) 2563/6, Jewish Inalienable Properties in Baghdad (March 7, 1951).

\* In 1947–1948, 1 Iraqi dinar = £UK1 = \$4.03.

The report offers a detailed look at Jewish communal life on the eve of the virtual disappearance of Jewish life in Iraq. The Baghdad community possessed three hospitals: the Me'ir Ilyas Hospital, Dar al-Shifa', and the Rima Khadduri Eye Hospital. Numerous plots of land and buildings had been endowed to support the Me'ir Ilyas Hospital. Dar al-Shifa' Hospital was funded by the Menahem Dani'el Family endowment, while the Rima Khadduri Eye Hospital was supported by the Sir Eli'ezer Khadduri endowment. In addition, the expatriate Iraqi Jewish communities in Rangoon and Calcutta together sent 280 dinars annually to support the hospitals. The report also noted that 2,166 dinars had been realized for the hospitals in 1947–1948 through the rental of waqf properties. Nineteen Jewish schools existed in Baghdad, including the Frank 'Ini, Me'ir Taweq, Mas'uda Shemtov, Albert Sasson, and Menashe Salih schools. Jews could worship in

any of thirty-one synagogues, including the Menashe Gurji, Barukh Sham-mash, Me'ir Ilyas, Shukur, Farha Somekh, Hakham Heskell, Ishaq Shalom, Karrada, and Me'ir Rufa'il synagogues. Finally, the community maintained two cemeteries in Baghdad: the so-called Old Cemetery, located on 87,500 dunums of land, and the New Cemetery, located on land east of Baghdad that had been granted by the government.<sup>103</sup> Of course, the document does not indicate the eventual fate of these properties. Rather, it only offers a snapshot of Jewish communal property at that time.

Ben Porat continued to seek documentation of Jewish assets after the March 1951 law sequestering the assets of would-be Jewish emigrants. He told his superiors back in Israel that they needed to arrange for the emigrants to prepare lists of their property after their arrival: "It is better that you start questioning all the immigrants and listing their frozen assets."<sup>104</sup> His superiors agreed and said that Jews should start collecting appropriate documentation before they left Iraq. However, Jews leaving Iraq found that Iraqi custom officials confiscated all land deeds and other documents that attested to their frozen assets. Jews then began leaving such documents with relatives still in Iraq, who managed to smuggle them out of the country.<sup>105</sup>

When the Foreign Ministry suggested establishing a special office to register the claims of Iraqi Jews after declaration of the policy of linkage, it, too, warned that no intimation should be given to new Iraqi immigrants in Israel that the government would compensate them for their losses. To cite an internal Foreign Ministry document from late March 1951: "It must be taken into consideration that such a process of registration is likely to create illusions among the immigrants, and the agency that gathers the claims will be burdened with a great responsibility toward them (unless it objects to this from the outset). It is therefore critical that this office will be *public, and not governmental*" (emphasis added).<sup>106</sup>

A "public" body would possess the requisite air of authority, but it would not actually be a governmental agency. This could provide the government with the distance it needed to thwart any calls from Iraqi Jews that it compensate them pending such time as negotiations could take place.

The government did establish such a special commission to handle Iraqi Jewish property registration in 1951, which was undertaken while the immigrants were still in the transit camps (Hebrew: *ma'abarot*).<sup>107</sup> This may have been partially in response to a group called the Movement of Jews of Iraq and the East in Israel, whose chairman, Na'im Sofer, wrote to Ben Gurion in July 1951 asking the government to authorize a property registration

campaign that the group stated it was going to initiate.<sup>108</sup> Later, the government encouraged Iraqi immigrants to record their claims with the registrar of foreign claims as well. But by August 1, 1952, a mere 2,220 declarations of assets in Iraq had been filed since 1949 (2,150 from the big wave of immigration during 1950–1951), for approximately \$35,850,000. This represented less than 6 percent of the 37,124 Iraqi families that had arrived in Israel (see table 2.5).<sup>109</sup> As noted earlier, the disappointingly small number of registrants prompted the government to initiate a second public registration of Jewish assets in Arab countries in October 1952. But even this did not produce the desired data.

Given the importance and value of Iraqi property claims to the policy of linkage, the government decided in 1955 to create a special public commission just for registering Iraqi claims. Iraqi Jewish agitation on the matter had not subsided. That same year, Naeim Giladi, former member of the Zionist underground in Iraq who became an activist for the rights of Mizrahi/Sephardic Jews in Israel, formed a panel of Iraqi Jewish lawyers to look into Jewish property claims in Iraq.<sup>110</sup> The Israel government established its own Public Commission for the Registration of the Claims of Iraqi Immigrants, apparently in June 1955, although it did not announce its formation until January 1956. The commission was chaired by a banker, Shlomo Noah; other members were Shlomo Hillel, ‘Ezra Korin, Ya‘akov Lev, Shlomo Darvish, and Binyamin Sasson.<sup>111</sup> The government hoped that by having a “public” commission carry out the work, rather than the government itself, Iraqi immigrants would not be able to press the government to compensate them pending a final settlement with the Palestinians.<sup>112</sup>

Once again, the question of linkage hung over the commission’s work. In fact, Israeli diplomatic thinking regarding linkage prompted the government to severely limit the kinds of property that citizens of Iraqi origin were asked to claim. They were only called on to register the same kind of property for which the Israeli government earlier had stated it would pay compensation to Palestinian refugees: individually owned land and real estate, plus bank accounts (because of Israel’s decision to restitute refugee bank accounts). Israel had stated that it would not pay compensation for lost Palestinian refugee moveable property such as household goods, factory inventories, and the like, nor for communal property. So in order to be able to use the Iraqi data for this policy of linkage, the government designed the claim forms so they asked only for data about Jewish land and real estate in Iraq, as well as certain financial assets. The government did not

TABLE 2.5 Value of Jewish Property Lost in Iraq Recorded by Israeli Registrar of Foreign Claims, 1949–1952

ITEM	VALUE* (Iraqi dinars)
Land and real estate	
Houses	4,417,470
Urban land	1,454,355
Agricultural land	714,110
Moveable goods	688,135
Factories	
Commercial	2,810,945
Industrial	381,570
Good confiscated at customs ports, en route, etc.	124,260
Bank accounts	411,880
Stocks and bonds	93,860
Mortgages	168,075
Business agreements	1,203,235
Insurance policies	21,960
Confiscated cash, fines for “Zionist” activities	187,740
Salaries	
Private	3,720
Government	
300	
Iraqi railroad	270
Pensions and trust funds	
Private	31,968
Government	
17,985	
Iraqi railroads	5,450
Running pensions	9,375
Other claims	53,635
Total	12,800,295

Source: ISA (130) 1791/1, document of Department of Transfer and Registration of Foreign Claims (August 7, 1952). See also ISA (130) 2401/22, “Claims for Jewish Property Frozen in Arab States” (October 6, 1952).

\*1 Iraqi dinar = £UK1 = \$4.03.

seek information about other claims, such as moveable household property, that did not fit into the formula of linkage. An internal memorandum summing up the discussions of the October 22, 1955, meeting of the commission stated this quite clearly: “It was agreed upon that, for the time being, Jews from Iraq will not be asked about the moveable property which they abandoned in their homes. This is in accordance with the position of the Prime Minister, who has determined that such registration could contradict our policy on the compensation of Arab refugees, which is limited to immoveable property alone.”<sup>113</sup>

The commission had bilingual Hebrew-Arabic forms printed asking immigrants for data on bank accounts, life insurance policies, retirement funds, stocks and bonds, and land and real estate. The forms were careful to note that in registering their claims, the immigrants were not holding the commission or the Israeli government liable for paying them any compensation. The registrants signed the forms under a statement that read in part, “I present hereunder details concerning the property that I left in Iraq . . . without having this registration obligate the commission or the government in any way whatsoever.”<sup>114</sup> The commission worked for nearly a year and issued an unpublished interim report to the Foreign Ministry on December 17, 1956. The news was not encouraging. Like earlier efforts to register Iraqi claims, this new attempt failed to garner registrations from more than a fraction of Iraqi immigrants—only 3,000–4,000 of the more than 37,000 Iraqi families in Israel bothered to comply.<sup>115</sup> Some present-day Israelis of Iraqi origin are not sure what to make of this. ‘Oved Ben ‘Ozer, a longtime official in the World Organization of Jews from Arab Countries, said in 2000, “It was a very strange thing. I don’t know if it was negligence or intentional, but the government of Israel simply did not register the property left behind.”<sup>116</sup> The commission’s precise findings never have been released.

The Israeli government soon undertook yet another special registration that targeted one specific country: Egypt. Under pressure from the Association of Egyptian Immigrants in Israel to do something about abandoned Egyptian property in the wake of the 1956 Suez war and the expulsion of Jews from Egypt, the Israeli government established a special public commission in March 1957 to register Israeli citizens’ property claims against Egypt. The government also may have been spurred to action by the creation of the Central Registry of Jewish Losses in Egypt in Europe shortly prior to that (see below). The commission was headed by the vice presi-

dent of the Association of Egyptian Immigrants, Shlomo Kohen-Tsidon. From July to September 1957, the commission registered 640 claims totaling £E5,531,755,370. Work continued for over eighteen months. Eventually over 3,500 claims were made.<sup>117</sup> Another estimate was that Jews lost 101,255 feddans of land (approximately 101,255 acres, or 4,200 sq. m) and 2,807 buildings, worth £E24,200,000.<sup>118</sup>

No more attempts to register or collect Middle Eastern and North African Jewish property claims were made in Israel for about ten years. Then, on March 28, 1969, the government of Prime Minister Golda Meir issued Decision Number 34 of 1969, which created a special unit with the Ministry of Justice to collect and maintain data on such losses in Iraq, Syria, Egypt, and Yemen. The office was placed under the authority of the Ministry of Justice's Advisor for Legal Matters in Arab Countries. Its head was Ya'akov Meron, a French-trained academic specializing in Islamic law and the law of Arab countries. His office remained open until the justice minister, the Labor Party's Yossi Beilin, closed it down in the second half of 1999. At that time the portfolio for the Jewish property claims passed to the Justice Ministry's head of legal assistance. By that time, the office had collected some 15,000 documents.<sup>119</sup> The government of Prime Minister Ariel Sharon later decided to reopen the office in March 2002 (see chapter 3).

Outside of these attempts to register such losses, little had been accomplished to redress these property claims.

### Aberrant Cases: Addressing Claims Outside of the Conflict's Context

Israel did not maintain a complete monopoly on organizing on behalf of Jewish property losses in Arab countries. In at least three cases—one prior to Israel's articulation of linkage, and two afterwards—Jewish property claims were addressed outside of Israel, and outside of any notion of linkage with the property claims of Palestinian refugees. In all three cases, actual restitution and/or compensation payments were sought. And in one of these cases, major international Jewish organizations like the WJC and AJC exerted considerable efforts to secure property restitution and compensation for Jews from the Arab world, much as they had done for Ashkenazic Jewish Holocaust survivors. It is thus instructive to examine these three cases to determine on what basis Jews sought redress for their grievances



independently of Israeli efforts (or lack of efforts), what the results were, and what this might tell us about the willingness of Jews and Jewish organizations to break ranks with Israel's policy of linkage when it comes to securing monetary compensation for Jewish property losses in the Arab world.

The first case involved compensating the Jews of Aden for property losses sustained during the anti-Jewish disturbances of November 1947 that broke out in the wake of the UN plan to partition Palestine. Beyond human casualties, Jews in the British colony sustained considerable property losses. Jewish community leader S. M. Banin reported that 106 of the 170 Jewish-owned shops in the Crater district of Aden were totally looted, and 8 were partially looted. In addition, 30 Jewish homes were burned, along with the 2 Jewish schools. In the Steamer Point district, 8 buildings were damaged by fire, while in the district of al-Shaykh Uthman the following damages occurred: 12 homes, 26 huts, and 5 shops were looted and burned; 61 homes, 40 huts, and 10 shops were damaged and looted; and a synagogue, a small school, and a distillery outside town were burned.<sup>120</sup>

The Jewish community in Aden and Jewish organizations in Britain quickly demanded an investigation, and some high-profile Britons soon became involved. The governor of Aden, Reginald S. Champion, established the Commission of Enquiry into Disturbances in Aden in December 1947, headed by Harry Trusted, a former attorney general and former chief justice of Palestine. Representatives of the Jewish community who testified before Trusted's commission were assisted by another Briton who had been attorney general in Palestine, Norman Bentwich. A notable figure in the British administration in Palestine, Bentwich also became the first head of the United Restitution Office, which assisted European Jews in filing legal claims for compensation, restitution, and reparations against the West German government. A. S. Diamond of the Anglo-Jewish Association and Member of Parliament Barnett Janner of the Board of Deputies of British Jews also helped Jewish claimants.<sup>121</sup> After spending March and April 1948 holding hearings and investigations, Trusted issued his report on April 7, 1948, detailing the causes of the disturbances, what occurred, and his recommendations for the future.<sup>122</sup>

Governor Champion also commissioned a special magistrate, K. Bochgaard, to investigate Jewish financial losses and deal with compensation claims. A. S. Diamond helped present 760 claims totaling over £UK1,020,000. The largest claim was for about £70,000, and the smallest for about £4.<sup>123</sup> After investigating the matter from February through April

1948, Bochgaard issued his opinion on November 1, 1948. He held that the claims could not be paid out by those responsible for the destruction inasmuch as most were not actually residents of Aden, and the few who were could not be identified and in any event were too poor to pay anything. Bochgaard also ruled that the British government was not legally liable to pay compensation. However, he noted, doing nothing to assist the dispossessed Jewish community could “deleteriously affect the trade of Aden.” Bochgaard proposed serving “the general interest of the Colony” by having the Aden administration provide limited payments to Jewish claimants anyway. He thought an amount of £240,000 should be set aside for this purpose, which would be provided to those who could prove certain types of personal losses (not cash, securities and other valuables). Community assets would not be covered. Small claims of up to £15 would be paid in full, while larger ones would be paid on a sliding scale up to a maximum of £7,500 for any single claim.<sup>124</sup>

In its own opinion issued the same day as Bochgaard’s, the Aden administration accepted the principle of ex-gratia cash grants but rejected Bochgaard’s figures as too high for the colony’s treasury to bear. Instead, colonial administrators proposed granting only up to £300 per claim and offering interest-free loans of up to £2,000 per claim. The proposal also contained certain important caveats, including that claimants still be residents of Aden (and not living in the Hashid camp for Yemenis waiting to go to Israel), and that those seeking the loans apply within three months and be able to provide collateral. Eventually the Aden administration provided £90,217 in grants and £80,579 in loans despite Jewish complaints about the small amounts.<sup>125</sup>

The second example of efforts to address Jewish property claims outside the context of the Arab-Israeli conflict affords us the only glimpse of major international Jewish organizations exerting efforts to secure restitution and/or compensation for aggrieved Middle Eastern Jewish property owners seemingly independently of any concern for Israel or Israeli diplomatic needs. This case concerns Jewish property losses sustained during the expulsions from Egypt in the wake of the 1956 Suez War. These expulsions immediately became the subject of considerable international activity. The United Nations High Commissioner for Refugees, for example, became involved in January 1957. The UNHCR’s Swiss High Commissioner, August R. Lindt, formally declared at that time that some of the fleeing Egyptian Jews were “refugees” coming under

the jurisdiction of his office. He noted to the executive committee of the United Nations Refugee Fund:

There is already now another emergency problem arising. Refugees from Egypt. And there is no doubt in my mind that those of those refugee [*sic*] who are not able or not willing to avail themselves of the protection of the Government of their nationality, they might have no nationality or they may have lost this nationality, or, for reasons of prosecution [*sic*] may not be willing to avail themselves of this protection, fall under the mandate of the High Commissioner. And therefore already now I am, and I am ready to exercise [*sic*] the legal and diplomatic functions of my Office in their favour.<sup>126</sup>

The UNHCR issued a public statement to this effect on January 29, 1957.

International Jewish organizations began contacting Lindt in an effort to convince him to include the specific question of Jewish property losses (and not just Jewish refugees in general) in Egypt within his mandate. The American Jewish Joint Distribution Committee's Jerome Jacobson, who headed an international commission looking into Jewish property seizures in Egypt (see below), wrote to Lindt on February 21, 1957, specifically about such property. He stated:

In the light of the powers under your Statute, I would respectfully request that a Commission of one or more of members of your Staff, including a legal expert, be sent to Egypt for the purposes of investigating this whole subject of the sequestration and deprivation of Jewish property on the spot, and for the purposes of negotiating with the Egyptian Government to allow the transfer abroad of assets of refugees under your Mandate, and for providing the safeguarding and protection in Egypt by your Office of any such property that cannot readily be transferred, with a view to preserving the rights and interests of the owner until such time as fair and equitable liquidation and transfer can be achieved.<sup>127</sup>

Jacobson also insisted that these were humanitarian measures that must not be denied simply because of wider political circumstances surrounding the Jewish emigrants:

Conceivably it may be anticipated that you would encounter an argument that these questions are bound up in political or other differences with any Government or Governments. These problems, I feel, are emergency refugee problems as defined by the United Nations, and it would be wholly inappropriate for any Government to avoid dealing with them immediately on specious grounds that they are bound up in political or other differences with any Government or group of Governments. People who are forced into refugee status should be able to take their property along.<sup>128</sup>

Interestingly, by appealing to the principle that refugees were entitled to immediate access to their property regardless of wider international politics or conflicts, Jacobson and others took the diametrically opposite stance from that taken by the Israeli government in relation to Palestinian refugee property—yet another point of departure from the Israeli policy of linkage. The Israelis had for years refused to discuss Palestinian refugee property compensation outside of wider peace talks with the Arab states, although they did agree to three releases of blocked accounts and safe deposit boxes in banks in Israel during the 1950s. Sharett stated this refusal succinctly in a July 9, 1950, letter to the UNCCP: “no useful purpose would be served by the subject of compensation . . . being torn out of the general context and treated in isolation from the rest.”<sup>129</sup>

Lindt agreed with Jacobson that some action needed to be taken regarding the expellees’ property. In response to Lindt’s request for detailed information, Jacobson sent out inquiries to those Jews who had registered property losses with the Central Registry of Jewish Losses in Egypt, asking them whether they wanted to have their sequestered property in Egypt “safeguarded” by a member state of the UN Refugee Fund. By August 1957 the Central Registry had received 103 positive responses on behalf of 443 Jews. The information was turned over to Lindt,<sup>130</sup> who eventually agreed to approach the World Bank for technical help in any such financial transfers as might be made.<sup>131</sup> He contacted the Egyptian Foreign Ministry in January 1958 about arranging for the liquidation and transfer of Jewish assets.<sup>132</sup> However, while agreeing to look into how Jews could get their assets out of Egypt, Lindt demurred on the related request that he protect real estate and other assets that had been left behind. He reported that he was relieved that the subject did not arise at a June 1957 meeting of the UN

Refugee Executive Committee, and he told the AJJDC that he could not protect the property. Lindt stated that he intended to approach the Swiss government to inquire whether it could do so.<sup>133</sup>

Jewish groups also began contacting various governments about the Jewish expellees from Egypt and their property. At a January 1957 meeting of the executive body of the WJC's American branch, however, Alex Easterman, who in 1952 had been one of four negotiators for the Conference on Jewish Material Claims against Germany in the reparations talks with West Germany, noted that all of the efforts of the WJC and other groups to publicize Egypt's expulsion of Jews in the weeks since the Suez war began were for naught, and that the exodus of Jews was continuing unabated. Maurice Perlzweig remarked that Western governments were understandably reluctant to press Egypt on the expulsion of Jews in isolation of the overall crisis that the Suez War engendered vis-à-vis closure of the Suez Canal—the canal being a matter of “life and death” for them.<sup>134</sup> Longtime WJC President Nahum Goldmann met with U.S. Secretary of State John Foster Dulles and UN Secretary-General Dag Hammarskjöld about the plight of Egypt's Jews. In December 1956 Goldmann also told a State Department official, William M. Rountree, that while attending a meeting in Israel of the Zionist Actions Committee he had criticized Ben Gurion publicly for launching the Suez War. He claimed he told the Israeli leader that the war would jeopardize the position of Jews in both Egypt and the Soviet Union.<sup>135</sup> A joint letter was sent to Dulles on May 22, 1957, signed by Israel Goldstein, president of American Jewish Congress; Irving Engel, president of the American Jewish Committee; and Edward M. M. Warburg, chair of the AJJDC. They asked Dulles to work toward having the UNHCR deal with safeguarding and transferring Jewish property. The U.S. State Department apparently concurred that it was within Lindt's mandate to deal with the Jewish property.<sup>136</sup> Financially, however, the State Department felt that the funds in the United Nations Refugee Fund, which was created by UN General Assembly Resolution 832 (IX) of October 21, 1954, and which financed the UNHCR's activities among refugees, did not cover the case of Jews from Egypt.<sup>137</sup>

Four international Jewish organizations decided to deal with the issue of sequestered Jewish property in Egypt soon after the Suez War was over. In late 1956 or early 1957 the AJJDC's Moses A. Leavitt, another of the negotiators for the Conference on Jewish Material Claims against Germany during reparations talks with West Germany in 1952, convened officials

from the AJJDC, the WJC, the AJC, and the JA. These were the same four organizations that first had pushed the idea of reparations from the Germans.<sup>138</sup> Now they agreed to form what they called the Joint Committee (Central Registry of Jewish Losses in Egypt) to tally up Jewish losses in Egypt. This represented the first time that international Jewish organizations became heavily involved in the question of Jewish property losses in the Arab world. What the Joint Committee did, and did not do, alongside Israeli efforts is instructive.

The Joint Committee was formally established by January 1957 and headed by the AJJDC's Jerome Jacobson in Paris, who became its executive secretary. It quickly printed claims forms for distribution to dispossessed Jews around the world. The form stated why it was collecting such information: "The information [furnished] will be used to establish summaries of Jewish losses in Egypt and to have available the details of Jewish losses so that representations may be made before the appropriate Inter-Governmental bodies, such as the United Nations, to seek fair compensation [*sic*] from Egypt for losses suffered by Jews in Egypt."<sup>139</sup> It also stated in bold letters, "This is for registration purposes only; it is not a claim for compensation," making it clear that the act of filling out the form did not guarantee any future compensation:

It must be underscored that the fact that leading American Jewish Welfare Agencies sponsors [*sic*] this central registration of Jewish losses in Egypt must not be taken to denote any assurance or knowledge that Jews from Egypt will receive compensation for their damages and losses. Naturally, the Jewish Organizations in the United States as well as the Jewish Organizations in many countries will bend every effort to bring influence to bear through the United States and other Governments to have Egypt meet its responsibility to provide fair and prompt compensation for these Jewish damages and losses. If these efforts are to have any effect at all, they can only do so where we are in position to state with accuracy the nature and magnitude of the damages and losses as well as the circumstances under which they have been inflicted.<sup>140</sup>

Nowhere on the form, nor indeed in any documents I could locate, was it suggested that information on Jewish losses would be used to assist the government of Israel. To the contrary, the form stated that the four sponsoring

organizations intended to seek compensation for Jewish assets: “the Jewish Organizations in the United States as well as the Jewish Organizations in many countries will bend every effort to bring influence to bear through the United States and other Governments to have Egypt meet its responsibility to provide fair and prompt compensation for these Jewish damages and losses.”

The Joint Committee’s efforts appear to be the only example of major international Jewish organizations seriously trying to work on behalf of Jewish property claims against Arab countries on their own, not in coordination with Israeli diplomatic efforts. In the end, however, nothing came of the effort. Why?

Like the Israelis had discovered several years earlier, the committee found that few Jews bothered to register claims. By early December 1957 the Joint Committee’s Central Registry had received only 919 forms from registrants in seventeen countries. Most came from Jews who had found refuge in France, Brazil, Israel, and England, in that order. In Israel, 227 forms were filed by 570 Jews formerly resident in Egypt, claiming a total of £E5,980,000.<sup>141</sup> These registrations were made at the same time that the Israeli government had undertaken its own registration of Egyptian Jewish assets (see above). Table 2.6 details the claims registered by Israeli Jews with the Central Registry.

As part of its efforts at quantifying these losses for future use, the Central Registry called upon the United Restitution Organization (URO) in Frankfurt to assist it in tabulating the results.<sup>142</sup> The URO was a nonprofit legal aid organization formed as the United Restitution Office in 1948 and headed by the former attorney general of Palestine, Norman Bentwich. Its purpose was to assist Nazi Holocaust survivors pursue legal claims against the West German government. The connection between the Egyptian registration campaign and the URO, plus the involvement in the campaign of the same four groups that had taken the lead in demanding Holocaust restitution, compensation, and reparations from West Germany in the early 1950s, point to an interesting early link between Holocaust claims and those of Jews from the Arab world. Did this mark the beginning of a serious effort by the Joint Committee to push for restitution or compensation for losses in Egypt regardless of what the government of Israel thought?

By June 1959, 116 additional claims had been filed. The Joint Committee’s Central Registry had managed to collect a total of only 1,035 claim forms from Jews of various nationalities who had ended up in refuge in twenty-one



TABLE 2.6 Type and Value of Property Losses Registered with the Central Registry of Jewish Losses in Egypt by Jews Resident in Israel, 1957

TYPE OF PROPERTY	VALUE* (£E)
Bank accounts	1,000,000
Safes	20,000
Insurance policies	260,000
Pensions and allowances	160,000
Land and real estate	620,000
Mortgages	20,000
Stocks	150,000
Bills	250,000
Shops, factories, apartments, cars, inventories, etc	3,500,000
Total	5,980,000

Source: CZA C10/3449, Central Registry of Jewish Losses in Egypt, Bulletin No. 2 (December 3, 1957). This document can also be found in AJJDC, Geneva III; box L-26; folder 459.

\*£E1 = approx. \$2.87 in 1956 dollars.

countries (the Joint Committee admitted that these forms probably covered approximately 5,175 expellees, but that this still was “far from representing the total number” of Jews who left Egypt).<sup>143</sup> Nearly half of the registrants were stateless Jews, and the rest possessed a variety of European and other nationalities. Of registrants of all nationalities, the largest number (286, or 27.63 percent of the total number of claims) had settled in France, while 239 (23.09 percent) found refuge in Brazil, 239 (23.09 percent) in Israel, and 141 (13.62 percent) in Britain).<sup>144</sup> The largest of the claims registered in France was that of Vita Smaja for £E184,410, while the smallest was the £E130 claimed by Marius Mille.<sup>145</sup> The largest Israeli claim was Nessim Benayem’s for £E21,150, and the smallest that of Mordochai Naddam for £E150.<sup>146</sup> Table 2.7 provides statistics on the nationality of registrants.

The 1,035 claims amounted to £E11,279,270 (approximately \$32,371,504 in 1956 dollars) in property losses. Table 2.8 illustrates the types and value of these losses. Stateless Jews registered the highest amount in terms of the value of their losses—468 claims (38.8 percent of the total) totaling £E4,382,570. This was followed by Italian Jews (118 claims, 16 percent), for £E1,805,800; French Jews (117, 13 percent), for £E1,503,320; and British Jews (93, 10 percent), for £E1,125,190.<sup>147</sup>



TABLE 2.7 Nationalities of Jews Registering Property Losses with the Central Registry of Jewish Losses in Egypt, 1957–1959

NATIONALITY OF REGISTRANTS	NUMBER OF REGISTRANTS	PERCENTAGE OF TOTAL
Stateless	468	45.22
Italian	118	11.40
French	117	11.30
British	93	9.00
Moroccan	68	6.57
Tunisian	64	6.18
Greek	63	6.09
Iranian	9	0.87
Spanish	9	0.87
Lebanese	7	0.68
Syrian	3	0.29
Turkish	3	0.29
Romanian	2	0.19
Portuguese	1	0.09
German	1	0.09
Yugoslav	1	0.09
Unspecified	8	0.77
Total	1,035	100.00

*Source:* CZA C10/3449, Central Registry of Jewish Losses in Egypt, Bulletin No. 5 (June 9, 1959). This document can also be found in AJJDC, Geneva III; box L-26; folder 459.

Just which of the four Jewish organizations involved with the Joint Committee should push for further action on the property losses beyond just registering them proved somewhat contentious. London-based WJC official Alex Easterman felt that the WJC should be the lead agency in conducting a legal study of the matter.<sup>148</sup> In fact, Easterman discussed the matter of Egyptian Jews several times with the British Foreign Office, including with Minister of State for Foreign Affairs David Ormsby-Gore in March 1957. The Foreign Office was at the time still involved in negotiations with the Egyptian government over British property claims (see below). Easterman also instructed the WJC's Paris office to bring it up with the French Ministry of Foreign Affairs. Gerhart Riegner of the WJC's Geneva office, the man whose famous August 1942 telegram first notified the American government that the Nazis planned to exterminate Europe's Jews during

TABLE 2.8 Type and Value of Property Losses Registered with the Central Registry of Jewish Losses in Egypt, 1957–1959

TYPE	VALUE <sup>a</sup> (£E)
Business assets (firms, plants, goods, office furniture, etc.)	5,489,420
Land and real estate	1,949,420
Apartments	954,920
Bank accounts, cash, securities deposits	815,140
Jewelry, art, libraries, collections	411,480
Miscellaneous (cars, insurance policies, indemnities, etc.)	1,300,630
Total	10,921,010
Total losses registered	11,279,270 <sup>b</sup>

Source: CZA C10/3449, Central Registry of Jewish Losses in Egypt, Bulletin No. 5 (June 9, 1959). This document can also be found in AJJDCA, Geneva III; box L-26; folder 459.

<sup>a</sup> £E1 = approx. \$2.87 in 1956 dollars.

<sup>b</sup> The difference between the total losses registered and the total of the six categories is explained by the fact that some registrants declared only the total value of their losses without indicating their specific type.

the Second World War, brought the matter up with several UN delegations, including those of the United States, France, Italy, West Germany, and Canada. Most indicated that they had raised the question with Lindt or would do so.<sup>149</sup> However, the AJJDC's Jacobson insisted that only he should pursue further action on Egyptian Jewish claims. Easterman faced opposition not only from Jacobson, but from other quarters within the WJC as well. For example, in New York, the WJC's Nehemiah Robinson, another key figure in the saga of the German reparations, counseled against the WJC pursuing action independently of the Joint Committee.<sup>150</sup>

There were other problems within the WJC as well. By early 1959 Goldmann reportedly was "highly critical" of the failure of the Joint Committee to make tangible progress on the property issue after nearly two years of work. A frustrated Easterman wrote Goldmann on March 13, 1959, outlining in his defense all the steps that he and fellow WJC official André Jabès had taken over the preceding two years, and complaining that they had not received any help in their efforts: "You are stated to be 'highly critical' of the fact that we have not done anything effective in the problem. I have acted as best I can, not only in drawing attention to the political problem

and by acting on, but I have had no reaction or help from my colleagues immediately concerned.”<sup>151</sup>

Goldmann’s attitude toward the Joint Committee and its work among Jews from Egypt is an interesting one. For all his efforts and complaints that nothing was being accomplished, little seems to have come of the Joint Committee’s efforts in the long run despite Goldmann’s immense prestige and influence. By 1959 Goldmann not only headed the WJC, but the JA and the World Zionist Organization as well. Certainly one important reason why the Joint Committee did not do much beyond simply register the losses is that many Jews who sustained losses in Egypt turned to their respective governments for compensation (see below). Yet one wonders to what extent the Joint Committee really mattered to Goldmann and the WJC in the final analysis. A search through Goldmann’s 1969 autobiography reveals nothing about this. Indeed, he makes no mention of the Joint Committee or the efforts on behalf of Egyptian Jewish property at all, although he does reveal some prejudiced stereotypes about Middle Eastern and North African Jews. In his autobiography, Goldmann states: “Because of the mixed composition of Israel’s population, the press is more influential there than in many other democratic countries. More than half the population consists of oriental Jews, who are given to violent emotions and extreme reactions and for whom the printed word holds more authority than it does for the more skeptical Western or Eastern European Jews.”<sup>152</sup>

To be sure, the book chronicles many other very important issues Goldmann worked on over the years, and anyone’s autobiography can only contain so much information. Still, one wonders why the elder statesman of world Jewry did not mention his efforts to secure property compensation for Egyptian Jews, or why he failed with regard to, or deferred continued action on, this compensation question whereas he worked so tirelessly and successfully on securing restitution for Ashkenazic Holocaust victims.

In 1959 the four constituent Jewish groups that made up the Joint Committee discussed whether or not to form a “trusteeship agency” to handle the transfer of desequestered assets from Egypt to stateless Jews who had left the country. By that time Egypt had signed agreements with Italy, France, and Britain concerning the desequestration of their citizens’ assets (see below). The desequestration and transfer of the assets of stateless Jews was a different matter. Lindt made it clear to Jacobson that although he intended to consult with the World Bank about the technical aspects of any such transfer, he himself had no staff or mechanisms to do so, much less to

safeguard the property of stateless Jews in the meantime should the Egyptians agree to let him do so. The case of stateless Jews who took refuge in Israel presented a special concern: the Egyptian government was unlikely to cooperate with requests to transfer capital out of Egypt to Israel. Who could therefore take over desequestered Jewish property, liquidate it, and arrange for the transfer of the resulting assets?

At a March 19, 1959, meeting, the WJC, AJJDC, and the AJC discussed the feasibility of establishing a “trustee agency” to do precisely this. Such an idea had been considered earlier in the 1950s concerning Iraqi Jewish property. Talk focused around an American bank or other financial institution. The AJJDC’s Moses Leavitt noted that this was the only workable solution but cautioned that the four agencies in the Joint Committee might end up sustaining financial losses by the time a property transfer was completed. One of the reasons was that reports had reached Jacobson that Jews who managed on their own to get their assets out of Egypt on average retrieved only 25–50 percent of their original value. The Jewish leaders were uncertain if this might leave the proposed trust agency indebted were it to take over desequestered property but be able to recover and expatriate only a small percentage of its value. Beyond this, some sequestered properties ended up being in debt or owing large tax obligations, which would have to be paid by the agency if it took over the desequestered property.<sup>153</sup> Leavitt informed the men at the meeting that the AJJDC already has incurred nearly \$9,000 in expenses dealing with the Central Registry and asked that the WJC and the AJC each contribute one-sixth of those costs.<sup>154</sup>

The proposed agency appears never to have materialized, nor did any further efforts on behalf of those Jews who had registered property claims with the Central Registry, whose claim forms still rest in the AJJDC’s Jerusalem archives (where they are closed to researchers out of privacy concerns). Nothing appears from the archival record to have been done after 1959. Why? Easterman’s complaints reveal a lack of effort and enthusiasm on the part of some in the four groups involved in the Joint Committee. Certainly those groups’ desire to avoid any financial liabilities on their own part was a factor. One also wonders if the groups worried about the impact their efforts might have on Israel’s future ability to link the Egyptian claims with those of the Palestinian refugees in a final peace settlement. A final reason why the Joint Committee’s efforts probably went no further than they did is that France, Britain, and Italy eventually signed agreements with Egypt regarding financial matters in the wake of the Suez War, including

the expropriated property of their respective nationals. This meant that the 328 claims submitted to the Central Registry by British, Italian, and French citizens—not to mention the 97 claims of stateless Jews in France, plus perhaps at least some of the 84 claims from Jews of other nationalities who had taken up refuge in France—could as a result be addressed by their respective governments in bilateral agreements with the Egyptian government.

Italy and Egypt were the first to reach an accord. Italian Jews had been stirred to action about the property losses sustained by their coreligionists possessing Italian citizenship in Egypt. In Rome, the Union of Italian Jewish Communities announced on February 20, 1957, that it was collecting information about such property losses. The Italian government also reportedly was looking into the matter.<sup>155</sup> It started negotiations with the Egyptian government about overall bilateral financial matters, and the two sides signed an agreement in Cairo on July 6, 1957, which came into force two weeks later on July 21. The agreement allowed Italian citizens to transfer up to £E5,000 in funds that previously could not be successfully transferred, plus up to £E2,000 per family in the future.<sup>156</sup>

Over a year later, on August 22, 1958, Egypt and France signed an agreement in Zurich concerning their own bilateral financial arrangements. Article 5 and Protocol 2 of the treaty both dealt with matters relating to the property of French nationals in Egypt. French citizens were given one year to submit claims to have their property desequestered. After that, French nationals did not lose their proprietary rights, but the Egyptian government reserved the right to liquidate the property rather than return it. Reportedly, French Jews constituted about 90 percent of French nationals who were forced to leave Egypt and had owned approximately 5 billion francs worth of property in the country.<sup>157</sup> Article 4 of the agreement also allowed French citizens to return to Egypt to deal with their affairs. The Egyptians told Lindt that the terms of the Franco-Egyptian agreement were applicable to all Jews who ended up in France after their expulsion, whether or not they actually possessed French citizenship.<sup>158</sup>

However, Jews in France found that they could not in fact obtain visas to return to Egypt. On April 8, 1958, the Egyptian government issued Decree Modifying Article 8 of the Decree of August 17, 1953, Relative to the Lists of Undesirable Persons. The 1953 law, as modified in November 1954, prohibited certain categories of persons from being allowed into the country. The 1958 decree modified Article 8 to deny entry to any Jews formerly resident in Egypt who had been between the ages of ten and sixty-five at the

time of their departure from Egypt. Some Jews in France apparently did succeed in obtaining visas, but others had to nominate agents in Egypt to arrange for desequstration on their behalf. By the end of June 1959, Jews in France had submitted 1,655 applications for desequstration (1,567 from individuals, 188 from businesses). Of these, the Egyptian authorities accepted 1,439 claims (1,285 individual claims and 154 from businesses), of which 600 had been completely desequstrated by that time.<sup>159</sup> Desequstration meant that what remained of the property was restituted; it did not mean that the Jews were automatically able to expatriate any funds they might have realized from such desequstrated assets.<sup>160</sup> During this time the Association of French Jews Repatriated from Egypt was active in pressuring the French government to intervene on behalf of the property losses sustained by French Jews. In July 1959 the organization distributed questionnaires to its members seeking detailed information on such losses.<sup>161</sup>

Anglo-Egyptian negotiations in Rome took the longest to produce an agreement. In the meantime, repatriated British citizens could register their property losses with the Foreign Office. On July 15, 1957, the British government announced that it would make loans to such aggrieved property owners on the basis of the value of certain types of assets they had registered by that date. The loans ranged from £UK1,500 for declared assets of £2,001–2,500, up to £5,000 for declared assets of £20,001 and over. Owners of smaller amounts of declared assets—£2,000 or less—could obtain loans totaling 70 percent of such assets. The loans did not need to be repaid until such time as the borrowers received restitution from the Egyptian government.<sup>162</sup>

Eventually, the Anglo-Egyptian negotiations produced an agreement signed on February 28, 1959. According to Article 3 of the agreement, Egypt agreed to desequstrate the property of British subjects, while Article 8 stated that British nationals would be allowed back into Egypt, even if they had signed statements giving up their rights to reenter when they left. Under Article 4, the Egyptians also agreed to transfer £UK27.5 million to the United Kingdom as compensation for British property that had been nationalized, which was to divide up the amount among claimants. Egypt pledged to turn over £3,500,000 on the date the agreement was signed, and the remaining £24,000,000 on February 29, 1960.

Under the subsequent Foreign Compensation (Egypt) (Determination and Registration of Claims) Order, 1959, and the Foreign Compensation (Egypt) (Determination and Registration of Claims Order, 1962, that superseded it—both of which were issued in Britain by authority of the Foreign

Compensation Act, 1950—the Foreign Compensation Commission worked from 1959 to 1979 distributing the money to claimants, in accordance with the Foreign Compensation (Egypt (Final Distribution) Order, 1963.<sup>163</sup> British Jews thus could present their claims to the British government rather than the Egyptian government. Already by late 1958, £E178 million in British property losses had been registered with the British Foreign Ministry.<sup>164</sup> The British government ended up paying £UK72,376,404 in full or partial compensation for 4,442 claims, though it is not clear what percentage of this amount went to Jews.<sup>165</sup>

Jewish losses in Algeria represent the third example of losses that were dealt with outside the context of Israel's policy of linkage. In this case, Jews who were "repatriated"<sup>166</sup> to France turned to the French government with their property claims, along with other French citizens who sustained losses in 1962. According to the Évian Accords signed by France and the Algerian Front de la libération nationale (FLN) on March 8, 1962, French citizens' property in Algeria was to be protected pending final status arrangements. Even prior to that, the French government was concerned about the fate of its citizens' property in Algeria. Article 41 of French Law No. 61–1439 of December 26, 1961, included the principle of compensation for the spoliation of any French property in Algeria.

Beginning in August 1962, after the flight of most French citizens to France, the new Algerian government began taking measures to control "vacant property" (French: *biens vacants*) left behind by the former residents of the country (see chapter 1). After the first Algerian vacant property law, French Ordinance No. 62–1106 of September 19, 1962, established a body to deal with property concerns of repatriated French citizens: l'Agence de défense des biens et intérêts des rapatriés (ADBIR, the Agency for Defense of the Property and Interests of Repatriates). It was in the context of being French, not being Jewish, that Algerian Jews began mobilizing their efforts to deal with their sudden and massive dispossession.

Jews newly arrived in France from Algeria almost immediately began approaching the French government about property concerns, especially the fate of communal property they had left behind. The Association des Juifs originaires d'Algérie (AJOA), created in France in December 1962, was particularly concerned about the matter of communal property, as was the Central Jewish Consistory of France. The WJC also discussed becoming involved with the issue, although it was mentioned that inasmuch as the Algerian property confiscations affected all former French nationals, the WJC



might face certain risks if it exerted efforts around Jewish property only.<sup>167</sup> An AJOA delegation met with French Secretary of State for Algerian Affairs Jean de Broglie in April 1963 and presented him with a detailed list of communal assets that had belonged to Jewish communities in Algeria.<sup>168</sup> Table 2.9 details some of this Jewish communal property, though not all of it was abandoned permanently inasmuch as it still remained under the control of the small Jewish community that remained in Algeria. Rather, the table documents the state of Jewish communal assets at the time that Algeria declared its independence from France.

By and large, Algerian authorities dealt with this and other communal property differently from private and corporate property, particularly because a small Jewish community continued to exist in Algeria after independence. A contemporary press account from June 1962 claimed that one of the dozen synagogues in Constantine was turned into a headquarters for the FLN, while another in Miliana became a municipal gymnasium.<sup>169</sup> A community center, a building containing a synagogue, and a social center in Constantine reportedly were taken over by an Islamic scouts organization in early 1963.<sup>170</sup> Despite this, and despite the concerns of AJOA, Jewish communal property was not confiscated but largely remained under the control of the Federation of Jewish Committees in Algiers after 1962. As the WJC noted in late 1965, “The Jewish Community remains the legal owner of the substantial communal property, and there has been no indication that the Government wishes or intends to alter this position.”<sup>171</sup> According to William J. Schapiro of the AJJDC, Algeria was the only country in the world besides Israel to recognize and enforce Jewish religious holidays officially.<sup>172</sup> The Algerian government initially did grant some communal buildings to Muslims, but a WJC report from December 1965 noted that this was done on a temporary basis, and the Muslims usually used the buildings for cultural purposes.<sup>173</sup> At least some synagogues were nationalized on a permanent basis, however. A report from 1972 states that between seventeen and nineteen synagogues were taken over for other purposes in Algeria, including the Kanaoui Synagogue in Oran.<sup>174</sup>

The AJOA also was associated with wider efforts by *pied-noir* repatriates in France to pursue compensation for their property losses from the French government.<sup>175</sup> As a result of several years of effort, Jews, like other French citizens who lost property in Algeria, finally were able to petition the French government for compensation for a portion of the value of any property losses they sustained during their exodus according to two compensation



TABLE 2.9 Sample of Jewish Communal Property in Larger Towns in Algeria as of July 1, 1962

DEPARTMENT	TOWN OR VILLAGE	TYPE OF PROPERTY	
Algiers	Algiers	15 synagogues plus Great Synagogue (destroyed)	
		Community Council administrative buildings	
		Secondary school; Talmud Torah schools	
		1,300 sq. m of land in town center; 11 ha of land in Bouzaréa	
		Cultural center; various social services networks; 2 professional education schools	
		Blida	Large synagogue with surrounding buildings; chapel
		Medea	3 synagogues; Talmud Torah school
Constantine	Orleansville	Large community complex with synagogue	
	Constantine	11 synagogues	
		Large community center complex; cultural center	
		Bakery for matzoh bread	
	Guelma	Ets Haim rabbinical academy; professional school	
	Bone	Large synagogue and other buildings	
		7 stores; land on the way to Medjez-Amar	
Setif	Large synagogue; kosher butcher shop		
	800 sq. m of land in center of town		
	2 synagogues		
Oran	Oran	3,000-sq.-m complex of buildings serving community	
		Large synagogue; 10 other synagogues, chapels	
		Community council building	
		2 Talmud Torah schools; professional school	
	Tlemcen	La Concorde sports society	
	Tlemcen	3 synagogues; mikveh (ritual bath)	
		Large complex of buildings serving community	
	Mascara	7 large stores; 5 buildings (four rented out)	
	Sidi Bel Abbes	4 synagogues and chapels	
		Community council building; cultural center	
Ain-Temouchent	6 synagogues and chapels		
	Community council building; cultural center		
Tiaret	2 synagogues;		
	Large complex of buildings serving community		
	Bakery for matzoh bread		
Oasis	Ghardaia	2 synagogues; cultural center	
		Large synagogue; Talmud Torah school	
		Mikveh	
		3 stores; 7 plots of land in town	

TABLE 2.9 Sample of Jewish Communal Property in Larger Towns in Algeria as of July 1, 1962 (*continued*)

DEPARTMENT	TOWN OR VILLAGE	TYPE OF PROPERTY
	Laghouat	Synagogue; Talmud Torah school
	Saoura	6 synagogues; cultural center
	Colomb-Bechar	

*Source:* Alliance Israélite Universelle Library; Fonds Jacques Lazarus, R 02, Dossier 6: Biens communautaires en Algérie, appendix 1 to letter from the Association des juifs originaires d'Algérie to de Broglie (April 25, 1963).

laws—Law No. 70–632 of July 15, 1970, and Law No. 78–1 of January 2, 1978.<sup>176</sup> French Jews thereafter could seek partial compensation—Article 1 of the 1970 law calls it “an advance on claims against foreign states or beneficiaries of the dispossession”—from l'Agence Nationale d'Indemnisation des Français d'Outre Mer (ANIFOM, the National Agency for Compensation of Overseas French), which replaced ADBIR after passage of the 1970 compensation law. Two additional French statutes, Law No. 82–4 of January 6, 1982, and Law No. 87–549 of July 16, 1987, also were enacted to deal with the loss or spoliation of French property overseas.

By 2003 the French government had set aside 14.2 billion euros for claimants who filed for compensation for lost property in Algeria according to the four compensation laws.<sup>177</sup> Some former *piéd-noirs* (perhaps Jews included) were dissatisfied with what they considered the small amount of compensation available to them. In 1992 a group of former French residents of Algeria wrote to the French State Secretary for Social Affairs requesting compensation for what they claimed was the full value of their lost property. This did not happen. In June 1994 the Paris Administrative Court dismissed their claim, a dismissal that was upheld by the Conseil d'État in June 1996. Undeterred, the plaintiffs then filed a case against France, *Teytaud and Others v. France*, with the European Court of Human Rights, which declared the case inadmissible on January 25, 2001.<sup>178</sup>

By the early twenty-first century, the main force beyond French claims for compensation for property lost in Algeria was the Union de defense des intérêts des Français rapatriés d'Algérie et d'Outre mer (Union in Defense of the Interests of French Repatriates from Algeria and Overseas, or

USDIFRA). Because USDIFRA reportedly was aligned with the far Right in the French political scene, it is doubtful that French Jews have pursued claims against either the French or Algerian governments in coordination with the organization. I have not found any statistics indicating the value of Jewish property left in Algeria, or of Jewish compensation claims filed with the French government beginning in 1970.

### Mizrahi/Sephardic Organizations, Linkage, and the Question of Jewish “Refugees”

By the late 1950s in Israel, some Mizrahi/Sephardic Jews began demanding more action on grievances affecting their communities. Socioeconomic and political disparities between Ashkenazic and Mizrahi/Sephardic Jews led to tension and even occasional violence, such as the mid-1959 disturbances in the Wadi Salib section of Haifa. By early 1971 a political movement calling itself the Black Panthers had emerged in Jerusalem. Middle Eastern and North African Jewish political frustration and resentment against the Labor party in particular, which had dominated Zionist and Israeli politics since the early twentieth century, contributed in no small way to the political earthquake of May 1977. Votes from immigrants from the Arab world that month helped the opposition Likud party win the Knesset elections, leading to the first time since the state was established in 1948 that a Labor-led coalition government was not formed. In light of all of these factors, it comes as no surprise that the 1970s saw Middle Eastern and North African Jews exhibit their own growing interest in the question of their past in the Arab world, and especially of the property they had left behind there.<sup>179</sup>

Over the decades, various organizations representing Sephardic and Mizrahi Jews have embraced the cause of Jewish property claims against Arab countries. The most historically significant such group was the World Organization of Jews from Arab Countries (WOJAC).<sup>180</sup> In 1975 Iraqi-born former Mossad agent Mordekhai Ben Porat, now a politician, called together representatives of several organizations of Israeli immigrants from Arab countries for a meeting in Tel Aviv. Ben Porat possessed an impressive pedigree. Born in Baghdad in 1923, he had immigrated to Palestine in 1945 but returned to Iraq to work with Mossad (Israel’s foreign intelligence agency) in Baghdad during the period of mass Iraqi emigration in 1950–1951. After his return to Israel he entered Israeli politics and was

elected to the Knesset as part of the Labor Alignment. By 1975 he had risen to the post of vice chair of the Knesset. He later served as a Minister without Portfolio in the government of Likud politician Menachem Begin and left the Labor Alignment in 1977. By 1988 he had joined the Likud party.

At the Tel Aviv meeting, Ben Porat sat with representatives from the Union of Moroccan Immigrants, the Union of Tunisian Immigrants, the Union of Syrian Immigrants, and the Union of Iraqi Immigrants.<sup>181</sup> The assembled group decided to create a new organization, WOJAC. WOJAC formally came into existence later that year at a two-day conference in Paris, November 24–25, 1975. Ben Porat chaired the group's Israel branch. According to a decision to split the leadership between one person in Israel and one outside, Sir Leon Tamman, a British millionaire born in Sudan in 1927, served as cochair from Britain. WOJAC eventually established branches in New York, London, Rome, and Zurich and held two more international conferences—in London (November 1983) and Washington (October 1987)—in addition to four other conferences in Israel.

WOJAC did not emerge as a pressure group or lobby. Nor did it aim to pressure various parties and governments around the world to work for compensation for Jewish property in the Arab world. Rather, it sought from the outset to support the Israeli government's policy of linkage by utilizing the experience and losses of Jews from the Arab world to frustrate Arab claims for Palestinian refugee compensation and/or return.<sup>182</sup> WOJAC member Jacques Barnes later noted, "We are the Jewish answer to the PLO . . . to the [Palestinian] right of return . . . that is why we exist."<sup>183</sup> To accomplish the goal of assisting Israeli diplomacy, WOJAC received financial support from both the JA and the Israeli Ministry of Foreign Affairs. Much as it had sought to do when registering Jewish property losses in Iraq and Egypt in the mid-1950s, the Israeli government attempted to distance itself from an ongoing public articulation of linkage by having a "public body" like WOJAC shoulder that responsibility instead. This would forestall public demands for compensation from the government itself pending a final diplomatic settlement with the Palestinians. In public, the government was in fact quite anxious to hide its ties to WOJAC. Foreign Ministry official Shlomo Argov wrote to Ben Porat in 1976, noting that "the connection between the organization and the Foreign Ministry will be secret, so it is desirable to keep correspondence to a minimum."<sup>184</sup>

WOJAC started off its activities on an optimistic pace. It talked about Mizrahi/Sephardic issues with Jewish organizations, the media, American

officials, and members of the U.S. Congress. To pursue its public relations goals, it sought to create a “public committee” made up of prominent Jews and non-Jews “who are sensitive to the issue of human rights.”<sup>185</sup> On December 13, 1977, Ben Porat, who also was a member of the Israeli delegation to the United Nations, addressed the UN General Assembly. Among other things, he stated, “Arab governments should realize that the rights of the Jews from Arab lands, their material interests and legal claims, now form a central element of the conflict, and parallel the Palestinian Arab refugee problem.”<sup>186</sup> WOJAC began publishing books as well as a journal.

In its activities, WOJAC sought to advance two important theses.<sup>187</sup> The first was that the Palestinian refugee exodus and that of the Jews from the Arab world constituted a population exchange in the Middle East. According to this logic, the 1948 war saw the territory that became Israel emptied of over 750,000 Arabs. In the decades after 1948, the Arab world was emptied of somewhere around 800,000 Jews. The result, WOJAC argued, was a population exchange that was a final, even one: Israel’s Arabs for the Arab world’s Jews. In response to the Palestinian demand for the right of return, WOJAC could say, “the Palestinians cannot return to their original places of inhabitation, just as the Jewish immigrants from the Arab world cannot.” Yet it is the second thesis that interests us in particular. WOJAC wholeheartedly supported the Israeli government’s policy of linkage: The Arabs fleeing from Palestine left behind their property, which was absorbed by the new Israeli state. The Arab states absorbed the property of Jewish emigrants. It was, WOJAC argued, another even exchange: Arab property for Jewish property. In response to Palestinian demands for property compensation, WOJAC could say that the two groups’ respective claims canceled one another out. WOJAC member and future leader Shlomo Tusia-Kohen stated this succinctly in April 1990: “We believe that the day will come when [the sides] will sit down to discuss the claims of refugees and Arabs that were displaced, in a practical, decisive manner. A counter-claim for property left in the Arab countries will already exist, as a sort of counterbalance that will be [in place] when the time comes to meet.”<sup>188</sup>

WOJAC’s desire to counteract Palestinian refugee claims can also be seen in its 1978 publication *The Case of the Jews from Arab Countries: A Neglected Issue*. Written by Libyan-born Israeli academic Maurice Roumani, the book ostensibly dealt with the fate of the Jews from Arab countries. While half of the book’s chapters deal with this, the other half are devoted to a polemical deconstruction of Palestinian refugee claims. Ben Porat of-

ferred an endorsement of the exchange thesis in the introduction he wrote for Roumani's book:

Above all, WOJAC will support the right of Jews in Israel to a life of security in their own country. It emphasizes that the exchange of populations which took place in the Middle East between Jews and Arabs is an accomplished and final fact: that Israel has absorbed approximately 600,000 Jewish refugees from Arab countries, while the Arab states "absorbed" 590,000 Arabs who responded to the call of their leaders and abandoned the territory of Israel in 1948, and who are now living among their people in 20 Arab states with whom they share the same heritage, culture, and language.<sup>189</sup>

Yet within WOJAC, disagreements arose about linkage, and the degree to which WOJAC should be beholden to Israeli power of attorney over Jewish property claims against the Arab world. Using the claims as a counterbalance to cancel out what Israel owed the Palestinian refugees in compensation meant that individual Jews who had sustained property losses would not be compensated by anyone. Nor did all Jews from Arab countries settle in Israel. Should the Jewish state, therefore, be given *carte blanche* authority to negotiate away their property claims, as well as the property of those who became Israeli citizens? Some said yes. 'Oved 'Abd al-'Ozer was born in Baghdad in 1930, leaving Iraq to study in Britain in 1949, and eventually settling in Israel in 1950, whereupon he changed his name to 'Oved Ben 'Ozer. He eventually headed WOJAC's office in Israel for many years. In July 1993 Ben 'Ozer asserted: "We are deeply convinced that the State of Israel—as the defender of the life, rights and interests of Jews throughout the world—has full moral right to be charged with responsibility for the property left by Jews in their countries of origin."<sup>190</sup>

Others disagreed, particularly those who did not live in Israel. Born in Iraq in 1914, Naim Dangoor left for Britain in 1959, where he remained thereafter. He long refused to concede his property rights to Israel for use as a tool against the Palestinians. For him, the focus of WOJAC should be seeking compensation for individual Jews who lost property in the Arab world. In October 1993 Dangoor wrote to the WOJAC executive stating, "WOJAC must make it clear that compensation will be paid to individual Jewish refugees and will not be used solely to counterbalance the claims of the Palestinians."<sup>191</sup> He also wrote to WOJAC's leadership in 1999, sharply

charging that “WOJAC has been pretending to act under the false pretenses of acting for the benefit of Jews from Arab countries, whereas, in fact, it was only a tool in the hands of the Israel Government.” He proceeded to insist: “(1) That the Jews from Arab countries have a right to claim a share in the wealth of their country of origin, and this fact should not be forgotten when dealing with a set of Palestinian claims; (2) That Jews from Arab countries who did not settle in Israel must reserve their right to receive adequate compensations from their countries of origin.”<sup>192</sup>

Dangoor pressed his case that the Israeli government was merely using the claims of former Arab Jews for its own diplomatic and domestic political use. After the Camp David II summit in 2000, in which the idea of an international fund to pay out both Jewish and Palestinian claims was floated, Dangoor wrote that Israel would now use the prospect of compensation as an electoral ploy by the Labor government of Prime Minister Ehud Barak to gain Mizrahi/Sephardic votes:

Now the cat is out of the cellophane bag. If the compensation is forthcoming, it could help the Israeli government sell a peace package to voters of Middle Eastern and North African origin, who are a slight majority among Israelis. They are also largely right-wing and usually suspicious of prospective agreements with Arabs. “It will be very important,” says Justice Minister Yossi Beilin. “It could help people accept the agreement. It would be something tangible. . . .” It is clear, therefore, that the promise of compensation is no more than a carrot, a bribe, dangled in front of Mizrahi Jews to enable them to swallow the bitter pill of the peace process now being negotiated, after which the Arabs will keep asking for more and more.<sup>193</sup>

When confronted with the proposition that the Israelis were entitled to use the claims because they had paid huge sums of money absorbing and settling tens of thousands of immigrants from the Arab world in Israel, Dangoor responded, “They certainly didn’t spend billions on me.”<sup>194</sup>

A second dissenter was Heskell Haddad. Another Iraqi, he was born in Baghdad as Hasqayl Masha’allah Haddad in 1930 and left Iraq in 1950. After a brief spell in Israel from 1950 to 1953, where he obtained his medical degree from The Hebrew University of Jerusalem in 1953, he immigrated to the United States. A senior member of the group, he, too, objected to WOJAC’s close identification with Israel’s policy of linkage, for much the



same reason as Dangoor's: Israel could bargain away the rights of its own citizens, but what about the property claims of Jews who live in other countries? At WOJAC's December 1993 annual convention in Tel Aviv, Haddad told his fellow delegates: "We have a problem that there are close to one million Jews from Arab countries that live outside of the State of Israel . . . some of them came to Israel and then left the country, giving up their Israeli citizenship. Others went directly—like the Algerians, who all went to France. These people also have rights, and the State of Israel cannot control this issue."<sup>195</sup> In 1999 he repeated his argument: "[Israel] has no legal right to represent Jews from Arab countries living outside Israel, no legal right to link their claims to those of the Palestinians."<sup>196</sup> Haddad wanted compensation, and it should come from the Arab states involved: "They owe us a debt. They should be made to pay it. They shouldn't be let off the hook because Israel wants to make peace with the Palestinians in a hurry."<sup>197</sup>

Dissent from the position of linkage manifested itself in other forms as well. Some high-profile WOJAC leaders broke ranks and met with Arab leaders. In January 1978 Egyptian President Anwar Sadat invited WOJAC cochair Tamman to visit Cairo and address Egyptian students while he was visiting Egypt for business purposes. This was during the period in which Israel and Egypt were forging a peace treaty. Tamman accepted. In June 1978 Sadat invited Haddad to his home in Isma'iliyya. It was to be a fateful meeting for Haddad. Earlier that April, when Sadat had been in the United States, he stated that he would be happy to meet with any Jewish leader. Haddad then received a telephone call from Ashraf Ghorbal, Egypt's ambassador to Washington, inviting him to meet with Sadat when the latter would be in New York. In the end, bad weather prevented the meeting from occurring. Two months later, when Haddad was traveling in Asia, he was again invited to meet with Sadat, this time in Egypt. He agreed, but on the condition that he would be meeting Sadat as an American citizen. Haddad first flew to Israel for consultations. According to him, Ben Porat telephoned him and complained that if anyone from WOJAC was going to meet with Sadat, it should be Ben Porat himself. Haddad then met with Prime Minister Menachem Begin, who urged him not to go to Egypt.<sup>198</sup>

Haddad went anyway. At his meeting with Sadat in Isma'iliyya, which Haddad insisted be conducted in English and not Arabic, Haddad described to the Egyptian leader the history of Jews from Arab countries. He also told Sadat, in reference to the Israeli negotiators of Ashkenazic descent



with whom Egypt was holding talks, “You are only negotiating with half of Israel”—given that Mizrahi/Sephardic Jews made up one-half of Israel’s population. Sadat complained that the Israelis had not included any Arabic speakers in their delegation. Haddad then urged Sadat to recognize that the Jews from Arab countries have rights. Sadat replied, “I can’t. If I do, I won’t see the light of day.” While conceding the abuse of Jews in Iraq, he insisted that they had not been mistreated in Egypt, a statement to which Haddad objected.<sup>199</sup>

Although Haddad claimed he had not met with Sadat to discuss Egyptian compensation to Jews who had property claims against the country, but rather merely to discuss Middle Eastern and North African Jewish rights in general, his fellow WOJAC executive members voted to reprimand him in June 1978. Haddad claimed that the real reason WOJAC sanctioned him was Ben Porat’s jealousy over the fact that Haddad, not he, had met with Sadat.<sup>200</sup> The body eventually formally sanctioned him as well for deviating from WOJAC’s overall goals.<sup>201</sup>

A third major WOJAC dissenter, Rome-based Raffaello Fellah, carried out a similar, unilateral compensation mission years later. Fellah, who was born in 1935 in Tripoli, Libya, and left in 1967, had helped established the Association of the Jews of Libya in late 1970 with the goal of seeking compensation for property nationalized by the Libyan government in 1970 (see chapter 1). Fellah long has campaigned for compensation from Libya outside any connection with Israel. At the First International Convention of Jews from Libya, which the association held in New York in June 1987, Fellah said, “We come to ask, in a calm and dignified fashion, only what is due us—indeed what the Libyan government promised us by law. We would hope that it will deal with our claims in a fair and just manner.”<sup>202</sup> The convention also laid the seeds for formation of the International Commission for Claims of Jews from Libya, Inc. The commission was constituted on October 29, 1987, and registered in the State of New York by the Association of the Jews of Libya with assistance from the AJC and the Anti-Defamation League.<sup>203</sup>

In February 1993 Fellah met with Libyan leader Mu‘ammar al-Qadhafi to discuss Jewish compensation. Qadhafi reportedly proposed establishing a joint commission involving the Libyan government and former Libyan Jews in Italy to discuss this idea.<sup>204</sup> Fellah has continued pursuing Libyan compensation separate from any Israeli deal with the Palestinians and has stated that Qadhafi has given him permission to rebuild

the old Jewish Quarter of Tripoli.<sup>205</sup> He has said that he intends to invest any compensation funds received from Arab governments in building “safe zones”—joint Israeli-Arab economic development zones—along Israel’s borders to further joint economic and security cooperation. “Reparations will be the [stimulant] for coexistence,” Fellah noted in 2003.<sup>206</sup>

But in July 1993 WOJAC head Ben ‘Ozer angrily denounced Fellah’s meeting with Qadhdhafi, reiterating the position that WOJAC must accept linkage as part of its wider mission to support Israeli diplomatic efforts in the peace process:

It cannot be that a member of the organization can undertake political activity on his own initiative with no prior coordination, especially when the issue in question is so central to WOJAC’s work—that is, compensation for the Jewish property which was left in the Arab countries . . . the principle that has guided WOJAC since the beginning of its work—and this was the main issue—is the future security of the State of Israel, without which the Jewish people has no future, . . . Peace treaties . . . must be promoted before dealing with any other issue.<sup>207</sup>

Another controversial subject that arose within WOJAC was the question of whether Jews who left Arab countries should be considered “refugees.” In many ways this issue went to the heart of some of the tensions between Mizrahi/Sephardic and Ashkenazic Jews in Israel. Why did the Jews from the Arab world come to Israel? Was it because they were Zionists seeking to live an authentic Jewish life in the new Hebrew state? Was it because they fled difficult circumstances in the lands of their birth, the so-called Zionism of distress? Or, as some would claim, were they actually expelled by the Arab states? Or could it be a combination of these factors? Why did this matter at all? For some Jews from the Middle East and North Africa, the suggestion that they came to Palestine (or, after 1948, Israel) as “refugees” belittled their commitment to the Zionist ideal. Yet for others, the only reason they came was the dire circumstances in their homelands. Still others said that calling them “refugees” could prove to be useful in deflecting Palestinian refugee claims. The Arab world insisted upon the Palestinians’ right to return to their homes in Israel because they were refugees. Calling these Jews refugees was an ancillary argument of the population exchange thesis: there were Jewish refugees too. They could say that the Arab world

took in the Palestinian refugees from Israel, while Israel absorbed Jewish refugees from the Arab world.

Going one step further, it then could be argued that the Arab world absorbed the property of the Jews who left, while Israel absorbed the Palestinian refugees' property. In the end, it was an even exchange. Ya'akov Meron, who headed the Israeli Justice Ministry's office on Jewish property in the Arab world for many years starting in 1969, proposed just such a diplomatic trick to the Foreign Ministry in the 1970s. He suggested that Shlomo Hillel be part of any future Israeli-Palestinian peace talks. Born in Iraq in 1923, Hillel came to Palestine in 1933 and along with Ben Porat was a key figure in the mass immigration of Iraqi Jews in 1950–1951. If a Palestinian negotiator mentioned, for example, that he was a refugee from Haifa, Hillel could fire back, "*Ablan wa sablan* [Arabic: welcome], I am a refugee from Baghdad."<sup>208</sup> Interestingly, Hillel himself refused to consider himself a "refugee" (see below).

The privations experienced by many Jewish emigrants from the Arab world were another factor that some cited in defense of the refugee argument. The Arabs always point to the plight of the Palestinians in their refugee camps, the argument went. Did not Jewish immigrants from the Middle East and North Africa also arrive in Israel to find themselves housed in camps? Once again, the point was to demonstrate that it was not only the Palestinians who suffered. As a participant in a joint seminar held in 1976 by WOJAC and the Israeli Ministry of Foreign Affairs' Information Center said: "Only those who have experienced transit camps . . . and those who saw the conditions in the transit camps from their outset . . . can imagine and know that they were no different from the conditions in the Arab refugee camps. That means the same conditions, the same troubles in the camps."<sup>209</sup>

The refugee question was the subject of discussion in Israel long before WOJAC's establishment. Ben Gurion told American Ambassador to Israel Walworth Barbour in April 1963 that the UN resolutions on "refugees" applied to those Jews who left Arab countries as well as to Palestinians, although the State Department disagreed.<sup>210</sup> The Mizrahim-as-refugees equation also was a source of debate among Jewish immigrants from the Arab world themselves before WOJAC came along. Yisra'el Yeshayahu was born in Yemen in 1908, immigrated to Palestine in 1929, and became a politician after the establishment of the state in 1948. When he was Speaker of the Knesset in May 1975 as a member of the Labor Alignment, he decried

the notion that he had arrived forty-six years earlier as a refugee. For him, the reason for his decision to move to Palestine before the establishment of the state, and before the large-scale immigration of Yemeni Jews in 1949–1950, was his commitment to Zionism: “We did not want to call ourselves refugees. We came to this country before the establishment of the state, too. . . . We had messianic aspirations . . . we wanted to see the building of the Temple. . . . We wanted to restore our days as of old.”<sup>211</sup>

Another politician in Israel who expressed her concerns was Mathilda Guez. Born in Tunisia in 1918, she immigrated to Israel in 1957. For her, the refugee argument presented a potential threat to her ability to convince other Jews living outside Israel to immigrate and take part in the Zionist venture as she had done. She stated in June 1975: “I am afraid of [taking] a certain direction that could trip us up. . . . There are another 12 million Jews dispersed in the diaspora. If we appear as refugees, how can we go before them and talk about immigration based on the Zionist idea. . . . Do I have to deny my Zionism today because of my rights to Tunisia? Absolutely not. . . . So I do not want us to blur the issue.”<sup>212</sup>

Ben Porat himself also had pondered the refugee argument prior to the establishment of WOJAC. In June 1975 he outlined the dilemma and offered his succinct thoughts about the diplomatic importance of claiming that the emigrants from the Arab world were refugees:

We must not say that the Jews immigrated to Israel only on account of the suppression [in the Arab world]. . . . But on the other hand, we must also not say that it was only on account of the yearning for Israel. Jews immigrated to Israel, so both of those elements played a part in their immigration to Israel. We must ground it historically . . . that the Jews arrived in Israel as refugees . . . went through the agonies of absorption. . . . We want to ground it in documentation, how the Jews who arrived in Israel, how they lived in transit camps . . . in order to prove that it was not only the Arab refugees who lived in camps, as they describe it, but that our Jews [also] suffered greatly.<sup>213</sup>

Early in its existence, WOJAC tackled the thorny question. At its March 1976 meeting, the WOJAC executive discussed the agenda item entitled “Setting the Ideological Campaign.” Specifically, the agenda read: “A decision must be made regarding the definition of whether they left the Arab

countries as displaced persons, refugees, or by force of yearning for Zion.” Ben Porat reaffirmed the need to play the refugee card, or at least a modified version of it. He insisted: “No one will persuade me . . . that if I had given them the choice of coming with a proper passport, [and coming] whenever [they] wanted with their property, that 120,000 would have come from Iraq or that all the Jews of Egypt would have come. . . . The persecutions played a part here. They definitely expanded the matter . . . gave rise to the question of the yearning [to come].”<sup>214</sup> Shim‘on Avizemer, of Yemeni origin, cautioned, “When we say refugees, that might conflict with the theme of the organization. So what do they want from the Land of Israel? Refugees can go anywhere. . . . Let us forget about the motive for the departure.”<sup>215</sup> Shlomo Hillel completely disagreed with Ben Porat, asserting, “I do not regard the exodus of Jews from Arab countries as refugees. I do not accept this. The Jews in the Arab countries came because they wanted to come.”<sup>216</sup>

Heskel Haddad long refused Hillel’s argument. For him, he and his fellow Iraqis came to Israel because they were forced to. Referring to those within the Israeli government who hesitated to use the term “refugees,” Haddad told an Israeli journalist in 2005:

They wanted to believe that Jews left Arab countries and came to Israel because they were Zionists. But that isn’t true. In Paris in 1976 [*sic*], I spoke to the 600 delegates at WOJAC’s first conference. I asked them who would have left their home and come to Israel for ideological reasons. Not a single person raised their hand. We were Zionists for 2,000 years, of course. It was in Babylon that we wrote, “If I forget thee, Jerusalem, may my right hand forget its cunning.” But the Iraqi Jewish community at that time was the richest in the world. Why would anyone go to Israel and leave all of their property behind? It wasn’t Zionism. The Arab League colluded to expel all of the Jews. We left because we were forced out, and we are refugees, just as the Palestinians are.<sup>217</sup>

The controversy did not rest simply within WOJAC. Ben Porat admitted that some in the Israeli government were hesitant about the Mizrahim-as-refugees argument because it might actually strengthen and reinforce Palestinian demands vis-à-vis Israel. Shortly after WOJAC’s establishment, he noted in February 1976, “I will not say that I met with any great en-

thusiasm from the Foreign Ministry or from the government concerning the proposal. Their reply was: It is a two-edged sword.<sup>218</sup> That summer, a Foreign Ministry official voiced concern about WOJAC at a meeting of the Conference of Presidents of Major American Jewish Organizations in Jerusalem. He said:

I must discharge a difficult and unpleasant duty. I wish to make it clear that the Foreign Ministry had doubts about the World Organization of Jews from Arab Countries . . . the demand by the Jews from Arab countries to receive part of the resources of those countries invites the PLO to put forward a similar counter-claim against Israel. . . . [WOJAC] is inclined to think that [it is] not only a counterweight to the PLO but also a separate entity parallel to the PLO.<sup>219</sup>

Some in WOJAC were worried about this negative reaction and urged the organization to reaffirm to the Israeli government its intention to act on behalf of, and in tandem with, Israel's wider diplomatic stances. Mathilda Guez said, "It should be made clear to the Foreign Ministry that the organization was established as an instrument for the State of Israel." Ora Schweitzer wanted to avoid complications with the Israeli government because WOJAC was "a tool of the state, with the Foreign Ministry as the chief authority."<sup>220</sup>

From 1977 to 1978 the Israeli Foreign Ministry's concerns about WOJAC abated as the two sides appeared to smooth out the rough edges in their relationship. In fact, Ben Porat, who was part of the Foreign Ministry's delegation to the United Nations at the time, addressed the General Assembly in December 1977 on the question, "Who Is a Refugee in the Middle East?" On March 23, 1978, the ministry sent a letter to fourteen Israeli ambassadors proposing that in their discussions with foreign diplomats they bring up the population exchange thesis in support of Israeli positions:

We are bound by the recent political and informational developments to redouble our efforts in order to heighten the awareness of public opinion in the West regarding the historical experience of the Jewish Communities as a protected people under Arab-Islamic rule in their lands of dispersion. . . . There is an important constituent in our argumentation which only a minority of the Jewish public is aware of and is almost unknown to the general public, and that is the fact that

the Jewish Communities in Arab countries have acquired rights by dint of their permanent sojourn (in those lands) from the days of the Assyrian and Babylonian Exiles until the appearance of Zionism and the establishment of the State.<sup>221</sup>

Support for the refugee thesis also existed within the Justice Ministry, as evidenced by Justice Minister Hayyim Tsadok's "Statement of Policy" to the Knesset on January 12, 1976:

Our position is that when [United Nations] Security Council Resolution 242 speaks of a "just settlement of the refugee problem" these words relate both to the problem of the Arab refugees who left the territory of Israel during [the] 1948 war and to the problem of Jewish refugees who left the Arab countries, and in their extent, both problems are of similar dimensions.<sup>222</sup>

Thus all seemed well in the relationship between WOJAC and the Israeli government by the late 1970s, although some Israeli politicians still expressed reservations. Speaking in the Knesset in 1987, Foreign Minister Shimon Peres still argued that most Jews from the Arab states came to Israel out of an instinctual sense of Zionism, a "Messianic yearning," not because they were refugees:

I feel a little uncomfortable with the phrase "Jewish refugees from Arab countries," for despite, or perhaps because of the discrimination in Arab states, there was an aliya movement, based on Messianic yearning. This accounts for most of the immigrants, in my opinion. The Jews of Yemen, the Jews of Iraq. . . . We in Israel are proud of the positive aliya of Jews from Arab countries to Israel. Because of Messianic yearning, because of natural Zionism, because of their loyalty to the physical and spiritual life of the Jewish people and participation in its ingathering, they are in our eyes not refugees but "olim" [immigrants].<sup>223</sup>

Peres continued to express his concerns about the refugee argument, particularly because he feared that the Palestinians' demand for compensation might even be strengthened, by analogy, by demands for compensation from the Arab states. Haddad told the December 1993 WOJAC convention



in Tel Aviv about conversations he had had with Peres and others about just such a fear. Even though he believed in non-Israeli Jews from the Arab world being able to demand their rights, he reported:

As a person living in the Diaspora, I want to point out the dangers of raising the arguments and rights of Jews who do not live in Israel. This was brought to my attention by [Labor party politicians] Shimon Peres and Yossi Beilin in private conversations, and also by [Foreign Affairs Ministry officials] Yossi Hadas and Moshe Raviv in very private conversations. They are scared that our persistence regarding the Diaspora issue could open a Pandora's Box that would allow all Palestinians living out of the country to make similar claims.<sup>224</sup>

Of course, Palestinians already had been making such claims long before WOJAC, and in fact WOJAC's arguments arose precisely to combat them. Despite the ongoing concerns of certain sections of the Israeli diplomatic establishment, the Mizrahim-as-refugees argument had become a major component in Israel's diplomatic arsenal by the time of serious Israeli-Palestinian negotiations starting in the 1990s, as is discussed below and in chapter 3.

Some advocated an even more forceful version of the refugee thesis: Jews did not just leave Arab countries because of persecution, they actually were expelled. This argument arose even though some Arab states, such as Syria, tried hard *not* to let Jews leave the country. The intellectual champion of this idea was Ya'akov Meron, the expert on law in Islamic countries who headed the unit on Jewish property claims against Arab countries in the Israeli Justice Ministry. He also was involved with WOJAC and wrote *The "Complicating" Element of the Arab-Israeli Conflict* in 1977. In it, Meron claimed that the Jews of the Arab world were expelled according to a premeditated, coordinated Arab plan—a "plan of liquidation prepared by the Arab governments," a "premeditated policy aimed at expelling the Jews from the Arab countries"—that predated the 1948 war: "Far from being a spontaneous reaction to any unpredictable event, the Iraqi Government was merely implementing a well premeditated policy, officially proclaimed four months before the flight of the Arab (and Jewish) refugees from the theatres of war in Palestine."<sup>225</sup> In a September 1995 article, Meron chastised the Israeli "establishment" for "glossing" over the stark nature of the expulsion of Jews in order to strengthen the Zionist saga of these communities'



redemption from exile: “On the Israeli side, the establishment did little to break the silence about the dire circumstances of the Jewish exodus from Arab countries. Quite the contrary, the romantic ‘magic carpet’ image for the migration from Yemen and the ‘Ezra and Nehemiah Operation’ name attached to the Iraqi migration stress the positive, glossing over the unhappy circumstances of the Arab expulsions.”<sup>226</sup>

Meron also believed that arguing that the Jews were expelled from the Arab world would serve Israeli diplomatic needs in parrying Palestinian demands. The two sides are equal, he argued: refugees for refugees; pain and suffering for pain and suffering. Israel and the Palestinians should just call it even and leave things as they are. Israel was ready to do this; the best solution for a peaceful settlement to the conflict would come when the Arab world realized this, too, and dropped its insistence upon Palestinian claims of return and compensation and/or restitution. Meron stated this clearly in his 1995 article:

A recognition of the full wrong done to the Jews of the Arab countries should put to rest Palestinian claims for restitution by Israel. . . . In coming to Israel, then, these Jews brought with them certain rights. This information not only straightens out the sequence of events fifty years ago but it refutes exorbitant claims made in the name of Palestinians. A recognition of the true nature of those events represents the best chance for a swift resolution of the Palestinian refugee question today. With so many issues that will have a lasting effect on the future of their populations awaiting the attention of Israeli and Palestinian negotiators, this is one case where the two sides would do well to let history stand and call it even.<sup>227</sup>

WOJAC continued its activities into the 1980s. In October 1987 it held its third international convention, in Washington, DC. In a resolution adopted at the meeting, President of the Conference of Presidents of Major American Jewish Organizations (CPMAJO) Morris Abram stated, “From now on the legal rights and demands of Jews from Arab countries will be at the top of the list of priorities of Jewish Organizations in America.”<sup>228</sup> At the same time as its convention, WOJAC also established the Tribunal Relating to Claims of Jews from Arab Lands, also known as the Goldberg Tribunal, to investigate Jewish grievances against Arab countries. The tribunal was to be a public, international commission of inquiry into the mat-

ter. WOJAC set it up with former U.S. Supreme Court Justice Arthur J. Goldberg and Canadian jurist Irwin Cotler as cochairs, although in the end only Goldberg was able to attend the one-day hearings in Washington, DC, on October 27, 1987. Goldberg heard statements by the CPMAJO's Abram, and Shimon Shetreet, professor of law at The Hebrew University of Jerusalem, along with the testimony of four witnesses.

In his findings, Goldberg declared that Jews from the Arab world could indeed be classified as refugees; that UN Security Council Resolution 242 of November 22, 1967, referred to all refugees in the region, not just Palestinians; and that a final peaceful settlement to the Arab-Israeli conflict should include a mutual claims commission.<sup>229</sup> Interestingly, Goldberg—who was one of the main architects of Resolution 242—published an article one year later in which he was much more circumspect about which refugees Resolution 242 was referring to. In it, he noted, “The resolution addresses the objective of ‘achieving a just settlement of the refugee problem.’ This language *presumably* [emphasis added] refers both to Arab and Jewish refugees, for about an equal number of each abandoned their homes as a result of the several wars.”<sup>230</sup>

In addition to its other campaigns, in 1992 WOJAC also undertook to register Jewish property losses in the Arab world. In the end, however, all it managed to produce was a draft letter seeking information about such losses from Jews around the world. The WOJAC executive ended up calling off the endeavor because it wanted to keep details on property losses vague so as not to “show their hand” to the Palestinians.<sup>231</sup> It later did work to register losses and in fact joined in a campaign to do so starting in 2002. In 1996 WOJAC examined whether to try to bring a class action lawsuit aimed at Iraqi government funds that had been frozen in Europe and the United States after the Iraqi invasion of Kuwait in 1990.<sup>232</sup>

## Israel's Peace Treaties with Egypt and Jordan

Israel's policy of linkage long had been premised on using Jewish claims during future peace talks with Arab states. This possibility, which had seemed so remote during the 1950s and 1960s, became a concrete reality in 1979, and again in 1994. After decades of warfare, Israel signed peace treaties with two of its Arab enemies, Egypt and Jordan. Jews in Israel had owned property in both countries prior to 1948, and the treaties that were

signed in both cases created frameworks by which Israel finally could pursue claims for compensation and/or restitution. Yet in both cases, Israel did not pursue such claims actively. Why? The answer was that the Israeli government's ultimate goal was not trying to secure compensation for its citizens, but keeping the Jewish claims as ammunition for use against Palestinian refugee demands during yet-to-be-convened final peace talks with the Palestine Liberation Organization (PLO).

Peace talks between Israel and the Arab world seemed a distant dream during the decades of cold war punctuated by periods of open hostilities from 1948 until 1973. Yet this changed when American diplomat Henry Kissinger's famous shuttle diplomacy between Jerusalem and Damascus, and Jerusalem and Cairo, in the months after the October 1973 Arab-Israeli War restarted serious Arab-Israeli talks. The Geneva Conference of December 1973 and early January 1974, the Israeli-Egyptian and Israel-Syrian disengagement agreements of January and May 1974, respectively, and the Israeli-Egyptian Sinai Interim Agreement of September 1975 represented the first tenuous steps that would lead to a full-fledged peace treaty between Israel and two of its Arab neighbors. Egyptian President Anwar Sadat's dramatic statement to the Egyptian parliament on November 9, 1977, that he even would go to Israel itself in pursuit of peace was quickly followed by Israeli Prime Minister Menachem Begin's formal invitation for the Egyptian leader to visit Jerusalem. This set in motion a process that saw a treaty eventually concluded. Before that, though, it also spurred almost immediate discussions in Israel about the place Jewish property claims would occupy in the context of Israeli-Egyptian peacemaking.

Four days after Begin invited Sadat to visit Israel, Knesset member Moshe Shahal brought up the question of linkage before his fellow parliamentarians. Born in Iraq in 1934, he came to Israel in 1950 during the mass immigration. Shahal would become the chair of the WOJAC presidium in 2000. He told his Knesset colleagues on November 15, 1977, "But, before the peace talks, the Israel government must demand that the Government of Egypt release from Egyptian banks the deposits left there by the Jews in Egypt."<sup>233</sup> Not forgetting non-Egyptian Jews either, Shahal noted:

Egypt has introduced the claims of third parties [i.e., Palestinians] into the framework of the peace negotiations. Israel must also include the problems of a third party—that of the Jews from Arab countries, who are not Egyptian Jews, whether they are in Israel or not. If Egypt

sees it as her duty, her basic duty, according to the words of her president, to present the problem of the rights of the Palestinian refugees, who, as is known, are not Egyptian citizens—then it is the right and duty of Israel to present a parallel and similar claim in the name of all the Jews from Arab countries.<sup>234</sup>

Foreign Minister Moshe Dayan responded by saying that the Israeli government was aware of the claims, and that it earlier had insisted that the Americans incorporate language on them in the October 5, 1977, joint American-Israeli working paper.

Sadat ended up traveling to Israel on November 19, 1977. Israeli-Egyptian talks crawled along thereafter until the September 1978 Camp David summit that saw President Jimmy Carter host Begin and Sadat at the presidential retreat in Maryland. These negotiations produced the Camp David Accords, which led to an actual peace treaty between Israel and Egypt the following year. Israelis with an interest in Jewish property claims against Egypt were active both on the public front and behind the diplomatic scenes. The Israeli delegation negotiating the peace treaty included WOJAC figure and Advisor for Legal Matters in Arab Countries for the Israeli Justice Ministry, Ya'akov Meron. Beyond that, WOJAC's Israel executive decided in 1978 to establish a special committee to deal with all matters relating to Jews from Egypt. WOJAC Israel executive member Lebech Mishory, who was born in Alexandria, Egypt, in 1923 and moved to Israel in 1949, was to head the committee.<sup>235</sup>

The first-ever peace treaty between Israel and an Arab state, signed between Egypt and Israel in Washington, DC, on March 26, 1979, finally allowed for the possibility that the Israeli government, or, on their own, former Egyptian Jews in Israel, could pursue claims for lost Jewish property in the land of the Nile. Article 8 of the treaty created a mutual claims commission by which both countries could pursue financial claims against one another. Israelis originally from Arab countries were quick to inquire of the Israeli government if it intended to pursue Egyptian Jewish property claims. Veteran politician Shlomo Hillel even asked Prime Minister Begin this question directly on the floor of the Knesset in 1979. Begin replied that the treaty established a claims committee, and “[w]hen the day comes, we will submit our claim for the return of illegally taken property.”<sup>236</sup>

Hillel was not alone in questioning what the government intended to do with the claims now that the peace treaty presented the opportunity for

redress of Jewish property grievances. Shlomo Kohen-Tsidon had waited a long time for the day when Egyptian claims could be pursued. Born in Alexandria in 1923, he immigrated to Israel in 1949. As vice president of the Association of Egyptian Immigrants in 1957, he was instrumental in prompting the Israeli government to establish the public commission in March of that year to register Egyptian Jewish property losses. But Kohen-Tsidon went further and demanded that the government itself pay compensation to Egyptian immigrants, including for the value of Egyptian property in Israel that had been confiscated in 1948. In early 1960 Kohen-Tsidon actually filed suit against the government to receive a share of its value, but he dropped the suit after the government promised not to forget the Egyptian immigrants' property rights.<sup>237</sup>

Twenty years later, in February 1980, Kohen-Tsidon wrote to Begin insisting that the government was now responsible for paying compensation inasmuch as it could pursue the matter through the claims committee created by the peace treaty. Deputy Director of the Foreign Ministry Elyakim Rubinstein responded to the letter, stating that it would be possible for Israel to raise these claims once the mutual claims committee actually had been established, but he objected to Kohen-Tsidon's logic that the government must pay out compensation claims to former Egyptians in Israel in the meantime.<sup>238</sup>

The Israeli government never did use the claims commission to raise the subject of Jewish property in Egypt. According to some sources, Israel's only real action on behalf of Jewish claims concerned the claim of one person, Yosef Wahava, an Israeli in Haifa who claimed a villa in Cairo. Wahava sought redress through the Israeli High Court of Justice, trying to force the government to intercede with the Egyptian authorities on his behalf. As a result, the Israeli ambassador in Cairo met with the legal advisor of the Egyptian Foreign Ministry to discuss the case. They apparently decided that there was nothing special to merit dealing with Wahava's case on such a high, government-to-government level differently from those of any other former Egyptian Jews.<sup>239</sup>

Considering that at long last Israel could pursue such claims, why did it not choose to do so? Some have argued that Israel feared Egyptian counterclaims for the value of the oil Israel pumped out of oil fields in the Sinai during its occupation of the area from 1967 to 1975.<sup>240</sup> But another, more basic answer is linkage: the government wanted to "save" Egyptian Jewish claims for use in parrying Palestinian refugee property claims during future

negotiations. In July 2000 Elyakim Rubinstein, then an Israeli negotiator, confirmed this when asked by Palestinian negotiators at the Camp David II summit why Israel had not broached this subject twenty years earlier with the Egyptians. Rubinstein responded, “We decided to keep this subject for the talks on the Palestinian refugees.”<sup>241</sup>

In the face of the Israeli refusal to champion their claims, or because they believed that direct action better suits their claims, some former Egyptian Jews took matters into their own hands. Some who were in Israel hired lawyers, who in turn nominated Egyptian lawyers to work on the cases for them.<sup>242</sup> Former Egyptian Jews who were not Israelis also took legal action. Relatives of one such aggrieved landowner brought suit in an Egyptian court for restitution of the famous Cecil Hotel in Alexandria. Their ancestor, Albert Metzger, was a British subject from a family that originally was from the Alsace-Lorraine region of France. Metzger was expelled by the Egyptian government in 1957, and his hotel, which was built in 1929, was nationalized in 1962. The Egyptian government paid £E86,980 (about \$29,000 in 1962 dollars) into an escrow account for Metzger. The hotel eventually was owned by the Egoth Hotel chain, itself owned by the Egyptian government.

In the 1970s Metzger’s British daughter-in-law, Patricia, joined her children in suing the Egyptian government for restitution before an Egyptian court. The court ruled in 1978 that the Metzger family was in fact entitled to the land, which by then was worth about £E1 million (about \$33 million in 1978 dollars), in return for the £E86,980 (Egyptian law does not allow for indexing). In 1996 the Metzgers won again. The state appealed the decision, but it was upheld by the Court of Cassation in April 2000.<sup>243</sup> In mid-2007 the Metzgers and the Egyptian government finally made a deal. The government restituted the hotel to the family, which then sold it to the Egyptian government’s tourism holding company, Hotac, for an undisclosed amount. The family also managed to retrieve a few of Albert Metzger’s personal items still in the hotel.<sup>244</sup>

A former Egyptian Jew in Canada began what came to be over two decades of legal action to retrieve property taken from his family in 1962. However, he did not use Egyptian or Canadian courts, but rather American courts. Refael Bigio’s family were Jews who moved to Egypt from Aleppo in the early twentieth century. His grandfather, Raphael Nessim Bigio, owned land in Cairo’s Heliopolis region and began leasing the land to the Coca-Cola Company in the 1930s. The government nationalized the property, by then

controlled by Bigio's father, Josias Bigio, as part of President Jamal 'Abd al-Nasir's (Gamal Abdel Nasser) socialist decrees in 1962. The family left Egypt in 1965. Under the presidency of Anwar Sadat, the Ministry of Finance agreed to return the land to Bigio in 1979 but never did. The situation remained the same, and the Coca-Cola Company continued to lease the property from the Egyptian government until 1994, when it was allowed to buy a large part of the land for \$150 million. With that Bigio decided to try his luck with the American court system.<sup>245</sup>

Bigio and others in his family filed suit against the Coca-Cola Company and the Coca-Cola Export Company in April 1997 in the United States District Court for the Second District of New York. Bigio had filed suit under the Alien Tort Claims Law, a two-hundred-year-old American law that allows foreign nationals to seek damages for violations of international law in American courts. Arguing that the property was nationalized because they were Jews, and not simply as part of Nasir's socialist policies, the Bigios argued that Coca-Cola knowingly entered into the purchase of land that it knew had been confiscated wrongfully from them. They sought both compensatory and punitive damages. The court dismissed the case, citing lack of jurisdiction. But the case was remanded back to the court when the Bigios appealed the decision before the Appeals Court for the Second District of New York. When the lower court reviewed the case again, it dismissed it a second time in February 2005 on grounds of international comity and *forum non conveniens*, both of which are legal arguments stating that Egypt was the proper forum for court action in this matter.<sup>246</sup> However, the Bigios once again successfully appealed that decision before the appeals court, which in May 2006 remanded the case back to the original court yet again. Coca-Cola appealed to the United States Supreme Court to halt the case, but in March 2007 the court refused. The case continues at the time of writing.

The Wahava, Metzger, and Bigio cases represent important developments in the saga of Jewish property losses in the Arab world. In each case, Jews pressed for redress of property claims through legal action taken on their own—not by waiting for Israel to bring it up with the Egyptians, or the Palestinians, or any other party. Wahava took his case to the Israeli High Court of Justice, while the Metzger and Bigio families, as Jews living outside Israel, appealed to Egyptian and American courts. And in the latter two cases, the people in question managed to achieve a considerable degree of success, especially in the Metzger case. Were more Egyptian or other



Jews from the Arab world to follow in their footsteps, it is possible that they, too, could succeed in obtaining compensation or restitution for their property losses on their own.

In the wake of the October 1991 Madrid Conference and the September 1993 Oslo Accord signed by Israel and the PLO, Jordan and Israel signed the second peace treaty between Israel and an Arab state on October 26, 1994. Article 25 called for formation of a claims commission to investigate financial claims each side raised against the other. No Jews had lived in Jordan permanently since the country's creation in 1921, so there were no indigenous Jewish property claims to deal with in the context of the peace treaty. However, Jordan was in possession of Jewish property as a result of the 1948 war. Here was the second opportunity for Israel to press for resolution of pre-1948 Jewish property claims.

The most significant amount of such property in Jordan was the 6,000 dunums (1,500 acres) of land that had belonged to the Palestine Electric Corporation, title to which seems to have been transferred to the JNF.<sup>247</sup> Yet like with Egypt, the Israeli government never raised a claim with the Jordanian government. This was not for lack of publicity. In June 1994 a Jordanian newspaper ran a series of articles about Jordanian land that had been occupied by Israel after 1948, land that was to be returned as a result of the peace treaty. As part of that series, the PEC land was mentioned. Jordanian negotiator Munther Haddadin proudly noted that the Jordanian government still controlled the PEC land and the remains of its old electric plant, having left it just as it was after the 1948 fighting ended.<sup>248</sup> For its part, the JNF published a list of property in May 1997 that it claimed to own in Jordan. The list included 16,000 dunums northwest of Amman.<sup>249</sup>

Despite the publicity, however, the Israelis did not use the peace treaty and the establishment of diplomatic ties with the Hashemite kingdom to seek compensation or restitution for Jewish property in Jordan. Why was Israel reticent to bring up such claims? According to Marwan Muasher, who was Jordan's first ambassador to Israel, it may have been for fear that it could set a precedent for Jordanian citizens, especially Palestinian refugees, to reciprocate by demanding compensation for their land in Israel. Unlike Egypt, thousands of Jordanian citizens, mostly Palestinians but also some native East Bankers, had owned land in pre-1948 Palestine. Israel had confiscated this land as "absentee property" in 1948. If that were the case, Israel need not have worried, because Jordanian citizens quickly starting pressing for compensation anyway. The Jordanian government argued forcefully



that because the treaty ended the state of war between the two sides, Jordanian citizens no longer should be considered “absentees.” However, the Israelis went to great lengths to prevent Jordanians from seeking restitution or compensation for such land. Article 6b of the Law of Implementation of the Peace Treaty, passed by the Knesset on February 1, 1995, stated that Jordanian citizens who had been declared absentees prior to the peace treaty would remain classified as such.

Muasher sent a formal protest to the Israeli government in August 1995, claiming that the law violated article 11b of the treaty, which called on both sides to abolish discriminatory legislation. He also cited Article 25 of the peace treaty calling for creation of a claims commission. Muasher did not receive a reply from the Israeli government. Informally, however, he was told that Israel did not want to get into the matter of property claims until such time as it could engage in negotiations with the Palestinians. Muasher pressed on, countering that this was a bilateral Jordanian-Israeli matter, not one that should be saved for other bilateral or multilateral talks. When Israeli Foreign Minister Shimon Peres visited Jordan in October 1995, he requested of Crown Prince Hassan that Jordan stop bringing up the matter. In turn, Israel apparently never pressed for resolution of any Jewish claims against Jordan.<sup>250</sup> Once again, Israel’s policy of linkage had prevented any movement on Jewish claims against an Arab country.

## The Palestinian-Israeli Peace Process

The October 1991 Madrid Peace Conference, which the United States and the Soviet Union convened in the aftermath of the Gulf War, brought together Israel and the Arab states to discuss a peaceful end to the Arab-Israeli conflict for the first time in decades. Madrid set in motion bilateral Israeli-Palestinian talks that limped along for over a year. Yet it was the secret Israeli-PLO talks in Norway that led to a real diplomatic breakthrough. The dramatic Oslo Accord (formally the Declaration of Principles), signed in Washington, DC, by Israel and the PLO on September 13, 1993, changed the face of the Arab-Israeli conflict. Among other things, it set in motion an ongoing Israeli-Palestinian peace process that finally would try to resolve several so-called final status questions in preparation for an Israeli-Palestinian peace treaty and wider multilateral agreements. Among the most important, and vexing, of these final status issues was the question of the

Palestinian refugees from 1948. It was in discussing this matter with the Palestinians that Israel finally could employ its policy of linkage after decades of waiting. It certainly was willing to do precisely that. In 1993 Israeli negotiator Zalman Shoval summed up his government's policy succinctly: "Israel would agree to cancel the Jewish claims if the Palestinians would give up their compensation demands."<sup>251</sup> Presumably, Shoval and others expected that Jews originally from the Arab world would acquiesce in giving up their claims.

The Israeli-Palestinian peace process was fraught with problems, and final status talks, while technically opened in May 1996, did not really begin until September 1999. Israeli negotiators faced a huge problem, however: neither Israel nor any other party possessed detailed records or statistics on Jewish property losses in the Arab world, let alone concrete figures suitable for diplomatic use. Despite the passage of fifty years since the Jewish exodus from Arab countries began, and despite earlier efforts to record losses in the 1950s, the Israelis possessed a scant amount of information on these losses. As noted above, the Israeli Justice Ministry's office for this purpose in fact was closed down right at the time that the final status talks were beginning. To prepare for the talks, various Jewish parties decided to undertake an international campaign to register Jewish property losses in the Arab world.

In Israel, Avraham Hirschson, chair of the Knesset's Committee on Jewish Property Restitution, announced on January 12, 1999, that his committee had decided to create a national center for Middle Eastern and North African Jewish property registration in coordination with the WJC. The center also would try to collect data that the government and the JA already possessed on the topic. Nothing appears to have materialized as a result. In the United States, the American Sephardi Federation (ASF) also had been toying with the idea of collecting data on Jewish property losses in the Arab world about that same time. So was Jean-Claude Niddam (who left Morocco for Israel in 1976) of the Israeli Justice Ministry, the Israeli agency that had collected statistics on Jewish property losses in the Arab world from 1969 to 1999. The Justice Ministry and the ASF agreed that a registration campaign needed to be undertaken. The ASF began printing and distributing questionnaires about property losses and sent over 75,000 to Mizrahi/Sephardic communities around the world, including 30,000 to those in Israel, by mid-1999.<sup>252</sup>

The Israeli government of Prime Minister Binyamin Netanyahu also was concerned about its negotiators' lack of preparedness. It needed help,

but it wanted this help to come from a source outside the Israeli government itself. According to Israeli media reports, ASF President Leon Levy was contacted about this same time by Bobby Brown, Netanyahu's advisor on diaspora affairs. Brown called Levy after the government received reports that the Palestinians were collecting detailed information on their 1948 property losses in preparation for the talks.<sup>253</sup> Brown later stated, "We knew that this would be the time to put our claims on the table."<sup>254</sup> Levy agreed that the Palestinians were "way ahead of the Israelis in quantifying their losses. They've been going house to house in East Jerusalem with telephone books from before 1948, identifying exact locations of where Arabs lived."<sup>255</sup> Levy probably was referring to the computerized database on over 5,700 homes formerly owned by Palestinians in West Jerusalem that was undertaken out of Orient House in East Jerusalem by the Arab Studies Society starting in 1995.<sup>256</sup>

Why did the Israeli government turn to ASF and not WOJAC for help in this matter? The reason is that the government had all but written off WOJAC as a group that accomplished nothing and had withdrawn its financial support. Israeli journalist Itamar Levin cited a "diplomatic source" in Jerusalem who stated: "This organization does nothing. They exist only to exist. The entire budget goes to rent, travel and salaries, nothing is spent on any real activity. There are no receipts, no paperwork. In 1998, Israel's State Comptroller came down hard on the Ministry of Foreign Affairs for supporting WOJAC, and for this reason, support was withdrawn."<sup>257</sup>

Levin cites the 1999 State Comptroller's report as indicating that the Ministry of Foreign Affairs gave WOJAC NIS85,000 (\$24,638) in 1997 and NIS92,000 (\$24,210) in 1998.<sup>258</sup> The government refused to pay another subsidy for 1999, and WOJAC's General Assembly announced on July 14, 1999, that the organization would henceforth cease to exist.

With WOJAC out of the picture, Netanyahu's government found the partner it needed in the ASF. As a result of discussions with Brown, Levy and the ASF decided to join forces with the WJC, which obviously had considerable experience pursuing Jewish compensation claims, in expanding the questionnaire project that the ASF already had undertaken. Together they created a new initiative with a new name: the International Committee of Jews from Arab Lands (ICJAL). The WJC announced the beginning of the registration efforts on June 21, 1999. On June 24, 1999, the World Sephardi Federation, of which the ASF is a constituent member, also adopted a resolution in favor of the project at its annual meeting in Jerusalem.<sup>259</sup>

ICJAL's chief chairman was Amram Attias, who was born in the Atlas Mountains village of Midelt, Morocco, in 1939 and immigrated to Israel in 1963. Attias eventually moved to the United States, and the ICJAL maintained offices both there and in Israel. Attias was clear about the purpose of the campaign, which was not actually to receive compensation. "It's not to try to get any money, we have no hope, no expectation that we are going to get any money," he conceded.<sup>260</sup> Like WOJAC had done starting in the 1970s, the campaign was all about supporting Israel's policy of linkage, about using the property claims for Israel's diplomatic advantage vis-à-vis the Palestinians. Levy confirmed as much when he said: "Clearly no one believes the Arab countries will compensate their Jews, but that is not our prime objective. We must have a counter-claim to Palestinian claims, to serve Israel in negotiating a permanent settlement."<sup>261</sup>

ICJAL also sought to have Israel represent the interests of all aggrieved Middle Eastern and North African Jewish property owners, no matter where they lived. As Attias stated: "Our claim is simple. We want Israel to demand our property back in the negotiations. We are not against the Palestinians, but we consider them part of the Arab nation as they do themselves. They were driven out or left—and so were we. For each house they demand, a house of ours should be demanded. For each mosque, a synagogue. For each cemetery, a cemetery."<sup>262</sup>

Attias's insistence that the Palestinians were part of a wider Arab world with which Israel found itself in a state of war, and thus could not duck out of responsibility for what happened to Jews in Arab countries, also was vocally expressed by others, such as Shlomo Hillel. Hillel expressed a similar sentiment in 2001: "The Palestinians say: 'Why should we care about the Jews who left property behind in Iraq?' In the War of Independence, it was all the Arab countries, Iraq, Egypt, who took part in the war, so they can't very well say, 'We have nothing to do with it.'"<sup>263</sup>

ICJAL printed and distributed over 100,000 questionnaires to Mizrahi/Sephardic communities around the world. The committee met with Jewish organizations in Chile, France, Israel, and the United States to gain their help in distributing the forms. Syrian-Jewish Marc Mishaan served as co-chair. In Israel, Attias encountered some resistance from fellow Moroccans, who sometimes were reticent to write down the name of their native village on the form because they were ashamed of their humble origins. Eventually he secured the help of rabbis, who encouraged their followings to work with the ICJAL campaign. The ICJAL English-language questionnaires

stated that the data would be entered into an international data bank at the ASF Sephardic Wing of the Center for Jewish History in New York and be “available for researchers, historians, archivists and future generations.” According to Attias, the ICJAL received “plenty” of returned questionnaires from various countries. For example, Marcel Shekel sent his claim form by fax from Rishon Le’Tsiyon, Israel, claiming he left behind \$5 million in property in Marrakech, Morocco, when he emigrated in March 1961.<sup>264</sup> Despite the original claim that the questionnaires would be made available to the public, Attias pledged to a variety of parties not to reveal exactly how many he had received, nor what the amounts claimed were.<sup>265</sup>

The Israeli government tried to keep a low-profile relationship with ICJAL, as it initially had done with WOJAC. The government did not provide it with any funding, which was fine by Attias: he refused to accept funding from any outside source. Israel’s interest in the ICJAL campaign clearly stemmed from its hope that the program would assist it diplomatically without having Israel become directly involved itself. Forming a “public body” to do such work gave the government deniability and kept it safe from those Jews who might hold it accountable for the eventual payment of some kind of compensation. Such a strategy dated back to 1951 and the registration of the losses sustained by Iraqi immigrants.<sup>266</sup> Bobby Brown stated Israel’s objectives clearly and also admitted the reason for past Israeli government inaction on the property issue:

An injustice was committed to the Jews from Arab countries, and for 50 years we’ve been saying that it’s not the right time to deal with this issue. But in a month, or a year, we will be sitting with the Palestinians . . . and negotiating. The issue of restitution will come up. The Palestinians are going to say, “You owe us X-amount.” That’s the moment that the Jewish side must say, “There was a war. We also have claims. And these must act as a counterbalance.” We have to find a rough justice on both sides.<sup>267</sup>

A letter accompanying the Hebrew version of the claims form said much the same: “The data will serve as the basis for a counter-claim to the claims by Arabs in the final negotiations to be conducted in the future between Israel and Arab countries.”<sup>268</sup> David Bar-Illan, Netanyahu’s head of communications and director of policy planning, also noted, “If claims to Arab property are raised, then obviously Israel will have to counter them with

claims to property that is immeasurably greater.”<sup>269</sup> Even though the government strove not to appear directly involved in the ICJAL campaign, Attias nonetheless admitted maintaining constant contact with the Israeli Foreign Ministry and Prime Minister’s Office: “I met with officials in the prime minister’s office of both Benjamin Netanyahu and Ehud Barak and I see no difference between the attitude of the two governments to the issue. The government hasn’t said it would ask to offset our claims with those of the Palestinians but it hasn’t expressed any opposition to our activities either. We take that as encouragement.”<sup>270</sup> Attias has also credited the positive attitude of Iranian-born Israeli President Moshe Katsav toward the campaign, who, he said, “was absolutely marvelous.”<sup>271</sup>

The ICJAL wound down its activities in 2002. Two main developments contributed to this, according to Attias. The first was the Israeli government’s March 2002 decision to reopen the office within the Justice Ministry that had existed from 1969 to 1999 to collect data on Jewish property losses. ICJAL felt that the Israeli government would now take the lead role in the registration process and agreed to bow out. Second, the violence of the second (al-Aqsa) Intifada that erupted in late September 2000 had put the Israeli-Palestinian peace process in deep freeze, removing the need for quick action on the issue. The ICJAL handed over the completed claims forms it had received to that point to the Israeli Justice Ministry, to be added to its collection of pre-existing records on the subject.

In addition to supporting ICJAL, the WJC was involved in its own activities relating to the issue. In 2000 the WJC published a report on Jewish property losses in Arab countries that was written by Israeli journalist Itamar Levin.<sup>272</sup> He went on to publish a more extensive discussion of the topic in 2001.<sup>273</sup> Levin, noted for his writings on Holocaust-era property restitution efforts, based his study in part on archival research in Israel. Like ICJAL’s, Levin’s efforts were carried out to be of service to Israel’s diplomatic stance in negotiations with the Palestinians. In his 2001 book, he wrote:

The timing of this book is no accident. At the time this is being written, in April 2001, there is a good probability that the Palestinian authority, as they resume within the framework of negotiations with Israel for a permanent settlement, will demand compensation for properties confiscated from Palestinian refugees. This book presents decision makers and public opinion shapers with information on

Israel's counterdemands, as regards property belonging to Jews from the Arab states. As early as 1951, Israel stated that at such time when Palestinian claims were discussed, it would demand parallel talks regarding Jewish claims. This statement has never been retracted. This book is intended as a basis for discussion on the question of whether to maintain the aforementioned policy and, if so, which claims deserve to be put forth.<sup>274</sup>

For its part, WOJAC said that it had a file with 10,000 private property claims, with lawyers in New York and Tel Aviv working on the issue.<sup>275</sup> While crediting the JA for setting up a committee on such claims, WOJAC head 'Oved Ben 'Ozer claimed that the WJC had ignored its requests for assistance because it was too busy with European Holocaust-era claims.<sup>276</sup> In early 2001 WOJAC stated that it intended on starting its own campaign to register Jewish communal losses in the Arab world.<sup>277</sup>

It was at the Camp David II summit in the United States hosted by President Bill Clinton from July 11 to 25, 2000, that the Israeli government and the PLO first really discussed Palestinian refugee claims and the Jewish counterclaims in detail. Even just before the summit, a Foreign Ministry official conceded that Israel had not really taken the concept of linkage seriously prior to that. It “was a propagandist stance; this is reality,” the official noted.<sup>278</sup> The summit brought together Israeli Prime Minister Ehud Barak and PLO Chairman Yasir 'Arafat. At this crucial meeting, Israel changed its nearly fifty-year-old policy of linkage in an important way. Instead of talking about deducting the value of Jewish claims from what it would pay the Palestinians, it now advocated establishment of an international fund that would pay out claims to both sets of aggrieved parties. The idea was that international donors would contribute to the fund, which would pay out claims to individuals—not governments—that filed them. In a book he later wrote, Israeli negotiator Gilead Sher reproduced the internal Israeli draft of a “Framework Agreement on Permanent Status” that the negotiators used at Camp David. Article 6 of the document, which apparently had been discussed with the Palestinian negotiators, called for creation of an international commission and an international fund—the latter supervised by the international commission and the World Bank—for dealing with Palestinian refugee claims. In this document, Jewish claims against Arab countries were discussed. Item 82 in Article 6 stated, “The Parties agree that a just settlement of the Israeli-Arab conflict should settle the claims



by Jewish individuals and communities that left Arab countries or parts of Mandatory Palestine due to the 1948 war and its aftermath. An international mechanism affiliated with the above Commission and Fund will be established to deal with such claims.”<sup>279</sup>

A particularly important part of this Israeli strategy was to insist that all Jewish claims against the Arab world would have to be settled by this fund. No additional claims could be presented after the commission and the fund finished their work. Israel was very keen on such an “end of conflict” policy in order that the Palestinians, too, be obliged to file all refugee claims once and for all through the commission/fund. Thereafter, the door would be closed on additional claims. Sher noted, “. . . we [the Israeli team at Camp David] decided that Jews would have no more claims on assets that were left behind or that were taken from them in Arab countries or in the Palestinian territories in the 1948 war. This statement was important in order to illustrate and emphasize the end of conflict.”<sup>280</sup>

Israeli press reports asserted that the idea actually was generated by the Americans and was part of a plan that read, “an international organization will be established for the compensation and rehabilitation of refugees in their current location; Israel will participate in its financing.”<sup>281</sup> Clinton reportedly told Israeli negotiator Elyakim Rubinstein that such a fund might total \$10 billion or more.<sup>282</sup> Palestinian negotiator Mahmud ‘Abbas (Abu Mazin), later head of both the PLO and the Palestinian Authority, claimed that the Israeli side insisted that the money in the fund would be divided evenly between Palestinian and Jewish claimants.<sup>283</sup>

What motivated the Israelis to change the policy of linkage from one in which Israel would deduct the value of Jewish property from what it would pay to the Palestinians, to one in which claimants from all sides would petition for competition from a third party (an international fund) now that, at last, its negotiators were sitting down face-to-face with their Palestinian counterparts in serious talks about the refugees? One of the most important factors was the sheer scale of the imbalance in the compensation figures each side likely would present. Israel still did not possess enough information on Jewish claims, and what statistics it did indicated a much smaller amount than Palestinian claims. Israeli journalist Itamar Levin quoted a “deeply involved source” shortly before Camp David II in December 1999 as saying that a confidential Israeli Foreign Ministry study had shown that, based on the incomplete records the government possessed on Jewish losses in the Arab world, Palestinian claims were likely to dwarf them by a ratio of 22:1:



The Ministry of Foreign Affairs conducted a tiny sample study of Jewish claims, and it was very hard to arrive at an estimated valuation. But according to that sampling, the ratio of claims is 22:1 in the Palestinians' favor . . . there's no question that there is a problem, because they [the Palestinians] speak very rationally about a minimum of \$13 billion in property, in 1948 terms.<sup>284</sup>

Given this disparity, the Israelis may have felt that insisting on linkage still would leave them owing a considerable amount of money. The international fund idea would relieve them of this burden because even though they would "participate in its financing," they would not be responsible for coming up with all the money themselves. The fund presumably would handle all the problems of dealing with and paying out claims, relieving Israel of this responsibility.

A second reason for the change in strategy was that with an international fund, Israel would not have to decide what claims were valid, determine who should receive how much, and deal with other such technical problems. Third, it also would be absolved of paying any claims to its own citizens who had emigrated from Arab countries, as some, like the Egyptian-Jewish activist Shlomo Kohen-Tsidon, had been calling for over the years. Everyone would petition the international fund for redress. Finally, Israel no doubt realized that its major problem lay not with paying out compensation to the Palestinian refugees, but with their demand for the right of return—repatriation to their pre-1948 homes in Israel. As will be discussed at length in chapter 3, how to parry this demand constituted a major problem for the Israelis.

For their part, the PLO negotiators angrily rejected the fund and the whole idea of linking their refugees' property claims in any way with those of Jews who left Arab countries.<sup>285</sup> This reflected a longstanding PLO position: Jewish claims against Arab countries must be taken up with the respective nations involved. It was not a matter for Palestinian-Israeli talks. PLO negotiators stated this as early as the second plenary of the Refugee Working Group (RWG) that was held in Ottawa in November 1992, the RWG having been established as part of the multilateral talks that commenced after the October 1991 Madrid peace conference. At Ottawa, the Palestinians rejected the population exchange thesis and also rejected linkage.<sup>286</sup> Daoud Barakat of the PLO's Department of Refugee Affairs had insisted, "There is no linkage here. Israel has to negotiate directly with Leba-

non, Morocco, Egypt. I don't represent these countries."<sup>287</sup> At Camp David II, PLO Negotiator Yasir 'Abd Rabbo said much the same thing to Elyakim Rubinstein: "This problem has nothing to do with us. Bring it up with the Moroccan authorities, the Yemenis, and so forth."<sup>288</sup> An Israeli diplomat at Camp David II confirmed this hostile reaction: "The Palestinians were very much opposed to the idea of including the issue of compensation for Jews from Arab countries in the framework of the negotiations and an arrangement with them. They said it was a matter that didn't apply to them, but to the ties between Israel and the Arab countries."<sup>289</sup>

The summit failed to reach an agreement. Regarding the question of Jewish claims and the idea of creating an international fund, Clinton later publicly claimed that the Palestinians *did* express "interest" in the idea. The president gave an interview with Israel Television several days after the conference ended in which he stated: "There is, I think, some interest . . . on both sides, in also having a fund which compensates the Israelis who were made refugees by the war which occurred after the birth of the State of Israel."<sup>290</sup> At least one other source also claims that the Palestinians and Israelis made some progress on this issue.<sup>291</sup> But whatever sense of agreement or interest was in fact shown was lost when 'Arafat forbade PLO negotiator Nabil Shaath from discussing it any further. This came in response to the Palestinians' frustration over the lack of progress on the question of Jerusalem.<sup>292</sup>

Israeli-Palestinian negotiations resumed in Taba, Egypt, from January 21 to 27, 2001. Here the two sides wrestled with the complexities of the Palestinian refugee issue at great length, and the question of Jewish property took a historic turn. PLO negotiators, led by one of the architects of the Oslo peace process, Ahmad Quray' (Abu 'Ala'), continued to maintain that the subject of the Jewish claims was "not a subject for a bilateral Palestinian-Israeli agreement."<sup>293</sup> What is remarkable is that after almost exactly fifty years of articulating linkage, the Israeli delegates, led by historian and negotiator Shlomo Ben 'Ami (born in Morocco in 1943; immigrated to Israel in 1955), backed away even further from the policy. While they and the Palestinians agreed on the idea of creating an international fund to pay compensation for Palestinian refugees, they agreed to a partial delinkage of Jewish and Palestinian property claims in any finalized bilateral Israeli-Palestinian agreement, although they left the door open for pursuing those claims through the international fund or in some other way. Specifically, the Israeli proposal presented at Taba stated: "Although the issue of compensation to former Jewish refugees from Arab countries is *not a part of the*

*bilateral Israeli-Palestinian agreement* [emphasis added], in recognition of their suffering and losses, the parties pledge to cooperate in pursuing an equitable and just resolution to the issue.”<sup>294</sup>

The new policy marked the end of an era for Israeli diplomacy on the Jewish property claims issue. Yet on one very important level it did not immediately matter. The al-Aqsa Intifada had erupted in late September 2000, and both sets of negotiators at Taba knew that Likud politician Ariel Sharon, who opposed ongoing talks with the Palestinians, was set to win the Israeli elections that were just a few short weeks away. Despite coming as close as ever to reaching a Palestinian-Israeli peace deal, the Taba talks ended, and with them formal negotiations between the two sides for a number of years to come. But work would resume later on efforts to secure more information about the plight of Jewish emigrants from the Arab world and the property they left behind. Indeed, the twenty-first century would witness a major push in this direction, even as events unfolded that heralded the possibility that these Jews might see their claims addressed outside the context of Israeli-Palestinian negotiations.

## The Status of Jewish Property Claims Today

**M**uch has changed in the Israeli-Palestinian arena since January 2001, from the violence of the al-Aqsa Intifada and the Israeli reinvasion of the West Bank and Gaza, to the Israeli withdrawal of Jewish settlements from Gaza, to the rise of new leadership for Israel and the Palestinians, to the Israeli war with Hizbullah in the summer of 2006 and the Hamas takeover of Gaza in 2007, and the resumption of peace talks in November 2007. One particularly important development was the rise of Israeli and international Jewish efforts to use the history of Middle Eastern and North African Jewish suffering and claims against Arab countries to blunt Palestinian calls for the right of return in future peace negotiations. During the early part of the twenty-first century, Israel and a variety of Jewish organizations in other countries were busy registering Mizrahi/Sephardic property losses as part of a wider effort, not to obtain compensation for these claims, but mostly to use the experience of Jewish emigrants from Arab countries as an argument against Palestinian demands for refugee repatriation. In the process, Jewish and Palestinian property claims remained linked, as before, but in a new way.

The question of Jewish property in the Arab world has seen other significant movement and change since the period encompassing the late 1940s until the 1970s, when most Jews left their country of origin. Some of these

developments affected the Jews from those particular countries in important ways. Others have had the potential to alter the entire question of Jewish property claims against Arab states.

## Syria

The past twenty years have witnessed considerable changes in the situation facing Jews, emigration, and Jewish property in Syria. In the early 1970s the small Jewish community in Syria still could not buy or sell real estate without government permission. The government would freeze the funds realized from such sales and only allow the Jews in question to use them for certain purposes. The special committee for Jewish affairs continued to exist, with representatives from the Ministry of Justice, Ministry of Finance, and Council of Palestinian Refugees, as well as agents from the Internal Security and General Intelligence agencies.<sup>1</sup> Until late 1976 or early 1977, Jews could not inherit land either; title was transferred to the state upon the death of its owner. The heirs could still live in the dwelling, however. The state also confiscated the property of any Jew who left Syria surreptitiously without an exit visa.<sup>2</sup>

In late 1976 Syrian President Hafiz al-Asad met with several members of the Jewish Community Council, including Chief Rabbi Ibrahim Hamra', community head Salim Totah, and Dr. Nessim Hasbani. Asad promised to lift all property restrictions. Hamra' and Totah later said that the chief of staff of the Syrian army informed them in late November of that year that property and travel restrictions were indeed lifted.<sup>3</sup> Arab press reports shortly began to surface that confirmed this change in policy. The Kuwaiti press in late December 1976 reported that "Syria's Jewish community can now travel, own property and work freely and enjoy exactly the same privileges as any other Syrian citizen."<sup>4</sup> In April 1992, following another meeting with Hamra', Hasbani, and other council members, al-Asad lifted the travel ban as well.<sup>5</sup> Syrian Jews were free to emigrate.

Rumors later circulated in Damascus that some Jewish properties were being listed on the market at half the going market rate, presumably by Jews who intended to take al-Asad up on his offer to allow them to travel.<sup>6</sup> One Jew reportedly sold a shop valued at £S20 million (approximately \$450,000 in 1994 dollars) for a mere £S6 million (\$133,000).<sup>7</sup> From 1992 to 1994 most of the remaining 4,000 Jews in Syria did in fact emigrate, including Rabbi

Hamra', who left for the United States in 1992. Officially, they were allowed to take the only equivalent of \$2,500 with them; the rest of their assets had to stay in Syria.<sup>8</sup> However, Hamra' reported that Syrian authorities generally looked aside, and most emigrants were able to take all their assets with them.<sup>9</sup> Interestingly, not all who left were happy with their new lives, and some families began returning to Syria as early as October 1994.

After the Jewish exodus, the question of Jewish property controlled by the government, both individual and communal property, still remained. After settling in Israel in 1994, Hamra' confirmed that the government committee created in the early 1950s to control Jewish émigré property still existed and still collected rent from tenants using the abandoned property. In 2006 press accounts indicated that two committees existed for dealing with Jewish property: the Office of the Missing Jews controls homes abandoned by Jews who left.<sup>10</sup> As for the tiny Syrian Jewish community that remained, the Office of the Jewish Committee still controlled both individual and communal property. The proceeds of communal property that was rented out were placed in a community chest.<sup>11</sup> By 1992, it maintained two schools and twenty-two synagogues in Damascus, including the al-Franji and Kitab 'Atiyya synagogues; three synagogues in Aleppo, including the Yo'av ben Tseruya Synagogue (also called the Yellow, or Great Synagogue) and the Jamaliyya Synagogue; and one in Qamishli.<sup>12</sup> Jewish cemeteries also exist in Aleppo and Damascus. At least part of the Jewish cemetery in Damascus was destroyed, however, to make room for a road to the airport.

The new tolerance that was extended to Syrian Jews continued under the rule of al-Asad's son, Bashshar, who succeeded his father upon the latter's death in June 2000. One factor in this trend was the personal interest in the Syrian Jewish expatriate community in the United States displayed by Syria's ambassador to the United States, Imad Moustapha. In the spring of 2004 several dozen former Syrian Jews living in the United States traveled to Syria with Moustapha. They toured Jewish sites in the country, including the Jewish cemetery in Damascus, and met with remaining members of the community there. They even met with al-Asad, to whom the group presented a traditional Jewish shofar (ram's horn) as a gift. When asked if he would permit them to return, al-Asad replied "no" to the surprised delegation. He then quickly added that Syrians do not need permission to come to Syria. Ten former Syrian Jews in the United States have established business ventures in Syria, and, as noted above, a few Jews have returned to live there.<sup>13</sup>

By 2003 the Jewish community in Syria had shrunk to no more than two

hundred, almost all in Damascus. The remaining communal property was under the control of a trustee, Khadr Kabariti, who was head of the Jewish Community Council and who had initially emigrated in 1994, only to return four months later.<sup>14</sup> The council is also presumably in control of moveable community assets, such as Torah scrolls. Some scrolls were smuggled out by emigrants who left in the 1990s.<sup>15</sup> Approximately forty scrolls, including the fabled Sephardic scroll written in thirteenth century Spain known as the Crown of Damascus (Hebrew: Keter Aram; Aram is the biblical name for Damascus), were smuggled out in the 1980s along with thirty-two Torah boxes and nine ancient Bible manuscripts. So was the last scroll from the great synagogue in Aleppo, along with dozens of old books. They now are housed at The Hebrew University of Jerusalem's Jewish National and University Library in Jerusalem.<sup>16</sup> Such items can no longer be exported, under a law enacted by Syrian authorities in 2003.<sup>17</sup> The implications for Jewish property of the dwindling size of the Syrian Jewish community and the seeming openness of the authorities toward ex-Syrian Jews and their concerns remain to be seen. No public discussions about compensation for property long ago abandoned or confiscated have surfaced as yet.

Interestingly, one of the great mysteries, and controversies, surrounding lost Syrian Jewish communal property deals with religious artifacts that may well be in the hands of Jews themselves. This concerns the fate of the famed Aleppo Codex, or Crown of Aleppo, known in Hebrew as Keter Aram Tsova (Crown of Aram Tsova; Aram Tsova, or Aram Soba, is the biblical name of Aleppo)—the most authoritative extant version of the Hebrew text of the Bible. Until the mid-twentieth century, this tenth-century manuscript, which was written in Palestine, had been considered the oldest and most authoritative copy of the Masoretic Hebrew Bible in existence prior to discovery of the Dead Sea Scrolls. During the anti-Jewish attacks in Aleppo in December 1947 that broke out in the wake of the UN decision to partition Palestine, the Yo'av ben Tseruya Synagogue, where the codex was housed, was burned by Arab arsonists. The scroll was saved, but it disappeared from public view for ten years.

What happened to it was the subject of much mystery and concern, given its immense importance to the field of biblical studies. Stories vary as to who actually rescued it from the smoldering ruins of the synagogue, but the codex eventually was retrieved and hidden by the Jewish community. Some have said that the pages were divided up among different families for safekeeping. In 1957 the chief rabbi of Aleppo, Moshe Tawil, and the

chief judge, Shlomo Za'afarani, entrusted a large portion of the codex to a member of the community, Mordekhai ben 'Ezra ha-Kohen Faham. Faham managed to smuggle it out of Syria to Turkey, and from there to Israel in an old washing machine in January 1958. The codex was given to the JA, which presented it to Israeli President Yitzhak Ben Zvi. It eventually was presented to the Ben Zvi Institute in Jerusalem. However, several rabbis from the expatriate Jewish community of Aleppo in Israel went to court, arguing that the codex should have been delivered to them. In 1962 a solution was reached whereby a custodial committee was formed that included representatives of the Aleppan community. In 1975 the codex was transferred to the Jewish National and University Library in Jerusalem, and in 1993, to the Shrine of the Book in the same city.<sup>18</sup>

The mystery continues, however: What happened to the rest of the pages? Were they burned in the fire of 1947? The pages now in Israel bear no sign of fire damage, leading most to believe that the remaining 192 pages were not burned during the disturbances of 1947. Did Aleppan Jews keep them, and if so, for what purpose? There are indications that they did. In December 1982 another page was given to the Jewish National Library in Jerusalem by a family of Syrian Jews who had moved to Brooklyn, New York, in the early 1950s. The page was found in the effects of a deceased female member of the family. Another American Jew had a fragment of the codex that he kept in his wallet as an amulet. Whether the rest of the pages still exist, and whether they still are in Syria or elsewhere, remain to be seen. The man, Sam Sabbagh, was a Syrian Jew who as a boy rescued the fragment from the burned synagogue in 1947 and kept it with him after moving to the United States in 1968. Before he died in 2005, he indicated to his family that he wanted it sent to Israel after his death. His daughter presented it to the Ben Zvi Institute in November 2007.<sup>19</sup>

Finally, public discussion of former Zionist land in Syria surfaced in Israel in 1997 and again in 2000. In May 1997 the JNF published a list of property in Arab countries to which it still laid claim, which included land in the Hawran region.<sup>20</sup> In January 2000 a JNF committee dealing with such land met as Israeli and Syrian negotiators were meeting in Shepherdstown, West Virginia. The JNF then announced on January 6 that it still claimed ownership to more than 53,000 dunums of land in Syria and hoped that such information could help Israel in its negotiations. In fact, JNF Chair Shlomo Gravitz stated that Israel might use the land in Hawran as part of a trade by which Israel would be able to keep a portion of the Golan



Heights.<sup>21</sup> During the same negotiations, Yosef Kalesh of the Organization of Syrian Immigrants in Israel stated that his group intended to ask the Israeli government to insist that its negotiators bring up the claims of former Syrian Jews at Shepherdstown as well. He told the press: “The state of Israel needs to be compensated by Syria and it must then compensate the Jews here. . . . They are demanding every last centimeter of their land [the Golan Heights] back so why shouldn’t we demand every last centimeter of our property, every last house?”<sup>22</sup> Based on his reading of the summit’s meetings, a Syrian official later said that he did not believe that the topic of JNF land in Syria ever was broached at Shepherdstown.<sup>23</sup>

## Lebanon

As noted in chapter 1, the Lebanese government never seized Jewish property. Still, recent decades have witnessed some discussion of Jewish property, especially in connection with Israel and the Arab-Israeli conflict. In late 1998 the Israeli government contacted the British Foreign Office and asked if the British could arrange for someone in their embassy in Beirut to inspect a tomb in Sidon in which a biblical Hebrew figure, Zevulun ben Ya‘akov—one of the Prophet Jacob’s twelve sons—allegedly was buried. The tomb sat on approximately two dunums of land and ironically had been bombed and destroyed by the Israeli air force in 1982. The Israelis may have exhibited concern over renovation work that was going on at the time. The British later told the Israelis that they had “no information” on the grave, and apparently nothing further was done about the matter.

The issue stirred up considerable controversy in Arab circles in Lebanon, however. It may have raised the specter that Israel or other Jewish elements might somehow try to claim ownership of the site. On November 17, 1998, Lebanese waqf officials insisted that the tomb was not Jewish property, but Islamic waqf land under their control. Shaykh Salim Susan stated that the authorities possessed deeds attesting to their possession of the tomb, which they claimed was the final resting place of Sidun bin Ya‘qub, going back more than two hundred years. The waqf’s custodian of the tomb, Muhammad Awkal, did attest to the fact that Jews formerly had prayed at the tomb on Saturdays, along with local Muslims who prayed there on Fridays. The whole incident stirred up anti-Israeli feeling, however, especially given that

Israeli forces still occupied part of southern Lebanon at the time. In light of the incident, Shaykh Muhammad Salim Jalal al-Din, the Sunni Muslim mufti of southern Lebanon, called on the Lebanese government to confiscate the property of Jews who had Israeli citizenship.<sup>24</sup>

Another incident involving Jewish property and Israel took place about the same time. In January 1999 the Egyptian press reported on another situation in Sidon. The sons of deceased landowner Isaac Diwan, who owned many shops in the Dekermane area of the city, were seeking payment of back rent from tenants for the years 1993–1999 or threatening eviction. They did this through a local lawyer, inasmuch as none of them lived in Lebanon. What fueled controversy was the rumor that one of the sons was in the Israeli army.<sup>25</sup>

Finally, in early 2008, the Lebanese press revealed that, according to a member of the Jewish Community Council in Beirut, a former Lebanese Jewish family living in Milan, Italy—the Darwiche family—had successfully sued two persons in Lebanon who had encroached on their land.<sup>26</sup>

Communal Jewish property still remains in Lebanon. Given that the community consists of little more than a dozen individuals, what will be its eventual disposition? Jewish cemeteries remain in Beirut, Sidon, Dayr al-Qamar, and Mukhtara. Ten synagogues existed at one time, including in Aley, Bhamdun, Dayr al-Qamar, and Mukhtara. The large Magen Avraham Synagogue in Beirut's downtown Wadi Abu Jamil district, the traditional Jewish quarter of the city, still survives somewhat intact.<sup>27</sup> Billionaire developer and one-time Lebanese prime minister Rafiq Hariri made a deal with the community in 2002 to refurbish the roof and façade of the synagogue as part of a plan to relocate the abandoned Talmud Torah school onto property he donated elsewhere. While the school was torn down, the community could not afford to rebuild it. The synagogue was not repaired either.<sup>28</sup> However, Lebanese law requires property owners in the downtown area of Beirut to renovate their buildings as part of the post-civil war beautification project for the city or face expropriation. The government has granted several extensions to the Jewish community so it can acquire the funds necessary to rebuild the synagogue.<sup>29</sup> The Lebanese government has taken a kindly attitude toward moveable communal Jewish property, for example, authorizing the removal of fifty Torah scrolls in 1993 so they could be exported to Jews overseas.<sup>30</sup> What ultimately will happen to the remains of communal property remains an open question as Lebanon struggles with its future.

## Egypt

As noted previously, little action was taken in regard to Jewish property claims against Egypt after the Israeli-Egyptian peace treaty was signed in March 1979. One high-profile case in which Egypt returned Jewish property to Israel did not involve the property of former Egyptian Jews, but rather something that had belonged to the Israeli army. In October 1973 a group of Israeli soldiers who surrendered to Egyptian forces along the Suez Canal took a Torah scroll with them into captivity. The scroll later was exhibited in an Egyptian military museum in Cairo. As a gesture to retiring Israeli President Ezer Weizman, Egyptian President Husni Mubarak returned a scroll to Israel in July 2000, although the Israeli media later reported that the Chief Rabbinate had confirmed that the scroll was not the correct one.<sup>31</sup>

The question of Egyptian Jewish property arose in August 2000 when WJC Executive Director Elan Steinberg urged that the United States link its foreign aid to Egypt to Egyptian progress in responding to Jewish property claims. Osama El-Baz, an advisor to President Mubarak, responded by stating at a press conference, “This is a ‘non-issue.’ . . . Not a single claim was presented. And we would welcome any of these people because we still have strong ties with them.”<sup>32</sup> In July 2004 the U.S. Commission on International Religious Freedom, a public, nongovernmental agency, traveled to Egypt. Advance media reports indicated that the commission intended to provide the Egyptian government with data on confiscated Jewish property. A member of the commission, however, denied that the subject came up during discussions.<sup>33</sup>

Yet the question of Jewish property in Egypt is still very much alive. A particularly sensitive and controversial matter concerns the fate of communal Jewish property still in Egypt. Here, the struggle is not a question of ongoing government confiscation, but rather of bitter intra-Jewish friction over what to do with such property. A tiny Jewish community remains in the country, so while most of this property is not in active use—there are no regular services in synagogues, for example—debate rages about what to do with it. The Jewish communities historically present in the country—Sephardic, Ashkenazic, and Musta‘rab—together possessed a considerable amount of immoveable property in the form of dozens of synagogues, schools, cemeteries, and other institutions. A study reportedly carried out in September 1963 showed \$74,530,000 in communal property in Alexandria, and \$13,390,000 in Cairo and elsewhere.<sup>34</sup> The Cairo community possessed seventy properties by the early 1960s, including eighteen synagogues

(twelve of which were in the old Jewish Quarter), an old age home, a social center, a free lunch center for the poor, and three schools.<sup>35</sup>

Today, these assets have dwindled. As of 2005 the Alexandria community still possessed its hospital, some schools, and some commercial buildings.<sup>36</sup> It is more difficult to determine comparable information for the Cairene community. In 1981 there were thirty-two synagogues in all of Egypt. According to former Israeli ambassador to Egypt Moshe Sasson, this number was down to twelve by 1987.<sup>37</sup> Cairo is home to the Bassatin Cemetery, reputedly the second-oldest Jewish cemetery in the world after that on the Mount of Olives in Jerusalem. There are three cemeteries in Alexandria. Others exist in Suez, Isma'iliyya, Tanta, Kufr al-Zayyat, al-Mahalla al-Kubra, Mansura, Zaqaq, Zifta, Mit Ghamr, and Damanhur.

What happened to the rest of the Jewish communities' real estate? The answer is that with dwindling numbers of Jews by the 1990s, some community leaders began selling off certain assets like unused synagogues. In 1995 Emile Russo, president of the Cairo Community Council, sold the Port Sa'id synagogue to a developer who wanted to build a shopping mall. The sale price reportedly was £E450,000 (\$132,000) and was to help with the upkeep of an old age home. Carmen Weinstein, the current council president, alleges that Russo kept £E50,000 from the sale.<sup>38</sup> Other synagogues in Cairo still exist but are in ruins, including the Hayyim Capucci and Maimonides synagogues in Cairo's Jewish Quarter. Some are still in good shape, including the Karaite Musa Der'i Synagogue in the 'Abbasiyya district, the Ashkenazic synagogue in the 'Attaba district, and the Sephardic Ben 'Ezra and Sha'ar ha-Shamayim synagogues. Ben 'Ezra was restored in the 1990s by Canadian architect Phyllis Lambert, whose brother, businessman and WJC head Edgar Bronfman, helped raised the funds for the restoration. Sha'ar ha-Shamayim was renovated in the first decade of the twenty-first century with the assistance of the Egyptian government and rededicated in late October 2007. In Alexandria, the Eliyahu ha-Navi Synagogue remains in good condition. The Egyptian government also has stepped in. In 1997 it classified remaining Jewish communal properties as antiquities, bringing them under government monitoring.<sup>39</sup> The government also stations police guards around the clock at synagogues.

Another sensitive topic is what to do with the large amount of moveable communal property, particularly religious artifacts such as prayer books and Torah scrolls. Over the years, large numbers of these items have disappeared, presumably stolen and sold in the international Judaica market. An Israeli academic, Yoram Meital, visited the Musa Der'i Synagogue in the mid-1990s

and reported seeing approximately two thousand books and Torah scrolls. Upon a return visit in 2005, none was to be found. Meital believes that local Jews were responsible for the disappearance.<sup>40</sup> A host of stories and accusations have emerged. American Jews reportedly came to synagogues in the 1990s under the guise of tourists, trying to get a hold of religious artifacts. Antiques dealers tried to bribe guards in order to obtain items. Israelis approached a leading figure in the Jewish community, Yusuf Dana, and offered him money for artifacts. Egyptian law forbids the sale or exportation of any item over a hundred years old, and the government has caught some smugglers and confiscated their loot. Some Torah scrolls reportedly are still in police custody at the Cairo airport.<sup>41</sup> On the other hand, academics have tried to collect and preserve books and other artifacts. The Israel Academic Center in Cairo, which is part of Israel's National Academy of Sciences and Humanities, has collected books from libraries for storage at its location. It has approximately fifteen thousand books that it is trying to preserve.<sup>42</sup>

A nasty intra-Jewish struggle has arisen since the 1990s over what to do with Egypt's remaining Jewish communal property. The argument centers around whether to keep what remains of such property in Egypt, under the control of the tiny Jewish community that remains there, or remove it to somewhere else. On the one end of the spectrum is the Historical Society of Jews from Egypt (HSJE), which was established in New York in October 1995. According to its "Purpose and Framework," the HSJE seeks to expatriate Egyptian Jewish religious artifacts and relocate them to the United States:

According to reports from the media and recent travelers, fewer than 20 Jews live in Egypt today, mostly elderly people. They can no longer preserve the records, culture, and artifacts of the community. Much community property has been disposed of in the past without regard to its historic value. HSJE is attempting to convince the Egyptian government to allow the transfer of the community's records and religious artifacts to the United States, where most Jews from Egypt reside today.<sup>43</sup>

In interviews, HSJE's president, Desire L. Sakkal, has stated that the remaining community is too small to justify keeping artifacts in Egypt. Sakkal, who was born in Egypt in 1949 and left in 1962, also disagrees with the idea that the Egyptian government can declare them national cultural artifacts and place such objects in museums: "Religious articles ought not

and should never be the property of a government. These were donated to the community for the sole purpose of being used in a synagogue, and special occasions for the donating families. These were never intended to be placed in a museum to gather dust.”<sup>44</sup>

At the other end of the spectrum about expatriating religious artifacts has been the mother and daughter pair, Esther and Carmen Weinstein. Esther Weinstein replaced Emile Russo as head of the Jewish Community Council from 1996 until her death in 2004. She was succeeded by her daughter. Instead of taking Jewish artifacts out of the country, Carmen Weinstein argues vociferously for keeping them in Egypt under the control of the Jewish community that she heads. She also argues strongly against selling deserted synagogues so they can be demolished for development: “It is my belief that synagogues should not be destroyed. They are an emblem of the community that has been there. To those who say, ‘why keep the synagogues when there are no more Jews?’ I say, ‘Why keep the pyramids when there are no more pharaohs?’”<sup>45</sup>

In March 1997 Sakkal and two other HSJE members wrote a letter to Carmen Weinstein, who was serving as vice president of the Jewish Community Council at the time, asking that she assist them in transferring religious artifacts to New York. Citing permission the group stated it received from the Egyptian government to remove such items from the country, apparently without prior consultation with Weinstein or her mother, the letter asked her to assist them in removing the community’s books and documents. Their letter bears quotation at length for the light it sheds on the widely disparate views held by Jews about what to do with remaining communal items in Egypt:

We at the Historical Society of Jews from Egypt wish to extend our congratulations and best wishes on your new appointment as vice-president of the Jewish community in Egypt . . . and wish that you continue your excellent work to preserve our heritage. . . .

We came to the realization that the Communauté [community] in Egypt will no longer be able to preserve and upkeep our heritage. In a few years it will be extinct. . . .

Our inclination must be towards the future. The perception must not be biased by short term optimism. If we truthfully wish to preserve our past, we ought to contemplate the present predicament and search for a rational solution with no sham [*sic*] or vanity . . .

We received approval [from the Egyptian government] for the collection and transfer of all sefarim [prayer books] from Egypt. Within a few weeks, a delegation from NY will arrive in Cairo, and will be in contact with you. We will appreciate your assistance in helping them as to the hiring of packers and shippers for the transfer of these religious articles to NY, to be shared with Egyptian Jews around the world. The delegation will take care of all charges incurred for the transfer. Your assistance in the transfer will help preserve our heritage and maintain our forefathers [*sic*] legacy. We the leaders of our communities are remembered well not by our past work, but by our most recent and last accomplishment. Your good will to provide assistance to our delegation will be well acknowledged and retained in history books through the ages. Coming generations will judge you as the champion and protector of our heritage.

Rest assured that these artifacts will be well cared for by the H.S.J.E. an organization under the scrutiny and strict supervision of the state of NY. Those that donated these items, did so, not to a community or to a synagogue, but for the sole purpose of being used and to be engaged in a functional society. Unfortunately, there is not a minyan [quorum of ten males required for Jewish prayer services] in all of Egypt to use them, hence they have no purpose in Egypt at the present time, and none in the foreseen future. For the sake of tourists, it will be advisable to retain a few sefarim in the main synagogue.<sup>46</sup>

Weinstein replied, asking that if a delegation were to come, it bring written proof of the government's assent to the export of items under the supervision of the Antiquities Department and the Ministry of Culture. The council's board could then meet to consider the matter. In fact, the council asked that the Egyptian government declare such artifacts antiquities, which it did, preventing their export.

Weinstein's frustration with the attempts by expatriate Jews to remove the community's assets that she is trying to preserve is evident. In March 1997 she wrote, "Why, for a change, don't I receive a letter offering to repair or renovate some of our rich Jewish patrimony [rather than offering to take it out of the country]."<sup>47</sup> Over the years she has ignored HSJE letters and refused to meet with a delegation headed by a rabbi that was dispatched to Egypt.<sup>48</sup> According to her:



There's a group in New York who call themselves the Historical Society of Jews from Egypt, who actually having nothing to do with today's Egypt, its cultural history or anything else, for that matter. Their aim is clear: All they want is to take everything Jewish out of Egypt. But what is the real purpose behind their vicious campaign? A large group of them came here in 1997 and tried to transfer to New York all the artifacts from the Cairo and Alex [*sic*] communities. They also wanted to take the sefarim and religious books with the excuse that those were donated to the various synagogues by their fathers, grandfathers and great grandfathers. If you say you want the sefers your father donated, fine which isn't really fine, since we're not giving them back but when you say that you also want all the silver plates, all the silver ornaments, all the books, that's going overboard. Did your father donate them, as well? To cut it short, the members of the community had a meeting we were more numerous at the time and concluded that we won't give up anything. Naturally the New York group was furious and has been trying to stir up trouble ever since.<sup>49</sup>

Weinstein is also frustrated with other Jews besides the HSJE. She claims she has been caring for the ancient Bassatin cemetery in Cairo virtually on her own since 1975. She tried to raise money to erect a wall around part of it to keep out squatters who were moving into the cemetery in the densely populated city. When the government wanted to build a road through part of the cemetery, Weinstein suddenly found herself the subject of international interest:

Then came the Ring Road, which caused a number of problems, and all of a sudden, many Jewish religious groups became interested in the cemetery when 300 graves were suddenly threatened by the construction of a small section of the 80-meter-wide road. I had 13 rabbis come from all over the world, saying, "We knew nothing about this." I told them, "Well, now you know." But they gave nothing. As we continued to complete the wall, it was the World Sephardic Federation in Switzerland that donated the money to build. . . . It's worth mentioning that when I started to save the cemetery in '75, and even though there were many more Jews here than there are today, it was mostly Christians and Muslims who were helping with money and advice, not to mention the help the state gave us by providing security.<sup>50</sup>



Finally, Weinstein rues the attitude of the Egyptian authorities. All remaining synagogues have been classified as national monuments, but that means that it is now up to the government to repair them, or grant permission to the community to arrange for repairs itself. In 2005 she noted,

If you find them [synagogues in the old Jewish Quarter] in neglected condition, don't blame us, blame the antiquities department. There are only two synagogues left in the alley the Maimonides Synagogue and the Haim Kapucci [*sic*], both of which are registered as monuments with the Supreme Council for Antiquities. The department has promised to repair the Maimonides Synagogue, which is very precious to all the Jews of Egypt, and despite having completed architectural surveys over the past two years, nothing is materializing.<sup>51</sup>

She also complains about other Egyptian government agencies: "There were many precious papers from the Geniza [trove of medieval Jewish documents] in the Bassatine Cemetery, and we were keeping them in [Synagogue] Ben Ezra's basement. Then, one day, people from the Book Authority came and took them all away. There were 60 or 67 big bags full of papers. I wonder where they are. Are they doing anything with them? Are they studying them? Nobody tells us."<sup>52</sup>

Undeterred by Weinstein's obstinate refusal to go along with its plans, the HSJE pursued its campaign to remove Jewish communal artifacts from Egypt. In March 2000 Rabbi Shimon Haj Allouf, honorary chair of the HSJE, wrote to President Mubarak about the matter. Nabil Fahmy, Egyptian ambassador to the United States, responded in June, noting that this could not be done given that the artifacts were still under the control of the remaining Jewish community. He also noted that many were registered as antiquities that could not be removed from the country. In August 2002 the HSJE's Sakkal and Joseph E. Mosseri wrote to members of the U.S. Congress in a bid to secure their support in pressuring the Egyptian government to export the artifacts. Among other points, the letter stated their attitude toward the Weinstains:

We tried many times to contact the President of the Jewish Community in Egypt, Mrs. Esther Weinstein, and her daughter, Miss Carmen Weinstein, but we never received a reply. People requesting official documents they need (for example, certificates of birth, death or marriage) are generally ignored, even though they are critically im-

portant for legal reasons. It appears to us they are unable to run the affairs of a rapidly dwindling and aging community numbering no more than a dozen souls, let alone fulfill requests from abroad. From personal experience, we also do not believe they speak freely—they only echo government policy and provide propaganda value.<sup>53</sup>

The letter also asked Congress to make U.S. aid to Egypt “contingent upon” the export of the articles to the United States.

The struggle continues. Weinstein’s dream is to build a Jewish museum on land the community owns in Old Cairo.<sup>54</sup> Sakkal dismisses the idea, particularly when it comes to birth, death, and other records: “For us these aren’t archives, they’re living documents. People want their birth certificates, their ketubot [marriage documents].”<sup>55</sup> This question of the community’s archives is another sensitive one. Former Egyptian Jews have written to the Alexandria and Cairo communities seeking extracts and copies of birth records, marriage records, and so forth. The communities reportedly claim that the government forbids anyone from exporting a complete copy of these registers, while the government claims that such decisions rest with the communities themselves.<sup>56</sup> A portion of the Cairo registers from 1936 to 1947 was smuggled out of Egypt and now rests in the Jamie Lehman Collection at New York’s Yeshiva University Archives. Other records, including two nineteenth-century registers from the Alexandria rabbinical court and marriage lists from the Cairo community, ended up at the Central Archives for the History of the Jewish People in Jerusalem.

In May 2004 yet another Jewish voice emerged to participate in the debate over what to do with remaining Jewish communal assets and artifacts in Egypt: the World Congress of Jews from Egypt (WCJE). Its president is Ada Aharoni (née Andrée Yadid), an Israeli born in Cairo in 1933 who left Egypt in 1949. Aharoni argues that the approach of Desire Sakkal and the HSJE to the question of remaining Jewish communal property in Egypt is “too extreme.” She notes, “With all due respect to Sakkal’s activities, many former Egyptians throughout the world think that he is too extreme, that this activity is damaging and that it is simply unrealistic.”<sup>57</sup> The WCJE supported instead the idea of establishing a Jewish library in Alexandria to house the community’s remaining books.<sup>58</sup> Sakkal dismisses the WCJE’s efforts and refused to work with it or attend the conference held by it in Haifa, Israel, in July 2006. Sakkal derides what he sees the WCJE’s cozy relationship with the Egyptian government: “It’s the best attorney that Egypt could have

found. If they [WCJE] want to do belly dances with the Egyptians and to eat foul and falafel with them, let them live and be well. We aren't interested."<sup>59</sup> The WCJE conference was attended by 320 Egyptian Jews and ended up approving an initiative by the Association Internationale Nebi Daniel (AIND) to establish a nongovernmental organization to negotiate with the Egyptian government over Jewish communal property and artifacts.<sup>60</sup>

The AIND is a nongovernmental organization officially registered in France in February 2003. It was established after one of its founders, Alexandria-born Roger Bilboul (b. 1940; emigrated 1959), unsuccessfully tried to copy the registers of the Alexandria community in 2002 after having shipped the necessary equipment to Egypt. Egyptian security services refused to allow copies to leave the premises of the synagogue where they were being held.<sup>61</sup> Egyptian press reports claim that the Egyptian government has blocked efforts to digitize such communal records for fear that ex-Egyptian Jews might use them to press for property claims.<sup>62</sup> AIND seeks "The preservation and continuous management, in accordance with Jewish traditions, of the religious and cultural heritage, the financial and real-estate assets and the civil and religious registers of the Jewish Community of Alexandria and, by extension, the Jewish Community of Egypt."<sup>63</sup>

AIND claims to occupy a middle ground between the position of those like the HSJE, on the one hand, and that of the remaining Jewish community in Egypt, represented by Carmen Weinstein, on the other. Regarding marriage and other registers, the association proposes making copies of the originals in Egypt and depositing them elsewhere under the control of rabbis, who would supervise public scrutiny of the material. Regarding Torah scrolls, AIND is concerned that with each passing year, more and more of them will become categorized as antiquities (objects at least 100 years old) by the Egyptian government, which will render them impervious to exportation. In 2004 the Egyptian Supreme Council on Antiquities did confirm to AIND that it had carried out an inventory of the Torah scrolls in the possession of the Alexandria community.<sup>64</sup>

AIND has begun an international petition drive about its proposal for the registers, and to place those Torah scrolls less than a hundred years old under joint rabbinical-Egyptian governmental control in synagogues around the world.<sup>65</sup> One other party recently entered into the discussion as well. Former Sephardic Chief Rabbi of Israel 'Ovadia Yosef was born 'Abdullah Yusuf in Baghdad in 1920 and later served as the chief rabbi in Egypt. In April 2005 Yosef wrote to the Egyptian foreign minister asking for Torah scrolls and community court registers.<sup>66</sup>

The disputes over what to do with Jewish communal property and artifacts in Egypt are not likely to subside anytime soon. Nor have there been any public signs of talks about large-scale compensation for private Jewish property seized in the decades after 1948.

## Jordan

Thirteen years after Jordan signed a peace treaty with Israel in October 1994, the question of Jewish property claims against the Hashemite Kingdom has still not been resolved, despite public talk in the late 1990s. In the early twenty-first century, the JNF produced collection boxes for the “March of the Living” walk at the site of the former Nazi death camp at Auschwitz in Poland. Like the traditional “blue boxes” of the past, these boxes features a map of Israel and its neighbors showing the areas owned by the JNF.<sup>67</sup> In addition to the JNF’s many holdings in Israel itself, the map—which does not delineate international boundaries—clearly shows that the JNF claims ownership to land in northern Jordan. Was the JNF still interested in staking its claim to the land, or at least compensation for it? For its part, the Jordanian Ministry of the Interior still maintains the office of the Guardian of Enemy Property to supervise all Israeli property sequestered in the country. No talk has arisen publicly of late regarding Jewish land claims in Jordan.

## The West Bank and Gaza

Some of the more interesting stories about the disposition of Jewish property under Arab control concern pre-1948 Jewish property in the West Bank and Gaza. When Israel captured the two areas from Jordan and Egypt, respectively, in June 1967, its forces took over Jewish property that the Jordanians and Egyptians had controlled since 1948. In Gaza, Israeli military forces issued Military Order No. 78, Order Concerning Property of Jews, on June 6, 1967, by which the army formally took control of the small amount of pre-1948 Jewish property there. The General Director established by the order was empowered to return the land to its original owners, but Israeli legal experts claim this never was done.<sup>68</sup> However, in 1970 the Israeli government did lay the basis for rebuilding the destroyed pre-1948 settlement of Kfar Darom in Gaza by allowing the army to establish a nahal (army

agricultural settlement) on the land. Civilians were allowed to live there starting in 1974, and Kfar Darom eventually became a permanent civilian settlement in 1989.

Unlike in Gaza, the Israeli army never promulgated an order regarding Jewish property in the West Bank and East Jerusalem that had been controlled by the Jordanian Guardian of Enemy Property, although the land was taken over by the Israeli Supervisor of Government Property anyway. Policy differed in the West Bank from that in East Jerusalem. In the former, the Supervisor of Government Property issued public calls for Jews who had lost land in the West Bank in 1948 to contact his office. Reportedly, only a few of the more than 1,000 original owners bothered to do so (1,414 property claims for the West Bank had been registered with the Israeli government from 1949 to 1950).<sup>69</sup> An official, Y. Tsurieli, was tasked to try to track down the others.<sup>70</sup> One former owner, however, proved quite anxious to gain back its land after nineteen years: the JNF. It asked the government to return its land to it. In one case, the JNF's request was tied up in court for eight years after the Palestinians who had leased the land in question from the Guardian of Enemy Property—approximately 400 dunums in 'Atarot—fought to maintain their tenancy rights. By 1978 the JNF won its case, paid the Palestinians compensation, and had them evacuated from the land.<sup>71</sup> The JNF also assisted other Jews to regain land in the West Bank, in the area of the villages of al-Nabi Samu'il and Hizma north of Jerusalem.<sup>72</sup>

Efforts were also made on behalf of another group of Jews who had purchased land prior to 1948 in what became the West Bank: former Iraqi Jews now living in Israel. In April 1979 WOJAC published a booklet listing the names of hundreds of Israelis of Iraqi origin who owned thousands of dunums in the West Bank. Apparently in the 1920s and again in the 1940s, the first notable Zionist figure in Iraq, Aharon Sasson ben Eliyahu Nahum (known as "The Teacher"), encouraged Iraqi Jews to purchase land in Palestine. This included land in what came to be the West Bank after 1948. The Palestine Land Development Company acquired the land for them. Such property included thousands of dunums of land all over the West Bank, encompassing al-Ram, Qalandiya, al-Jib, al-Judayra, and Bi'r Nabala north of Jerusalem. Other land lay near Nablus, Hebron, and Tulkarm. WOJAC's head, Mordekhai Ben Porat, worked with Jerusalem attorney Shlomo Horesh in identifying these people, who were now residents of Israel. Many began contacting Israeli military occupation authorities seeking access to their land.<sup>73</sup>

Why would WOJAC, whose *raison d'être* was to publicize and champion the claims of Jews for property in Arab countries in order to help the Israeli government blunt Palestinian refugee claims, get itself involved in matters of Jewish land in the West Bank under Israeli control? Once again, the answer seems to be the group's desire to support Israeli diplomatic efforts. Ben Porat and Horesh pointed out that in some areas, such as near 'Atarot and Nablus, some of these parcels of Iraqi Jewish-owned land were several hundred dunums in size—suitable, they stated, for building Jewish settlements. In the latter half of 1979 the Israeli military government in the West Bank removed Palestinians from hundreds of dunums of such land. In some cases, they were evicted. In others, their leases, dating back to the days of the Jordanian Guardian of Enemy Property, were terminated. Ben Porat threatened to seek redress from the Israeli High Court of Justice if occupation authorities did not move forward on the other Iraqi Jewish land claims as well.<sup>74</sup> Ben Porat continued his involvement in West Bank issues while serving as Minister without Portfolio for the government of Prime Minister Menachem Begin. In November 1983 he announced that a ministerial committee that he headed was proposing to relocate approximately 250,000 Palestinian refugees from twenty-eight refugee camps in the West Bank to new homes elsewhere in the territory.<sup>75</sup>

WOJAC maintained its efforts into the 1980s. In June 1985 it placed ads in the Israeli press trying to find Israeli Jews originally from any Arab state who had owned land in the West Bank prior to 1948. Horesh once again was the main organizer behind the effort. Approximately forty families, mostly of Iraqi origin, came forward and produced documentation attesting to their ownership of approximately 125 dunums. Most of the land was located in the northwestern portion of the West Bank.<sup>76</sup>

What is not clear is whether the land actually was returned to its original Iraqi Jewish owners. As noted above, Israeli legal experts believe that for a variety of reasons, the Supervisor of Government Property did not reconstitute pre-1948 Jewish land in the West Bank to its original owners. One such reason was that by virtue of its investiture with the Jordanian Guardian of Enemy Property after 1948, such land had become public property, which under the laws of belligerent occupation the Israeli military authorities were duty bound to maintain as such.<sup>77</sup> In some instances, the army allowed former Jewish residents access to alternative land as a type of compensation. This refusal to reconstitute pre-1948 Jewish property in the West Bank that now was under the control of the Jewish state prompted some aggrieved property

owners to take legal action against the state. Among their complaints was the fact that no actual order could be found by which land under the Jordanian Guardian of Enemy Property was vested formally to the Supervisor of Government Property. In January 1990 the Military Appeals Board ruled against the supervisor in a case where the owners of Jewish property had filed suit and ordered the supervisor to pay compensation.

The legal issues involved dragged on, however. As a result of a second Military Appeals Board ruling against the supervisor in May 1990, occupation authorities in the West Bank tried to get around the rulings by enacting amendment 8 to Military Order 59 of 1967 (Regarding State Property). Known as the “removal of doubt” amendment, it said that the supervisor was to control all land that was, or could have been, vested by the Jordanian Guardian, or that had been owned by persons deemed “enemy citizens” by Jordan prior to 1967. In another case, the family of Ya‘akov Yosef Shekhter tried to force the supervisor to return to them land bought by their deceased father in Bidu, in the West Bank, in 1937. After the Military Appeals Board ruled against them in 1992, the family appealed to the Israeli Supreme Court, acting as the High Court of Justice, the following year. In its December 1996 ruling, however, the court demurred, noting that international law (which was in effect because the West Bank was not part of Israel) did not obligate an occupying power to restitute property.<sup>78</sup>

If occupation authorities did not return the property to its original owners, what did they do with the land? As noted in chapter 1, Jordanian authorities had used some of this land for public purposes, such as building refugee camps that could not simply be undone after 1967, so the camps were allowed to continue existing there. In other instances, the Supervisor of Government Property allowed Jewish property to be used for public purposes after 1967. Some of the land on which the controversial settlement of Har Homa was built, for example, was pre-1948 Jewish property. Other settlements were built on pre-1948 Jewish land, including the rebuilt settlement of Kfar ‘Etsiyon, the first Israeli settlement built in the West Bank (in September 1967). Finally, in at least one case, former owners of pre-1948 Jewish property in the West Bank tried to sell or donate their property to Palestinians after 1967. Descendants of some of the pre-1929 Jewish community in Hebron wanted to sell or give their inherited land to the Palestinian Authority in the 1990s, but the Israeli government refused.<sup>79</sup>

In East Jerusalem, the situation was even more complicated. Israel quickly enacted legislation in late June 1967 that extended Israeli law and



jurisdiction over East Jerusalem via the Law and Administration Ordinance (Amendment No. 11) Law and subjected it to the powers of the West Jerusalem municipality. The municipality also published notices in the press encouraging residents with claims to property in East Jerusalem to register them.<sup>80</sup> There was great pressure in Israel to rebuild the Jewish Quarter in East Jerusalem's Old City and carry out other public projects that could be complicated by Jews raising private claims to pre-1948 property. In fact, the government expropriated 30.5 dunums of pre-1948 Jewish property in the Jewish Quarter in 1968 as part of the rebuilding project.<sup>81</sup> To regularize the situation regarding Jewish property claims in East Jerusalem, as well as Palestinian claims for property abandoned in West Jerusalem in 1948, the Legal and Administrative Matters (Regulation) Law [Consolidated Version] of 1970 was passed. Article 5 of the law authorized the Israeli Custodian General to take control of Jewish properties in the city that had been controlled by the Jordanian Guardian of Enemy Property from 1948 to 1967.

In the case of Jews, the Custodian General is allowed to restitute pre-1948 property to them, but the procedure was complicated and slow. Sometimes it took decades. In 2002 Jews were set to move back into a house in the Musrara district of East Jerusalem. Jews had owned the house prior to 1948, and a court ordered the eviction of the Palestinians who were living there based on tenancy rights acquired from the Guardian of Enemy Property during the period of Jordanian control.<sup>82</sup> In cases where the Guardian of Enemy Property had allowed Jewish property in the city to be used for public purposes, the Custodian did not restitute the property but retained it for public use. The original owners were paid compensation instead.<sup>83</sup>

The entire situation regarding what Israel did with pre-1948 Jewish property in the West Bank and Gaza was complicated further by the subsequent Israeli redeployments out of parts of those two territories in the 1990s, as part of the Israeli-Palestinian peace process, and in August 2005 as part of the Israeli unilateral disengagement. In the West Bank, for example, this means that some pre-1948 Jewish property was handed over to the Palestinian Authority (PA) and is now back under Arab control as it was during the period 1948–1967. This includes, for example, JNF land on which the Dchaysha refugee camp was built after 1948. Some Jewish land that was purchased in the West Bank *after* 1967 undoubtedly was turned over, or still might be turned over, to the PA as well.



The JNF, through its subsidiary Himnuta, Ltd., is one landowner whose property in the West Bank could be affected in this way. It purchased hundreds of thousands of dunums in the West Bank after 1967.<sup>84</sup> In 1997 JNF Director Shim'on Ben Shemesh admitted that the JNF spent \$66 million purchasing Palestinian land in the West Bank and Gaza in that year alone.<sup>85</sup> The World Zionist Organization's Settlement Division issued a plan in November 1993, updated in January 1997, claiming that Jewish "settlement formations" in the West Bank included a huge amount of land—1.1 million dunums—that Himnuta secretly had purchased from Palestinians.<sup>86</sup> Such a figure undoubtedly is an exaggeration; other sources state that Himnuta has purchased more than 20,000 dunums in the West Bank and Gaza.<sup>87</sup> Still others put the figure more precisely at 25,350 dunums.<sup>88</sup>

As late as January 2005, Himnuta still was involved in buying land in Gaza despite Prime Minister Ariel Sharon's plans to evacuate Israeli settlements from Gaza that summer. In fact, the company secretly bought more than twenty-eight dunums that month.<sup>89</sup> In 2005 it was revealed that top officials of Himnuta and the Israeli government were involved in fraudulent purchases of land stolen from Palestinian landowners as well.<sup>90</sup> Whatever the final Israeli-Palestinian border arrangements are, the PA undoubtedly will end up controlling at least some JNF-Himnuta land, not to mention other Jewish property. The JNF-Himnuta already has sought compensation from the Israeli government for its land that was given to the PA.<sup>91</sup> It remains to be seen what the future yet may hold.

The Israeli withdrawal from Jewish settlements in Gaza that was completed in August 2005 also returned some pre-1948 Jewish property in Gaza to Palestinian control. To prevent de facto seizure of evacuated Israeli land and property, both pre-1948 Jewish property and land confiscated by Israeli occupation authorities after 1967, PA President Mahmud 'Abbas issued the Special Decree for the Areas Evacuated by the Israeli Army of 2005 on August 20, 2005. The decree gave the PA temporary control over all real estate and property evacuated by the Israelis. A special Inter-ministerial Committee that was established on March 15, 2005, would then investigate all claims to land in those areas.<sup>92</sup> Most of the claims likely to be lodged will be from Palestinians seeking to retrieve land confiscated by Israel to construct settlements in Gaza.

The stalled Israeli-Palestinian peace process has meant that claims for Jewish property now controlled by the PA has not been resolved.

## The Maghrib

As noted in chapter 1, the Jewish exodus from the Maghrib countries of Morocco, Tunisia, and Algeria generally did not involve wide-scale dispossession, although some Jews did sustain losses. Equally important for the fate of communal property is the fact that Jewish communities still exist in each country, especially Tunisia and Morocco. Expatriate Jews from France, Israel, and elsewhere still maintain contact with, and visit, their homelands. Morocco possesses the largest remaining Jewish community in the Arab world. The Conseil des Communautés Israelites du Maroc represents the various local communities that make up the approximately four thousand Jews in the country today. These communities continue to manage dozens of synagogues and cemeteries throughout the country. Former Moroccan Jews and their descendants, including thousands of Israelis, visit the country, especially for *biloula* prayer festivals at the tombs of revered rabbis and saints.

In Tunisia, approximately eleven synagogues and 500–1,500 Jews still remain in Tunis, Djerba, and elsewhere.<sup>93</sup> Jewish community property in Tunisia long was managed by a local committee. In 1994, Tunisian President Zine al-Abidine Ben Ali contributed 50,000 dinars (about \$40,000) to restore the synagogue in Le Kef, even though the last Jew left the town in 1984.<sup>94</sup> In October 1999 a provisional community council submitted paperwork to be officially recognized for the first time since the government closed the Jewish Community Council in 1958. It functions today as the Communauté Juive de Tunisie. Expatriate Tunisian Jews, including Israelis, visit the country annually for the Lag B'Omer celebration at the al-Ghariba Synagogue on the island of Djerba. Former Tunisian Jews in exile in France have been known to return to the country each August for vacation, financing their trip from capital they left behind in Tunisia.<sup>95</sup>

Finally, and by contrast, the question of Jewish property and compensation did emerge in Algeria in 2005. This came despite the fact that as French citizens, former Algerian Jews were able to petition the French government for partial compensation for their losses according to laws passed in France starting in 1970 (see chapter 2). The Jewish community of Algeria practically does not exist any longer, and perhaps it is for this reason that the controversy over compensation broke out. In 2004 the Union de défense des intérêts des Français rapatriés d'Algérie et d'Outre mer announced that it would file a complaint against Algeria with the UN's Human Rights

Committee. In November 2004 former French Algerian Armand Anton filed such a complaint with the committee, which eventually ruled the claim inadmissible on November 1, 2006.<sup>96</sup> Six months after Anton filed the case, United Press International (UPI) carried a story on May 10, 2005, claiming that former Algerian Jews were seeking \$144 million in compensation for property they abandoned during the mass European exodus of 1962. UPI claimed that the story had been posted on Zlabia.com, a website maintained by former Algerian Jews. The report set off a flurry of reports and anti-Semitic comments in the Algerian press. The respected French newspaper *Le Monde* later ran a story on the entire affair that denied that any such attempt to collect compensation was under way, even though USDI-FRA, while not a Jewish group, had in fact earlier filed the claim with the UN Human Rights Committee.<sup>97</sup>

Perhaps contributing to the controversy were several recent visits to the country by former Algerian Jews, including a high-profile May 2005 visit of approximately 130 Jews from France to their former hometown of Tlemcen. The trip had been coordinated through the Algerian Embassy in Paris and the encouragement of Algerian President Abdelaziz Bouteflika, whose family is from Tlemcen. The group visited the tomb of a respected sixteenth-century rabbi, Efraim Enkaoua. The tomb had been restored sometime earlier at Bouteflika's initiative. Earlier that January, a joint Muslim-Jewish delegation from France visited Oran. As a result, the city agreed to renovate the Jewish cemetery in the city.<sup>98</sup>

## Yemen

Virtually nothing has been said in recent years about Jewish property remaining in Yemen, where a tiny Jewish community still resides. In 2007 and early 2008, however, attention was focused within Israel and elsewhere on one particular piece of Jewish communal property in that country: the Jewish cemetery in Ta'izz. An Israeli press report in early 2008 indicated that considerable international efforts were being exerted to exhume the remains of the revered Yemenite Jewish rabbi and poet, Shalom ben Yosef Shabazi (d. 1720) and re-inter them in Israel in time for the celebrations commemorating the sixtieth anniversary of Israeli independence. Shabazi's tomb traditionally was the site of Jewish pilgrimage in Yemen, and his poetry has been put to music, including by the popular Israeli singer of

Yemenite origin, ‘Ofra Haza. Reportedly the Israeli Ministry of Foreign Affairs was working with various Jewish organizations as well as American officials in the project. Israel’s Moroccan-born Sephardic Chief Rabbi Shlomo Amar issued a religious ruling to allow the exhumation and re-interment.<sup>99</sup>

## The U.S. Invasion of Iraq and Jewish Claims

Some of the more dramatic recent developments on the Jewish property claims front concern Iraq. The Gulf War of January–March 1991 was the prelude to the resurrection of active discussion of Iraqi Jewish property claims. In the wake of the war, for example, Tel Aviv University President Yoram Dinstein suggested adding the claims of Iraqi Jews who were citizens of the coalition of countries that fought against Iraq to other compensation claims demanded of Iraq.<sup>100</sup> He later recalled:

I suggested attempting . . . on such a festive occasion, to include at least some of the Jewish claims . . . (not) Israeli citizens, but there was most certainly a reasonable chance of adding claims of citizens of the coalition countries that fought against Iraq. . . . The opportunity was missed. . . . We had a chance then of including at least part of the compensation owed to the Jews of Iraq . . . and, as you know, opportunities do not repeat themselves.<sup>101</sup>

This did not happen. However, the weakening of Iraq, and the effective separation of the Kurdish region of northern Iraq into the Kurdish autonomous zone, allowed other things to happen. According to Moti Zaken, former Arab Affairs advisor in the Israeli Prime Minister’s Office, “many” Israelis of Iraqi Jewish origin began visiting Iraqi Kurdistan.<sup>102</sup> Furthermore, in 1999 Iraqi Jews in Britain discussed with officials of the Iraqi Embassy in London whether Iraq would consider talks on compensating former Iraqi Jews for their property losses. The Iraqis agreed and stated that they would host a delegation of British Jews to do this. Nothing apparently ever came of the encounter, however.<sup>103</sup>

The March 2003 American invasion of Iraq opened the door to talk of possible Jewish compensation. Talk about the restitution of Jewish property confiscated by the Ba’thist government quickly surfaced in Iraq after

Saddam Hussein's downfall. In 2003 the U.S. Department of Defense invited London-based Iraqi lawyer Khaled Issa Taha to assist with the creation of a new Iraqi Justice Ministry. Taha, who was born in Baghdad in 1927, agreed and among other matters wrote laws for the Coalition Provisional Authority (CPA), created by the Department of Defense to rule Iraq. He also reportedly expressed his willingness to work toward compensating former Iraqi Jews. According to Israeli and Arab media reports, Taha attended and spoke at a June 2003 conference in London called "The Forgotten Refugees—Jews from Arab Lands" that was sponsored by the WJC and other groups. At the conference, Taha is reported to have stated that he supported the restitution of sequestered Jewish assets, but that this must be accomplished quietly in order not to stir up opposition.<sup>104</sup>

The CPA issued Regulation no. 8 on January 14, 2004, later amended by Regulation no. 12 of June 23, 2004, which created the Iraq Property Claims Commission (IPCC). The IPCC's job was to entertain claims for property confiscated from Iraqi citizens between July 17, 1968 (the date the Ba'ath party took power), and April 9, 2003, when Iraq was conquered. Claimants were given until June 30, 2005, to file claims. Iraq's minister of reconstruction and planning, Bayan Sulagh, stated on March 31, 2004, that Jews would be entitled to compensation: "Everyone knows there used to be Jews in Iraq and that they owned property. Under the law, every Iraqi has the right to reclaim what belongs to them [*sic*]."<sup>105</sup> With the restoration of Iraqi sovereignty on June 30, 2004, the IPCC was transferred to the Iraqi government. As a result of legislation passed by the new Iraqi parliament on March 6, 2006, the IPCC was replaced by the Commission for the Resolution of Real Property Disputes (CRRPD). The filing deadline was extended to June 30, 2007, but the dates during which the confiscation took place remained the same. While offering Iraqis the chance to seek restitution or compensation for property taken by the Ba'athist regime since 1968, both commissions were of little use to the bulk of Iraqi Jews who lost property in the country, inasmuch as the vast majority sustained property losses well before 1968.

What about Jewish property confiscated before the Ba'ath took power in 1968? Talk about compensation or restitution of this property quickly emerged as well. Records surfaced in post-Saddam Iraq that could help document Jewish losses. On May 6, 2003, sixteen American soldiers from the army's Mobile Exploration Team Alpha, along with personnel from the U.S. Office for Reconstruction and Humanitarian Assistance, which

preceded the CPA, and the Iraqi National Congress (INC), descended into the flooded basement of the bombed out Iraqi General Intelligence Department in Baghdad. Although the army team's job was to search for Iraqi weapons of mass destruction, that day they were seeking some quite different. A former intelligence official had tipped off the INC a few days earlier that an old copy of the Jewish Talmud lay deep within the General Intelligence Department's headquarters. The INC then told the Americans, who decided that finding such a valuable cultural relic merited the diversion of the army search team from its normal task. Although the troops did not uncover the Talmud, they did discover something else in the murky, foul water: thousands of manuscripts, documents, and books, some hundreds of years old, dealing with Iraq's Jewish community. What the troops had found were the archives of two offices within the General Intelligence Department, the Israel/Palestine and Jewish sections.<sup>106</sup>

The hoard contained many manuscripts, books, and a Torah scroll, which apparently were confiscated from synagogues and libraries after the mass exodus of the Iraqi Jewish community in the early 1950s. The materials date from the sixteenth to the twentieth centuries. With the permission of the interim Iraqi Ministry of Culture, the CPA had the water-damaged documents frozen and shipped to Texas in twenty-seven metal trunks, whereupon they were freeze-dried and sent to the U.S. National Archives and Records Administration in College Park, Maryland, for restoration and preservation. Archival officials' initial report on the documents indicated that it would require between \$1,525,000 and \$3,000,000 to restore and preserve the material.<sup>107</sup> Because they are not official United States government documents, the National Archives solicited private funds to restore them. Nearly a year after the manuscripts were shipped to the United States, Doris Hamburg of the National Archives and Records Administration, who was working on their restoration, stated that "their final disposition is to be determined." The lack of certainty whether the documents would eventually be returned to Iraq, handed over to former Iraqi Jews, or disposed of in some other way reportedly scared away potential donors for the restoration project.<sup>108</sup> By late 2007, however, Hamburg stated that the American government took the documents with "the expectation of the return of the materials to Iraq," and that the manuscripts' status in the United States is "under the direction of the State Department."<sup>109</sup>

The soldiers also discovered Iraqi government documents and maps relating to sequestered Jewish property in and around Baghdad. Among these

were a register of Jewish property, and maps and transcripts from a 1998 court case about Jewish property.<sup>110</sup> Because Israeli Minister for Diaspora Affairs Natan Sharansky had asked the Americans earlier in 2003 to look for anything relating to Iraq's Jewish community after conquering the country, the State Department in late May 2004 passed along to him eight hundred black-and-white photocopies of these Arabic-language documents, as well as Jewish marriage documents.<sup>111</sup>

The war also caused some Jewish artifacts to disappear and religious shrines to reemerge after decades. Torah scrolls were stolen from storage vaults in the Iraq Museum in Baghdad during the anarchy that followed Saddam's downfall in early April 2003. Dozens of scrolls and other items were looted. Some later were returned. After Shi'ite cleric Sa'id Kamal al-Din al-Muqadis al-Ruwayfi issued a call to Shi'ite Arabs to return stolen museum goods, he was able to hand over twenty-two scrolls and other manuscripts, plus dozens of other items, to museum officials on April 22.<sup>112</sup> Saad Eskander, director of the Iraq National Library and Archive starting in December 2003, managed to "re-appropriate" over 800 Hebrew books that had been taken from Jewish schools and synagogues years earlier by Saddam's Ministry of the Interior.<sup>113</sup>

In June 2003, one month after it discovered the Jewish documents in the flooded intelligence department basement, the U.S. Army's Mobile Exploration Team Alpha reopened the shrine of the biblical prophet Ezekiel (Hebrew: Yehezkel) in the village of al-Kifl near al-Najaf. The tomb long had been the most important site of Jewish pilgrimage in Iraq and was venerated by Shi'ite Muslims as well.<sup>114</sup> Other abandoned Jewish sites emerged as well. A rabbi in the American army found an abandoned, dilapidated synagogue in Mosul.<sup>115</sup> The village of al-Qosh in northern Iraq, inhabited by Chaldean Christians, contains the dilapidated tomb of the biblical prophet Nahum.<sup>116</sup>

The prospect of Jewish property compensation engendered public discussions among both Arabs in Iraq and Jews of Iraqi origin in Israel. In late December 2003 a source within the Iraqi Governing Council told the media that the council was reviewing the 1951 law that sequestered Jewish property and was considering restitution of Jewish property seized beginning in that year.<sup>117</sup> Yet the subject of former Iraqi Jews remained a touchy one. The council also proposed legislation in late 2003 that would have restored citizenship to those from whom it had been stripped, yet that was worded in such a way as to exclude Jews. Council member Mahmud 'Uth-



man noted, “No one said the Jews, but this was the clear intention. The law was written in such a way as to exclude them.”<sup>118</sup> However, L. Paul Bremer, the American administrator of Iraq and head of the CPA, used his veto power to scrap the planned legislation.<sup>119</sup> Rumors of “foreign Jews,” presumably former Iraqi citizens, seeking to buy land in Iraq were rife in the country by mid-2003. Sunni clerics in Mosul issued a fatwa in July 2003 forbidding the sale of real estate to non-Iraqis for fear it might end up in the hands of Jews.<sup>120</sup> Exiled Iraqi Shi’ite cleric Ayatullah Kazim al-Husayni al-Ha’iri issued a fatwa in June 2003 from Qom, Iran, as well. The decree demanded death to any Jew seeking to buy land in Iraq.<sup>121</sup> The Turkish press reported in late 2003 and early 2004 that the Iraqi Turkmen Front claimed that Kurdish Jews in Israel were buying up their former properties in northern Iraq with the help of the Kurdish Credit Bank. The reports claimed that Israel was responsible for funding the bank.<sup>122</sup>

In Israel, discussions about Jewish property were occurring as well. In September 2005 Iraqi-Israeli lawyer David Nawi filed a suit in with the Israeli Supreme Court, acting as the High Court of Justice, on behalf of the group Shemesh—Shalom ve Shilumin, as well as about sixty people of Iraqi Jewish ancestry. The suit tried to oblige the Israeli government to enter into compensation negotiations with the new Iraqi government.<sup>123</sup> On March 19, 2007, the Israeli Supreme Court postponed rendering a judgment. However, it asked the Israeli government to report back to it within four months about what activities it was undertaking on behalf of compensation for Israelis originally from Iraq, particularly the activities of the government’s ministerial committee established in December 2003 to coordinate the government’s activities in this regard (see below). On October 14, 2007, the court agreed to the government’s request for an extension until November 1, 2007.<sup>124</sup>

Talk about property compensation was taking place in the United States as well. Almost immediately after Saddam Hussein’s downfall, former Iraqi Jews began contacting the New York office of the WJC about compensation claims.<sup>125</sup> Some Jews began discussing a class-action lawsuit aimed at Iraqi government funds in American banks that had been frozen since the Gulf crisis of 1990. At the start of the invasion in March 2003, President George W. Bush confiscated \$1.74 billion in Iraqi assets that had been frozen in eighteen American banks. He also requested that foreign banks transfer an additional \$600 million in Iraqi funds to an American account at the Federal Reserve Bank in New York. Bush stated that the funds would be used for the



good of the Iraqi people. But at least \$300 million of the assets frozen in the United States were previously set aside by American courts for potential use in paying out claims raised by American citizens against Iraq. The Bush administration has said it would honor such claims.<sup>126</sup> An Iraqi-born leader of the group Jews Indigenous to the Middle East and North Africa was quoted in the press as having stated, “If we manage to convince the court that Iraqi Jews did not leave of their own free will, that they were stripped of their citizenship and their property was expropriated, then the road to compensation is wide open.”<sup>127</sup> Other former Iraqis spoke of suits as well, including American-based Ezra Zilkha, president of Zilkha & Sons, the holding company of one of Iraq’s wealthiest Jewish families.<sup>128</sup> A meeting to discuss Iraqi property claims was held in London on September 18, 2005, in conjunction with another meeting on the claims of Jews from Arab countries.<sup>129</sup>

However, powerful voices urged caution. WJC Secretary-General Avi Beker was cool to the idea, noting in May 2003 that such a move needed to be considered with “much caution.” No doubt aware of how such a suit might negatively impact Israeli efforts at pressing for the resolution of Iraqi claims within the context of Israeli-Palestinian peace talks, Beker added that the WJC must work in close coordination with Israel on such matters.<sup>130</sup> And for its part, the Israeli government was predictably ambivalent toward such moves. The Israeli Justice Ministry’s Jean-Claude Niddam, head of the Department for the Rights of Jews from Arab Countries, did not object to the idea of former Iraq Jews seeking compensation from the new Iraqi government on their own rather than through Israeli diplomacy. But he clearly felt that the latter was the best approach: “Every Jew who has left Iraq has the right to demand from the government of Iraq for their full rights. Today we are giving moral support, but I think that the Iraqi Jews will ask for more support from the Israeli government, and they will find an attentive ear.”<sup>131</sup>

The American branch of WOJAC, however, had no qualms about charging ahead with the idea of a lawsuit quite apart from what Israel and the WJC were thinking. Heskell Haddad of the American Committee for the Rescue and Resettlement of Iraqi Jews, as well as head of WOJAC’s branch in the United States, stated in May 2003, “We plan to file a class-action lawsuit like the one filed against the Swiss.” The group printed up claims forms and proceeded to look into the possibility of a suit on its own. Haddad communicated with an American occupation official by e-mail about compensation for Jewish property and traveled to Baghdad in December 2003.<sup>132</sup>

Haddad also formed a group to look into compensation claims, which included former American State Department official and legal scholar of Iraqi Jewish heritage, Abraham Sofaer.<sup>133</sup>

As the occupying power in post-Saddam Iraq, the American government was initially quite sympathetic to Israeli and Jewish interests and concerns in Iraq, including property claims. For example, American military forces covertly assisted officials from the JA, the Hebrew Immigrant Aid Society, and the Israeli Prime Minister's Office in flying six elderly Iraqi Jews from Baghdad to Israel in July 2003.<sup>134</sup> Despite U.S. efforts to halt the looting of museum objects and stop the smuggling of stolen treasures outside of Iraq, American soldiers and government officials themselves were guilty of taking something from an Iraqi museum and exporting the item outside Iraq on at least one occasion when the item concerned Israel. Troops looted a helmet formerly belonging to an Israeli pilot shot down over Iraq during the June 1967 Arab-Israeli War from a Baghdad military museum after the fall of the city. Instead of returning the helmet, the State Department gave it to officials of the Israeli Embassy in Amman, Jordan, in August 2003, who sent it on to Israel.<sup>135</sup> Regarding more valuable Jewish property, Elan Steinberg, executive vice president of the WJC, stated that the WJC discussed Iraqi Jewish compensation claims with the administration of President George W. Bush in 2003 "in a preliminary way."<sup>136</sup> Secretary of State Colin Powell told a WJC delegation in Washington, DC, in March 2004 that he would work toward Iraqi Jewish property restitution.<sup>137</sup> Finally, as noted above, the State Department gave Israeli Minister for Diaspora Affairs Natan Sharansky eight hundred photocopies of documents relating to Iraqi Jews found by the American army in Baghdad.

Soon, however, American enthusiasm for Jewish property claims in Iraq waned, and with it Jewish efforts to explore lawsuits and other avenues of redress. According to 'Oved Ben 'Ozer, the last head of WOJAC's office in Israel, the Americans contacted both him and the Israeli government to ask them to stop their efforts on Jewish property claims. Ben 'Ozer reported that the Americans said they did not need any additional complications facing their deteriorating situation in Iraq.<sup>138</sup> Heskel Haddad confirmed that both the chief of staff for CPA head L. Paul Bremer and Khaled Issa Taha, the Iraqi legal expert working with the CPA to rebuild the new Iraqi Justice Ministry (see above), contacted WOJAC and asked the group to stop its efforts.<sup>139</sup> Indeed, little more was heard publicly about lawsuits and property claims after 2004.

In one instance, Iraqi Jewish compensation claims already have been paid out after the invasion of Iraq—but not by the Iraqi government. In April 2004 French insurance giant AXA agreed to pay \$130,000 to three Israelis who had bought insurance policies decades ago when they were living in Iraq, and added that four other Israelis were eligible for payment as well. AXA's interest in this issue actually predates the invasion of Iraq. The firm agreed in late 2002 to look into old insurance policies taken out by Jews in the Arab world, and in October 2003 the Israeli Justice Ministry published in the Israeli press information from its files regarding approximately two hundred cases of Iraqi Jewish insurance policies that never were paid out.<sup>140</sup>

The question of Jewish community assets still existing in Iraq must also be addressed at some point. Chapter 2 detailed an extensive amount of communal property such as schools, synagogues, and cemeteries that existed in the country as of 1951. Certain moveable communal religious items have already been removed surreptitiously from Iraq over the years. Some of these ended up missing or even sold. In 1953 at least 700 prayer books were sent to London's Bevis Marks Synagogue from Baghdad. In 1961, 350 more were sent to the Spanish & Portuguese Congregation in London as well. Iraqi Jewish activist Naim Dangoor claims that most later disappeared, although some that had been given to the London office of the World Sephardi Federation later were sold for a high price.<sup>141</sup> After the 1991 Gulf War, the Israeli Mossad agency spirited some Torah scrolls and other religious artifacts that still were in Iraq out of the country. Media reports surfaced in July 2000 that the Mossad had succeeded in smuggling out at least fifty scrolls. Approximately thirty of them were obtained by bribing Iraqi military officers, after the army located them hidden in a warehouse in the Battawin district of Baghdad, the former Jewish district. Jordanian merchants served as the intermediaries between the officers and Mossad operatives in Istanbul.<sup>142</sup>

It remains to be seen whether or not the dozens of schools, cemeteries, synagogues, hospitals, and other structures throughout Iraq that once belonged to the Jewish community as a whole can be considered totally abandoned, for tiny as it was by the twenty-first century, there still was a Jewish community in Iraq. Of all the synagogues, only the Me'ir Avraham Taweq Synagogue in Baghdad remained open until the recent war began in March 2003. Reportedly, the acting rabbi of the Jewish community in Baghdad at the time of the American invasion, Naji Diwaniyya, managed

remaining Jewish communal property along with representatives of Iraqi intelligence and the Ministry of Awqaf (the Arabic plural of waqf). People currently residing in properties that still were registered in the names of the original Jewish owners paid rent to an administration at the Jewish Community Center.<sup>143</sup> The income apparently was distributed among the remaining few Jews in Baghdad.<sup>144</sup> By 2005 such persons reportedly paid their rent to an elderly Jewish woman.<sup>145</sup>

If the new Iraqi regime ever were to compensate the formerly wealthy Jewish community for its property losses, it would set a major precedent for other Arab states to do likewise. It also would transform Israeli notions of linkage and an international compensation fund, for Jews could present claims directly to the particular government concerned rather than wait for Israel to do so in the context of Israeli-Palestinian talks. That, in turn, could weaken international resolve to pay into such a fund, not to mention strengthen Palestinian calls for the fund only to expend monies on Palestinian refugee claims.

### Compensation and Restitution from Libya?

Finally, Libyan leader Mu'ammār al-Qadhafi's early-twenty-first-century efforts to bring Libya out of international isolation have been remarkable in many ways. His government indicated it would pay compensation to victims of the December 1988 bombing of a Pan American Airways passenger jet over Lockerbie, Scotland, and turned over information on its efforts over the years to acquire weapons of mass destruction. As a result, the U.S. government announced in May 2006 that it would restore diplomatic relations with Libya. What is more, the North African country also has indicated that it is willing to deal with Libyan Jewish property claims and even explore normalization with Israel. In August 2003, for example, Israeli Labor party official Efraim Sneh and Shinui party member Ilan Shalgi met with one of Qadhafi's sons, Sayf al-Islam, at a conference in Europe. Ron Prosor, senior official in the Israeli Ministry of Foreign Affairs and top advisor to Foreign Minister Silvan Shalom, followed up by traveling to Paris in December 2003 to meet with a Libyan official.

The story hit the Israeli press, and Libya quickly denied that the meeting took place. Some parties accused parties close to Prime Minister Ariel Sharon of orchestrating the leak to hinder Shalom's efforts at rapprochement.

Yet momentum toward Israeli-Libyan reconciliation continued when, according to a Kuwaiti news report, senior officials from both countries met at the American embassy in Vienna in early January 2004.<sup>146</sup> Diplomatic efforts have continued since. In March 2005 the *Jerusalem Post* quoted an Israeli of Libyan origin as saying that a Libyan official secretly visited Israel the previous month.<sup>147</sup>

Discussions about compensation for former Libyan Jews were interwoven with this quiet Israeli-Libyan diplomacy. Just days before the January 2004 meeting in Vienna, in an address to Libya's Popular Committee for Public Security and Justice, Qadhdhafi stated that Libya was ready to compensate its former Jewish citizens.<sup>148</sup> Three months later, in March 2004, Sayf al-Islam publicly told the al-Jazeera television network that Libya "will open the file of compensation for Jews who lost their property and money."<sup>149</sup> Then Qadhdhafi himself publicly announced his country's willingness to pay compensation in August 2004. He qualified the offer, however, by stating, "Any Jew whose home was taken away has to be compensated or given his home back on the condition that he has not taken away the home of a Palestinian in Palestine."<sup>150</sup>

Actually, Libya's willingness to pay compensation for confiscated Jewish property goes back a number of years. The 1970 confiscation law called for the payment of compensation, and Israeli Prime Minister Menachem Begin demanded that Libya pay its former Jewish citizens \$1 million in such compensation in 1981. The Libyans did not agree but did not dismiss the idea completely out of hand. They responded that while Libya was "prepared to help these Jews and . . . receive them back . . . as Libyan citizens," the "alignment of these Jews with Israel, the Arab nation's enemy, has forfeited their right to compensation."<sup>151</sup> Later in 1993 the Libyans' tune had become even softer. Qadhdhafi stated at that time that he was prepared to pay compensation.<sup>152</sup>

Former Libyan Jews in Israel are prepared for any compensation deal. Many possess deeds and other documentation attesting to their lost property in Libya and are using them to prepare a compensation claim.<sup>153</sup> The World Organization of Libyan Jews in Israel reportedly has been working on a compensation claim in conjunction with the Israeli Justice Ministry, and its head, Rami Cahaloun, exerted considerable efforts in 2004 and early 2005 in an unsuccessful attempt to take a delegation of Israelis of Libyan descent to their former country.<sup>154</sup>

However, another group of former Libyan Jews, living outside Israel, also has been involved in compensation talks of their own with the Libyan

government. The Israeli press caught wind of secret meetings held in the spring of 2004 in Rome between representatives of the Libyan Jewish community in Italy and Libyan intelligence officials. According to the reports, Qadhdhafi agreed to compensate 623 families now residing in Italy, the United States, and Israel for properties confiscated in 1970.<sup>155</sup> A milestone in these talks was reached in October 2004 when a delegation of six former Libyan Jews, including Leone Paserman, president of the Rome Jewish community, and Shalom Tesciuba, president of the Welfare Committee of the Jews of Libya, traveled to Tripoli to meet with Qadhdhafi in Tripoli. At the last minute, however, Qadhdhafi canceled his meeting with the delegation, whose members did meet with other Libyan officials during their visit, including Foreign Minister ‘Abd al-Rahman Shalgham. The trip was arranged by another of Qadhdhafi’s sons, Sa‘adi, who plays professional football (soccer) in Italy.<sup>156</sup>

Further complicating the matter is that there is yet a third compensation “track” under way, also based in Italy, and one in which Tesciuba and his group have no part. In December 2004 Libyan Jewish activist Raffaello Fellaḥ,<sup>157</sup> an Italian resident long active in the Association of the Jews of Libya and WOJAC (see chapters 1 and 2), joined with another group of former Libyan Jews around the world in announcing the formation of an international committee to engage the Libyans in a compensation “dialogue,” according to group spokesman Paolo Giovannelli.<sup>158</sup> Fellaḥ long has been a controversial figure among former Libyan Jews and has forged his own contacts with Qadhdhafi and the Libyan government. He has campaigned for compensation outside of Israeli linkage.

In addition to private claims, future talks about Jewish property in Libya undoubtedly will deal with the fate of communal property in the country as well. Jewish emigrants left behind many communal buildings. By August 1950, for example, twelve synagogues in Tripolitania were left behind and converted into schools.<sup>159</sup> The government’s 1972 decision to build a road to the airport through the Jewish cemetery in Tripoli continues to be an emotional issue for former Libyan Jews. In addition to cemeteries, sixty-two synagogues formerly existed in Libya. Some no longer exist, while others were converted into other houses of worship. The large synagogue in Benghazi became a Coptic church, while the large synagogue in Tripoli known as the Sla‘ al-Kabira was converted to a mosque.<sup>160</sup> On the other hand, the Qadhdhafi regime has shown its willingness to rebuild Jewish monuments and may prove itself ready to repair others. Libya restored the

Dar al-Sarusi Synagogue in Tripoli in 1994, and repaired the cupola of the Dar Bishi Synagogue as well.<sup>161</sup> Fellaḥ recently claimed that Qadhafi has given him permission to restore the former Jewish Quarter of Tripoli.<sup>162</sup>

Some fear that different Jewish groups in Israel and Italy negotiating separately with the Libyans, plus political controversy about Israeli-Libyan rapprochement, could jeopardize compensation efforts. The “Israeli track” talks already have been buffeted by the public uproar surrounding who leaked the story of the Israeli-Libyan meeting in Paris in December 2003. Moreover, Fellaḥ and Tesciuba appear to be at odds.

No compensation or even concrete plans to pay compensation have emerged from the Libyan government. Part of the reason may lie with the fact that Qadhafi’s offer to pay compensation was part of Libya’s wider “charm offensive” aimed at removing the country from international pariah status. As its overall relations with the United States, Jewish groups, and the world community have deteriorated, so has Libya’s commitment to paying the Jewish claims. One anonymous Jewish official in the United States was quoted in the press in July 2007 as saying as much: that the Libyans offered compensation for its former Jewish citizens as a way of improving its image in the eyes of the American government, and that as relations have remained tense, the Libyans have dropped their interest in the matter.<sup>163</sup> Indeed, relations between Libya and both the U.S. government and certain Jewish groups have been strained in the past few years. In June 2007 the U.S. Senate cut funding for construction of a new American embassy in Tripoli, and Libya and the United States have argued over why the Libyans failed to deliver the final installment of the \$1 billion in compensation for the Lockerbie bombing. Also, Libyan relations with Jewish groups have not been smooth of late, with the B’nai B’rith organization leading the charge against having Libya head the planning committee for the UNs’ forthcoming 2009 antiracism conference. Yet already the prospect of such payments has divided former Libyan Jews. The prospect of actual payment could serve, as in the case of Iraq, as an important precedent for the entire question of Jewish property claims.

### Preparations for Renewed Israeli-Palestinian Talks

After the talks at Camp David II and Taba in 2000 and 2001, respectively, various parties around the world began preparing for the day when



Israeli-Palestinian negotiations would resume. The continuing violence of the al-Aqsa Intifada, the election and demise of Ariel Sharon in Israel, the unilateral Israeli withdrawal from Jewish settlements in Gaza in 2005, the election of a Hamas government in the Palestinian Authority in 2006 and the group's takeover of Gaza in 2007, plus the 2006 Israeli-Hizbullah war, all conspired to keep resumption of such negotiations in continued abeyance until the resumption of talks in November 2007. Still, both Palestinians and Jews around the world began gathering statistics and claims data, creating computerized databases for future use, and initiating political and public relations initiatives. Palestinian efforts to acquire statistics on refugee losses and put them into a usable format have been documented elsewhere.<sup>164</sup>

Jewish efforts to prepare for such talks have centered around two points: the need to obtain as comprehensive statistics on Jewish property losses in the Arab world as possible, and the creation of an international political and public relations campaign designed to equate the experience of Palestinian refugees with that of Jewish emigrants from Arab countries, with the goal of neutralizing Palestinian demands for the right of return by claiming that an irrevocable Jewish-Arab population exchange has occurred throughout the Arab world after 1948.

The concept of an international fund that would compensate refugees and displaced persons from all sides for their property losses that emerged at Camp David II and Taba, and President Bill Clinton's statement supporting such an idea, generally were received very well by both the Israeli government and Jewish groups in the United States and elsewhere. In fact, this development gave renewed impetus to revitalize previous efforts to register Jewish losses. Mordekhai Ben Porat soon lent his considerable pedigree to calls in support of the international fund idea. At a gathering in Tel Aviv in November 2001, he joined Knesset member Avraham Hirschson, who in 1999 had called for creation of a national center for documenting Middle Eastern and North African Jewish property claims, in calling for creation of such a fund. They advocated establishment of a fund made up of Israel, Arab states, the United States, and the European Union. They insisted that compensation payments should be paid to Jews with claims against Arab countries on an individual and not a global, or collective, basis.<sup>165</sup> Their main concern appeared to be that individuals receive monetary compensation for their losses.

For its part, the Israeli government decided in March 2002 to reopen



the department on Jewish property claims against Arab countries within the Ministry of Justice that had been shut down in 1999. This unit could resume compiling a master database detailing Jewish claims for future use. The decision was not just the result of renewed interest in Middle Eastern and North African Jewish claims. It also stemmed from a wider Israeli concern about Jewish compensation and restitution efforts worldwide extending back to the early 1990s. With the collapse of the communist bloc in Europe starting with the fall of the Berlin Wall in 1989 and the disintegration of the Soviet Union in 1992, the Israeli Prime Minister, Ministry of Finance, and Ministry of Justice decided to establish a new organization to work toward the restitution of Jewish property in Eastern and Central Europe, much as had been done earlier in Western Europe in the decades after the Second World War. The result was the formation in Israel of the World Jewish Restitution Organization (WJRO). The Israeli government served in an observer status in the WJRO, through a Directors-General Committee made up of the directors general of the Israeli ministries of Finance, Justice, and Foreign Affairs. The government also elevated the Prime Minister's Advisor for Diaspora Affairs to Minister for Social and Diaspora Affairs in 1999.

In this context, the Israeli government of Prime Minister Ariel Sharon adopted Decision no. 1544 on March 3, 2002, which re-created a unit within the Justice Ministry for registering Jewish claims against Arab countries. The resolution renewed Decision no. 34 of September 28, 1969, which originally had created such a unit before it was shut down in 1999. It also expanded the number of countries involved—the original 1969 decision called for registering losses from Iraq, Syria, Egypt, and Yemen only—to include all Arab countries plus Iran as well. Interestingly, it also called for registering losses that occurred since 1940, before the State of Israel existed. The new unit was called the Department for the Rights of Jews from Arab Countries and reported to the Justice Ministry's Head of Legal Assistance, who was a 1976 immigrant from Morocco, Jean-Claude Niddam. On February 19, 2003, Minister of Finance Silvan Shalom (born in Tunisia in 1958; immigrated to Israel 1959) ordered that 3 million shekels (\$617,284 in 2003 dollars) be budgeted for the registration project.<sup>166</sup> In announcing the re-opening of the unit, Cabinet Secretary Gideon Sa'ar stated that the data being collected on “damages to property *and the persecution* [emphasis added] of Jews” would be used for establishing Jewish claims with Arab states and international organizations.<sup>167</sup>

Later that year, on December 28, 2003, Sharon's government further adopted Decision no. 1250 regarding Jewish rights and property claims throughout the world, including Arab countries. It created a ministerial committee for the wider purpose of monitoring global restitution efforts. This same decision also expanded the state's activities vis-à-vis property claims against Arab states by charging it with registering *all* Jewish claims, *whether or not the persons concerned lived in Israel*, and further embraced the Mizrahim-as-refugees argument:

The State of Israel will determine and centralize all activities pertaining to the rights and registration of claims of Jews who left Arab countries as refugees, in Israel and abroad, in cooperation with other State bodies, institutions abroad, various organizations and Diaspora communities already involved with this issue, the Jewish Agency, and government authorities outside of Israel relying, when necessary, on the assistance of cooperation of various Jewish organizations.<sup>168</sup>

Finally, the decision created a steering committee, which reported to the new Ministerial Committee on Global Jewish Restitution, and which would monitor the specific question of the rights of Jews from Arab countries. The steering committee would consist of two cochairs, the Director General of the Ministry of Justice and the Director General of the Ministry of Foreign Affairs, along with a representative from the Ministry for Jerusalem, Social, and Diaspora Affairs, the chair of the JA, and the head of legal assistance at the Ministry of Justice.

The new Department for the Rights of Jews from Arab Countries was tasked with collecting data on property losses as well as "different violations of the rights of Jews from Arab countries." The campaign was entitled the Project for the Expansion of Registration of the Losses of Jews Who Left Arab Countries. In addition to organizing global publicity for the effort, the campaign also was charged with the monumental task of "combining databases of existing registrations [of property losses] held by various organizations." The entire effort was to be coordinated with the Foreign Ministry, the Ministry for Jerusalem, Social, and Diaspora Affairs, the JA, WOJAC, "the delegates of the Jewish communities," and any other relevant body. According to the new department's website, the specific goals of the entire registration project were:

- Preservation, documentation and processing of the data and documents already collected and stored at the Ministry of Justice
- Activities to expand the collection and registration of data concerning Jewish private and communal property and the registration of all relevant information concerning the rights of Jews from Arab lands and Iran
- Processing of data
- Expanding the campaign for justice for Jews from Arab lands and Iran by informing the Israeli public as well as the wider international community

The project would be historical, legal, and diplomatic in nature. As for the former, one goal was “at least in part, to combat the revisionist version of Jewish history in Arab lands disseminated by Arab propaganda—a version which denies the very expulsion of Jews from Arab lands and which allows world opinion to disregard the suffering of the Jewish refugees from Arab lands and Iran.”<sup>169</sup>

Clearly the government had wholly embraced not only the Mizrahim-as-refugees argument, but also the argument that they had been expelled outright by the Arab states. The legal dimension of the project included analyzing Arab and Iranian laws that affected their Jewish citizens and their property rights, Arab and Iranian laws regarding compensation and reparation, and “alternative legal models for the assessment and reparation of private and communal property.” Diplomatically, the intent was clearly to support Israeli negotiators in the final status talks. The department would seek to raise international public awareness of Jewish property claims, because, it claimed, “This issue has too often been forgotten or purposely denied and considerable efforts, on various levels and in different forums, in Israel and abroad, are necessary if it is to find its rightful place within the still unresolved issues of the Middle-East conflict.”<sup>170</sup>

The Department for the Rights of Jews from Arab Countries developed claims forms in English, Hebrew, Arabic, Spanish, Italian, and French and posted them on its website. The forms ask claimants for information about claims for land, real estate, and other immovable property; mortgages, bank accounts, life insurance policies, retirement funds, and unpaid wages; “damages as a result of termination of studies”; imprisonment claims; disabilities resulting from “torture or hostile attitude”; and communal land owned by the claimant. As had been done during earlier registrations in

the 1950s, the government made sure not to foster any illusions among registrants that they would receive any compensation from the state. Those signing the form did so under a disclaimer stating, among other things, “I recognize its [claim form] strictly declarative nature as containing no claim or request vis-à-vis the State of Israel apart from registration purposes.”<sup>171</sup>

The Israeli government’s actions in this regard represented its first public embrace of the claims in decades, marking a shift from its earlier desire to keep a distance between itself and efforts to register Jewish claims against Arab countries. This new public stance included embracing attempts by various international organizations to register Jewish losses in the Arab world as well. For example, the Justice Ministry decided to work with the American Sephardi Federation on a registration campaign. On May 10, 2002, Justice Minister Meir Sheerit (born in Morocco in 1948; moved to Israel in 1957) announced in New York that the ASF and the Israeli Justice Ministry were joining forces to renew efforts to register Middle Eastern and North African Jewish property losses. The new initiative was titled the Jewish Refugees from Arab Countries project. It, too, was designed to link the claims and experiences of ex-Arab Jews with those of the Palestinians. Sheerit noted at the time: “At the same time that there were Palestinian refugees, there were hundreds of thousands of Jewish refugees. The difference was that in the Arab world, they tried to keep the refugees in refugee camps. In our case, the Israeli state took them all in. We did not try to use them as a political tool.”<sup>172</sup>

The level of activity seemed on the increase. The Department for the Rights of Jews from Arab Countries indicated that it intended to microfilm and/or scan the information gathered from the forms into computerized database, including the forty-year-old forms filled out for the Public Commission for the Registration of the Claims of Iraqi Immigrants in 1956, and the similar commission formed in 1957 for registering Egyptian Jewish property losses. Sheerit said that the data would be made available to the public. ASF estimated that creating the computerized database would cost \$1 million. By mid-2006, the department had collected about 13,000 files.<sup>173</sup> WOJAC, which was revived in 2000, later agreed to work with the project as well.

When Yosef “Tommy” Lapid took over as Justice Minister from February 2003 until December 2004, he also enthusiastically supported the program. He supported the Mizrahim-as-refugees argument and criticized previous Israeli governments for considering Jewish immigrants

from Arab countries merely as “brothers who returned to their homeland.” Arguing that Israel should have employed the refugee argument more forcefully in the past, Lapid stated, “At a time when the Palestinians turned into professional refugees, we gave up one of the best arguments that we have. . . . This is one of the greatest blunders made in the state’s history.”<sup>174</sup> In August 2003 Nimrod Barkan, director of the Israeli foreign ministry’s World Jewish Affairs Bureau, was even clearer in indicating that what the Israeli government particularly feared was not Palestinian property claims, but the right of return: “Until 1999, the government did not invest enough effort into the question of Jewish refugees from Arab lands. But since Palestinians insist on bringing up the so-called Palestinian refugees’ right of return, we will continue to raise the issue of justice for the Jewish refugees.”<sup>175</sup>

In months after the 2001 Taba conference, the WJC also began working on behalf of Jewish claims against Arab countries in coordination with the Israeli government. But while the WJC agreed to work with ASF and the Israelis on the project to register and computerize Jewish property losses in the Arab world, it also took a crucial political decision to expand its political efforts in a related direction. The WJC initiated a simultaneous public campaign to raise international awareness of Jewish emigrants from Arab countries and their experiences in an effort to equate them with the experiences and claims of Palestinian refugees. The purpose of such an explicit public equation was to negate Palestinian demands for the right of return by arguing that a permanent, irrevocable Jewish-Arab population transfer had occurred in the Middle East and North Africa. It was a revival of the population transfer thesis that WOJAC had advocated starting in the mid-1970s.

In early 2001 the WJC first launched a public relations campaign against UNRWA, which it attacked for helping to perpetuate the Palestinian refugee problem. Later in 2001 the WJC went on another public relations offensive to equate the Palestinian experience with that of Jewish emigrants from Arab countries, make the case for a permanent population transfer, and then argue that the solution to the “refugee problem” was not to repatriate Palestinian refugees to Israel, but to resettle them in the Arab world instead. In December 2001 this new campaign was unveiled when the WJC’s European branch, the European Jewish Congress, held a conference in Paris on the “forgotten exodus” of Jews from Arab countries.<sup>176</sup>

It is insightful to quote at length from the Institute of the World Jewish Congress’ Dispatch no. 88 of September 2002, entitled “*A Population*

*and Property Transfer*": *The Forgotten Exodus of Jews from Arab Lands*, to see exactly how the WJC advanced the population transfer theory to argue against the right of return:

There is no justification for the argument of Palestinian repatriation to Israel. Aside from the suicidal consequences for Israel [earlier in the document it was argued that "An influx of Arabs into Israel would alter the demographic makeup of the country to such an extent that it would no longer be a Jewish state"], repatriation of the Arab refugees would create a new norm in international affairs. In the period surrounding the birth of the state of Israel, there were two refugee movements: one into Israel and one out of it. In effect, there was an exchange of populations. Should the clock be turned back on all the other population exchanges? Such an idea is not seriously considered in any other case. Yet because the Arab regimes, assisted by UNRWA and a pliant General Assembly, maintained the Arabs as refugees rather than resettle them by granting them citizenship and enabling them to become productive members of society, they have helped the world forget the true cause and the circumstances surrounding this refugee problem.

It is time to remove the veil of silence that surrounds the story of the Jewish refugees. Especially as the Arabs are becoming more and more vocal about their true aims and the "right of return" of the Palestinian Arabs, it is important to remember that there were other victims of the Arab-Israeli conflict. The Jewish expellees, however, are no longer refugees. They are full and proud citizens of their new country. Though they left behind communal and private property worth billions of dollars, and memories of a life that is gone forever, Israel seeks no "right of return" of the Jews to Arab lands. Likewise, it rejects a "right of return" for Arabs to Israel.<sup>177</sup>

The thrust of the "Forgotten Exodus" campaign was to support Israeli diplomatic negotiations with the Palestinians in the future by wielding the Jewish emigrants from the Arab world against the Palestinian demand for repatriation of the 1948 refugees. In describing what transpired at a November 2002 conference on Jews from Arab countries that was sponsored in Montréal by the WJC and the Canadian Jewish Congress (CJC), CJC President Keith Landy stated this goal quite frankly: "To be crass, it's a

bargaining tool at the table with Palestinians when it comes to negotiating a settlement in the Middle East.”<sup>178</sup>

What lay behind this decision? Why did the WJC seek to go beyond merely cataloguing Jewish property losses, an effort that had been done in the 1990s by ICJAL and that recently had been revived by the ASF, WOJAC, and the Israeli government? Why did it return to the population exchange thesis first postulated by WOJAC over twenty-five years earlier? And despite mentioning an exchange of property, why was it emphasizing an exchange of *population* between Jews and Arabs in the Middle East? The reason was that the international fund idea agreed upon by Israel and the PLO at Taba in 2001 created a clear problem for the Israelis. Separating property claims from wider Palestinian refugee grievances and solving them via an international fund still left Israel facing Palestinian demands for the right of return. How could Israel continue to fight this challenge, which many Israelis viewed as an existential threat to the continued existence of Israel as a Jewish ethno-religious state?

The WJC’s answer was to fight PLO demands for the right of return by countering them with the argument that Israel, too, had a refugee problem: that posed by Jewish immigrants from Arab states, most of whom had settled in Israel. Insisting upon joint resolution of both refugee problems would be a useful Israeli strategy for blunting Palestinian insistence upon the right of return. Israel could argue that a permanent Arab-Jewish population transfer had occurred in 1948 and thereafter and thus refuse to consider Palestinian demands for refugee repatriation by insisting that just as it absorbed the Arab world’s Jews, the Arab world must absorb the Palestinians.

In fact, the idea of broadening the term “refugee” to include Jews in Israel in order to assist Israeli diplomacy predated the efforts of WOJAC and the WJC. As far back as October 1949, Director General of the Israeli Treasury David Horowitz had done so. He privately told members of the United Nations Economic Survey Mission for the Middle East (the Clapp Mission), during their visit to Israel to discuss the future of the Palestinian refugees and whether Israel would repatriate any of them, that he was prepared to argue that the term “refugees” also included Holocaust survivors who had been settled in Israel. Israel would thereby avoid having to settle any Palestinians by claiming that it already had settled “refugees.”<sup>179</sup> In April 1963 Ben Gurion told American Ambassador to Israel Walworth Barbour that UN resolutions on “refugees” applied to those Jews who left Arab countries as well (the State Department disagreed).<sup>180</sup>



The same month that the WJC issued “*A Population and Property Transfer*,” a new coalition was formed in New York to advocate for Mizrahi/Sephardic grievances by continuing both with property registration efforts and with political efforts to argue for the population exchange thesis. In late September 2002 the coalition called Justice for Jews from Arab Countries (JJAC) was announced. The group was established under the auspices of the Conference of Presidents of Major American Jewish Organizations, ASF, and WOJAC, and was supported by the WJC, AJC, and the Anti-Defamation League, among other groups. While clearly intertwined with the WJC’s earlier efforts, JJAC was the initiative of Founding Chairman S. Daniel Abraham, a billionaire American businessman and philanthropist known for his interest in Middle East peace. Abraham had cofounded the Center for Middle East Peace and Economic Cooperation in 1989. JJAC also gathered high-profile honorary cochairmen: British publisher Lord George Weidenfeld, former American diplomat Richard Holbrooke, Canadian politician and human rights jurist Irwin Cotler, CPMAJO Chairman Mortimer Zuckerman, ASF Honorary Chairman for Life Leon Levy, and Iraqi-born Israeli politician Shlomo Hillel. Canadian-born Stanley Urman, former executive director of Abraham’s Center for Middle East Peace and Economic Cooperation, became JJAC’s executive director.

Urman cited several reasons for the timing of the new group. The first was the reopening of the Israeli Justice Ministry’s department on the rights of Jews from the Arab world. Second, first-generation Jewish emigrants from the Arab world were getting older, and if their experiences were not quickly recorded, they would disappear as that generation died off. Third, the fact that the Israeli-Palestinian peace process would eventually resume someday was an important factor—as discussed below, JJAC had clear political aims to assist Israeli negotiators.<sup>181</sup> Finally, JJAC believed that past efforts to register Jewish losses had not succeeded. The new American willingness to consider an international fund for compensating both Jews and Palestinians also surely played a part, as did the WJC’s “forgotten exodus” campaign.

In an August 2003 article in the *Jerusalem Post Magazine*, Israeli activist and journalist Eetta Prince-Gibson cited another reason for the renewed interest in the question of the experiences and claims of Jews from Arab countries: Israel’s need to combat the Palestinian demand for the right of return. She noted: “there can be no doubt that the success of the Palestinian campaign for the ‘right of return’ is a major motivating force behind the renewed interest in Jewish rights. Following the ‘if you can’t beat ‘em, join ‘em’ principle, the government and the Jewish organizations have



returned to the strategy of creating a symmetry between the Palestinian and the Jewish refugees.”<sup>182</sup> JJAC Honorary Cochairman Irwin Cotler seemed to concur. He noted the public relations utility of elevating the experience of Jewish emigrants from the Arab world to the same level as of global credibility and visibility as that attained by the Palestinians, and he decried the hitherto callous disregard for the Mizrahi/Sephardic story: “Refugees have become the looking glass by which conflicts are evaluated. They are the defining frame for judging morality and claims. Until now, the Jewish refugees from Arab lands were expunged from history, while the Palestinians took center stage. This is a case study in Middle Eastern revisionism. The Jewish narrative must be heard, too.”<sup>183</sup>

JJAC therefore initiated an ambitious agenda that was aimed at making the world aware of the plight of Jewish emigrants from the Arab world and affording them what Urman called “political recognition,” much as, he argued, the world already had done with the Palestinians.<sup>184</sup> CPMAJO Chair Mortimer Zuckerman stated this goal succinctly: “In fact, there were more former Jewish refugees displaced from Arab lands—estimated at 850,000—than Arab refugees displaced as a result of the 1948 Arab-Israeli conflict, estimated at 750,000. In light of the world’s preoccupation with the plight of the Palestinian refugees, we bring attention to the plight of Jewish refugees.”<sup>185</sup>

JJAC came into existence to prepare a legal and diplomatic case for Mizrahi/Sephardic Jewish rights, including but going much beyond property claims. This diplomatic case would be helpful to Israel in future Israeli-Palestinian negotiations, and in this regard, JJAC was doing the same work that WOJAC had in earlier decades, and that the WJC had done in 2001–2002. JJAC was in fact a new iteration of the same principle: enlist the experience and losses of the Jews from the Arab world in service to Israeli diplomatic strategies vis-à-vis the Palestinians.

Unlike the pursuit of European Holocaust claims made by other groups, JJAC made it clear that it was not seeking financial compensation, nor did it indicate that it intended to pursue measures to help Jews pursue property claims against any Arab states. Urman stated on numerous occasions that the issue “is not about money.”<sup>186</sup> The WJC’s Avi Beker agreed: “JJAC and the WJC are committed to putting the issue of the Jewish refugees on the international agenda, but we will not make any claims unless we are asked to do so by the Israeli government. We will not launch an international campaign for restitution, because that is not our role. We speak of human

rights, and we want to tell the story that has not been told, but we will not deal with property and the issue of restitution.”<sup>187</sup> Despite some statements made about other such avenues for seeking redress, JJAC’s early thrust was to focus on future Israeli-Palestinian negotiations as the venue in which to pursue justice for Jews from the Arab world, and prepare a case for use by Israeli diplomats. This was true regardless of the fact that not all Jews from Arab countries were Israeli citizens, and regardless of the fact that Israel and the PLO agreed at Taba that the Jewish claims issue was not an appropriate topic for their bilateral talks.

JJAC would play an important part in the strategy to neutralize the Palestinian claim of the right of return by virtue of being yet another public body, separate from the Israeli government, carrying out international public relations efforts in this regard on its behalf. To achieve this, JJAC pressed hard in its campaign to shift global thinking to accept the notion that the Middle Eastern and North African Jews were refugees deserving equal treatment and political legitimacy as the Palestinian refugees; that there had been a permanent and irreversible population exchange in the Middle East during and after 1948; and that Israeli-Palestinian peace could be obtained only if the PLO dropped its insistence upon the right of return. Beker expressed this struggle against the right of return candidly and firmly: “There is no way to have a peace in the Middle East if the Palestinians and the Arabs are to continue to demand a ‘right of return’ . . . [there was an] exchange of population in the Middle East, and the Arabs are responsible for the two refugee problems.”<sup>188</sup>

JJAC’s mission thus was quite different from that of the Conference on Jewish Material Claims Against Germany or the World Jewish Restitution Organization, which pursued property restitution, compensation, as well as reparations, stemming from the Holocaust. Compensation for aggrieved Middle Eastern and North African Jews was not a goal in and of itself, as noted by Beker above. Rather, JJAC sought to put the Jewish experience in the Arab world to diplomatic usage in future Israeli-Palestinian talks. JJAC’s June 2003 report entitled *Jewish Refugees from Arab Countries: The Case for Rights and Redress*, coauthored by Urman and Canadian Jurist David Matas, openly discusses the group’s aim to have future Israeli-Palestinian negotiations—not lawsuits, compensation claims, or bilateral talks between Israel and specific Arab states—be the main arena for securing Jewish rights and seeking redress. After cataloguing the history of anti-Semitic acts and legislation in Arab countries, and the response of the United Nations to both

the Jewish emigrants from Arab countries and the Palestinian refugees, the document discusses redress and remedies:

It would be an injustice to ignore, *in the Israeli-Palestinian peace process* [emphasis added], the rights of Jews from Arab countries. It would be a distortion of history, and would constitute a fundamental inequity, to recognize in Palestinian refugees a right to redress without recognizing a right to redress for Jewish refugees displaced from Arab countries. The case of displaced Jews to redress is as strong, if not stronger than, the case of Palestinian refugees.<sup>189</sup>

Perhaps anticipating questions about why a major international campaign on behalf of the rights of former Jewish citizens of Arab countries was proposing to assert these rights within the context of Israeli government talks with the Palestinians—who clearly were not responsible for the violation of Jewish rights in sovereign Arab states—the JJAC report offered an explanation for its strategy. Once again, it was clear that JJAC primarily was concerned about helping Israel achieve its diplomatic goals as opposed to securing monetary recompense for lost property.

The JJAC report stated that a major reason why the JJAC wanted to channel all Middle Eastern and North African Jewish claims for settlement within the Israeli-Palestinian peace process, and not outside it (as some Libyan Jews in Italy were doing), was to avoid confounding Israel strategy seeking to limit Palestinian claims only to those pursued within the context of a final peace agreement. Israeli diplomats long had sought to reach a final deal with the PLO that would include an “end of conflict” statement, as well as a clause that would bar future claims on the part of individual Palestinians outside of the settlement agreement. Allowing Jews to seek redress on their own outside of any final Israeli-Palestinian agreement could set an undesired precedent for Palestinians.

The JJAC report noted:

It may seem strange to arrange for settlement for all Jewish claims from Arab states in the context of an Israeli-Palestinian peace agreement when many of those Jewish persons with claims are not Israeli citizens and when the claims are almost entirely not against Palestinians or their representatives. But one objective in the negotiations is to ensure that an Arab-Israeli settlement would constitute an end

to all claims arising out of the conflict, including private claims. The private claims of Palestinian refugees would have to be limited to the avenues of relief expressly created in an Arab-Israeli settlement and extinguished otherwise.

It [*sic*] be unreasonable to expect that an Arab-Israeli settlement would limit within a fund established within the agreement and otherwise extinguish Palestinian claims but neither extinguish nor limit Jewish claims. Whatever differences may exist between Palestinian and Jewish claims, these may have to be addressed within an Arab-Israeli settlement and the mechanisms for compensation from the [proposed international] fund.

If it were otherwise, if Jewish claims were not satisfied within the Arab-Israeli settlement and extinguished outside that agreement, the Palestinians might also argue that their claims too are not extinguished by virtue of the settlement. A crucial dispute would remain unresolved.<sup>190</sup>

JJAC's insistence upon an "end of conflict" policy, and the requirement that both Jewish and Palestinian claims must be handled once and for all by a final Israeli-Palestinian peace deal, was exactly in tandem with what the Israelis had been pushing for as far back as the Camp David II summit in July 2000. As Israeli negotiator Gilead Sher noted, "we [the Israeli team at Camp David] decided that Jews would have no more claims on assets that were left behind or that were taken from them in Arab countries or in the Palestinian territories in the 1948 war. This statement was important in order to illustrate and emphaze the end of conflict."<sup>191</sup> JJAC seemed to be going on record as suggesting that Jews should be prohibited from pursuing claims on their own, outside of final Israeli diplomatic arrangements with the PLO. In addition to the passage cited above, a JJAC press release pointed out that it will be the State of Israel and its negotiators who ultimately will "compile the legal and factual basis necessary to assert" Middle Eastern and North African Jewish rights, not JJAC, WOJAC, or any other group.<sup>192</sup> Urman has been very open about the fact that JJAC is handing over to Israel power of attorney to deal with the claims it collects. "It is not up to us to decide, it is up to Israel," he stated in 2007. "We don't demand specific rights, we just demand recognition."<sup>193</sup>

The prospect of former Libyan Jews in Italy seeking compensation on their own, outside of Israeli negotiations with the Palestinians, therefore

presented JJAC with a potential conundrum. Certainly the group did not want to condemn such bilateral Libyan-Jewish efforts, but were more and more Jews to press compensation claims with the governments involved outside of Israeli-Palestinian negotiations, it would weaken the political capital available to Israel to use against Palestinian refugee demands. It could also, as JJAC feared, set a precedent for Palestinians to pursue claims against Israel outside the peace process.

In response to the October 2004 visit to Libya by a delegation of former Libyan Jews in Italy, Urman stated, “Any serious discussion on ways to redress the mass violation of the rights of Libyan Jews is a positive and appropriate development.”<sup>194</sup> However, the CPMAJO’s Malcolm Hoenlein and American businessman James Tisch, who later was appointed as another of JJAC’s honorary cochairmen, were careful to note that despite this “appropriate development,” Israel’s diplomatic needs still should not be overlooked. They remarked at the time that they still wanted to see Libya not only deal with its former Jewish citizens, but with Israel as well: “We welcome these first, important steps but we want to see concrete developments in regard to the legitimate rights of former Jewish citizens of Libya *as well as in regard to Israel* [emphasis added].”<sup>195</sup> The JJAC and the American Libyan Jewry Association issued a joint statement the following month. They, too, were careful to welcome the recent developments, but also to call for Libya to take steps that would assist former Libyans living in Israel as well as Italy:

Discussions with Libyan officials must be an open process that would incorporate the interests and concerns of all Libyan expatriates and include representation from former Libyan Jews not only resident in Italy but from other countries as well (i.e. Israel, the United States).

1) In negotiating the rights of Jews from Libya, redress for the mass violations of human rights must apply to all Jews, irrespective of which Libyan regime was in power; and for all those displaced from Libya, wherever they may now reside.<sup>196</sup>

The JJAC also took clear stands on other matters that earlier had generated controversy among Mizrahi/Sephardic Jews. First, it firmly accepted the Mizrahim-as-refugees argument. Its documents and statements always used the term “Jewish refugees” when referring to the Jews who left the

Arab world (for whatever reason), and its 2003 report notes that UN Security Council Resolution 242 speaks of a “just solution to the refugee problem” without language qualifying the refugees as Palestinian or Jewish, leaving the door open for interpreting 242 as including Jews as well as the Palestinians.

In his recent study of the legislative history of how Resolution 242 was drafted, however, scholar of international law John Quigley notes that paragraph two of the resolution, that mentioned “refugees,” did not generate “any great debate” among the countries sitting on the Security Council at that time. His research into the Security Council’s meetings show that the only discussion about just what “refugees” were referred to in paragraph two of the draft resolution centered around whether it meant the Palestinian refugees from 1948, or the Palestinians displaced by the recent June 1967 war. Following statements by the Indian and Soviet delegates, “[t]here was no further discussion on the question of the identity of the refugees referenced in the [draft resolution’s] second paragraph. No member state objected to the statements by India or the Soviet Union that it was the Arabs displaced in 1948.”<sup>197</sup> Quigley also noted:

In recent years, efforts have also been made on the Israeli side to equate the issue of Jewish refugees from Arab countries with that of the Palestine Arab refugees and to suggest that the issue of the Palestine Arab refugees need not be resolved until and unless resolution is also reached for the Jewish refugees from Arab countries. As far as Resolution 242 is concerned, however, it is clear from the context in which it was adopted, and from the statements recounted above [in Quigley’s article] by delegates, that Resolution 242 contemplates the Palestine Arab refugees only.<sup>198</sup>

JJAC also took pains to include in its literature references to UN High Commissioner for Refugees August R. Lindt’s January 1957 declaration that the Jews expelled from Egypt during and after the Suez War of 1956 fell under the mandate of his office (see chapter 2).<sup>199</sup> The JJAC’s Cotler further stated that the Arab world used a “pattern of ethnic cleansing” to rid itself of its Jewish population, who left as refugees.<sup>200</sup> Cotler noted that he was conscious of the “emotive and evocative quality” of the term “ethnic cleansing” but justified its use out of the need to compete with others like the Palestinian in the global arena: “in a world where people compete for

victim status,” he noted, “it is OK to use emotive and evocative terms.”<sup>201</sup> Fellow JJAC honorary cochairman and veteran Mizrahi activist Shlomo Hillel presumably also agreed with the refugee thesis, despite his earlier strong rejection of it. When WOJAC was first formed, and debated this very same issue, Hillel stated categorically in March 1976, “I do not regard the exodus of Jews from Arab countries as refugees. I do not accept this. The Jews in the Arab countries came because they wanted to come.”<sup>202</sup>

The group also convened conferences in a number of cities to strategize future activities, including London (September 19, 2005) and Brussels (March 25–26, 2006). At a June 6, 2005, conference in Paris, WOJAC and JJAC announced that a wide-ranging public campaign on behalf of Mizrahi/Sephardic political rights would begin in early 2006, to be called the International Advocacy Campaign. This later was pushed back to late 2006 and renamed the International Rights and Redress Campaign. The campaign’s International Steering Committee met in Jerusalem on October 22, 2006, to kick off the effort. The campaign was described as follows:

The legitimate call to secure rights and redress for Jews who were forced to flee Arab countries is not a campaign against Palestinian refugees; *nor is it about launching legal proceedings to seek compensation* [emphasis added]. It is an initiative to ensure that the plight of former Jewish refugees from Arab countries be placed on the international political agenda as a quest for truth and justice and that their rights be secured as a matter of law and equity.

No just, comprehensive Middle East peace can be reached without recognition of, and redress for, the uprooting of centuries-old Jewish communities in the Middle East and North Africa by Islamic regimes hostile to the State of Israel. It would not be appropriate, and would constitute an injustice, were the United States to recognize rights for Palestinian refugees without recognizing equal rights for former Jewish and other refugees from Arab countries.<sup>203</sup>

One of the initiative’s aims was follow in the footsteps of earlier property registration campaigns by encouraging aggrieved Jews of Middle Eastern and North African descent to “register family history narratives, and catalogue communal and individual losses, suffered by Jews who fled from Arab countries.”<sup>204</sup> Urman stated: “When and if there will be negotiations



on rights and compensation for Palestinian refugees, we must be prepared, when necessary, to negotiate for rights and compensation for Jewish refugees. We need the facts.”<sup>205</sup> The push to register losses in particular was designed to fit into the Israeli government’s own such efforts, because, as a JJAC press release noted, JJAC would not keep the results of the registrations. They would be passed along to the Israeli Justice Ministry, much as the results of the earlier ICJAL had been: “Once collected, the documentation will be catalogued and preserved by a special unit in Israel’s Ministry of Justice, established to compile the legal and factual basis necessary to assert the rights of Jews displaced from Arab countries.”<sup>206</sup>

Urman and JJAC indicated that they were willing to leave it to Israeli negotiators to decide how best to resolve the question of how to redress Jewish grievances within the context of future Israeli-Palestinian negotiations. While JJAC put forth some ideas about how to do this, like approaching the UN High Commissioner for Refugees, Urman spoke openly that JJAC’s campaign ultimately would defer to the Israelis on the best way to seek such redress during negotiations:

We don’t want to prejudice the outcome. If the Palestinians will be getting financial restitution, then we believe the Jewish refugees will be getting financial restitution. We want to make sure that every time the issue of refugees is discussed within the context of the Middle East peace process, then the rights of former Jewish refugees will also be addressed. We’re just saying this issue must be dealt with appropriately, both as a matter of law and a matter of equity.<sup>207</sup>

As noted above, he also has stated, “It is not up to us to decide [what form “redress” will take], it is up to Israel.”<sup>208</sup> The WJC’s Beker agreed: “we will not make any claims unless we are asked to do so by the Israel government.” The Israeli Justice Ministry’s Jean-Claude Niddam supported such sentiments: “Once we get to the stage of negotiations, I am confident that the State of Israel will find the proper way to respect and defend the rights of the Jews in the best way.”<sup>209</sup>

JJAC’s publicity campaign also made it clear that it blamed the international community for focusing its attention exclusively on the Palestinian refugee drama over the decades to the exclusion of that of Jews from the Arab world. In releasing the JJAC’s 2003 report, Urman chided the international community: “It [the report] presents a damning indictment of the



international community, for its disproportionate and favorable treatment towards Palestinian refugees and their failure to respond to the plight of Jewish refugees."<sup>210</sup> Cotler railed against the United Nations in particular:

Since 1947, there have been some 687 resolutions of the United Nations General Assembly, which have deal with the Arab-Israeli conflict. 101 of those resolutions dealt with the questions of refugees. All 101 dealt with Palestinian refugees only. Not one resolution dealt with the issue of Jewish refugees from Arab lands. . . . This raises serious questions of the appropriateness of the United Nations having a role in the [Q]uartet. Until the UN assumes its responsibility for the pursuit of justice in the proper duty of remembrance, in the right of redress, we are speaking of an issue of misrepresentation.<sup>211</sup>

To accomplish its goal of garnering international support for the diplomatic equation of the Palestinian and Jewish experiences, JJAC took its campaign into the halls of power in Europe and North America and managed to convince politicians and legislators there to speak on in favor of Jewish grievances against the Arab world. In June 2003 the U.S. House of Representatives Subcommittee on the Middle East and Central Asia held hearings on the topic, and it passed a resolution of support for former Arab Jews in October 2003. Britain's House of Lords held similar hearings. In June 2005 Canadian Prime Minister Paul Martin stated that the rights of Jews from Arab countries needed to be addressed.<sup>212</sup> JJAC representatives also testified before the Congressional Human Rights Caucus in Washington, DC, in July 2007.

JJAC also lobbied the American Congress to consider legislation favorable to its cause. In late March 2004 bills were submitted in both the Senate and the House of Representatives calling on the American administration to mandate that the State Department ensure that "any explicit reference to the required resolution of the Palestinian refugee issue is matched by a similar explicit reference to the resolution of the issue of Jewish refugees from Arab countries."<sup>213</sup> The bills never reached the floor for a vote, however, and died at the end of that year's congressional session. The same fate met resolutions introduced in May 2006. New resolutions once again were introduced in February 2007.

JJAC took its campaign on the road outside the halls of power as well, making presentations at conferences, seminars, and synagogues in vari-

ous countries. Public responses were often positive. Yet not everyone who heard such presentations understood exactly what the campaign's ultimate purpose was, and some noted that JJAC seemed hesitant to discuss publicly what it really was trying to accomplish, as illustrated by an account of a July 2007 JJAC presentation held in a suburb of Washington, DC:

Urman, meanwhile, told the JCRC [Jewish Community Relations Council of Greater Washington] gathering that his organization had "one simple mission": Every time Palestinian refugees are mentioned, there should be a corresponding acknowledgment of Jewish refugees. "It breaks the exclusivity" and "levels the playing field," he said, adding that "we cannot allow a second injustice" by recognizing "the rights of one population and not another." The issue "is not about money," he said, and Jewish refugees, unlike the Palestinians, are not interested in returning to their old homes in Arab countries. Yet, he didn't say that money would be refused, nor was he specific about what Jewish refugees from Arab countries want other than for their story to be told. . . . But Beth Allen of the District [Washington], who was representing Washington Hebrew Congregation, said that while she believes the issue is a valid one, she hoped that the Jewish refugees would develop a sharper message. "I feel like they need a statement of purpose," she said. "They don't have a clear mission statement," noting that it seemed like the group was hesitant to state exactly what its goals were.<sup>214</sup>

WOJAC's Heskell Haddad, who long had railed against the Israeli government's efforts to speak on behalf of aggrieved Middle Eastern and North African Jewish property owners living outside Israel, now seemed more willing to support the idea, and to help with the JJAC registration initiative. Indeed, WJAC was one of the three groups under whose auspices JJAC was established. Haddad claims that he and Urman had an agreement to have WJAC lead the registration campaign, although he said a signed agreement to that effect never was forthcoming from JJAC.<sup>215</sup> For whatever reason, neither he nor WJAC eventually was appointed to head up the registration campaign. In 2006 JJAC appointed Shelomo Alfassa of the International Sephardic Leadership Council as its "director, US campaign." WJAC's prominence in JJAC slipped in other ways as well. Until late in 2006, documents posted on JJAC's website listed WJAC as "cosponsor" of the International Rights and Redress Campaign, and even a few months

later they listed WOJAC as one of the nine main “sponsor” organizations under whose auspices JJAC was formed. By late 2007, however, WOJAC no longer was listed as a “sponsor” on the website. The only reference to WOJAC at all was a listing of the branch in Israel (with no reference to WOJAC in the United States, i.e., Haddad, at all) as one of seventy-two “coalition members.”<sup>216</sup>

Why had WOJAC and Haddad been interested in the first place? Although he was still keen on the idea of pursuing Iraqi claims through a class-action lawsuit in 2003, by 2005 Haddad believed that the new, post-Saddam Hussein Iraq would never compensate its Jewish former citizens. Haddad therefore seemed willing to allow Israel to bring the issue up, and use the linkage argument with the Palestinians. Indeed, he openly stated in 2007 that WOJAC was not just seeking compensation, but also supporting Israeli diplomatic efforts to blunt the right of return. WOJAC’s purpose, he noted, was “[t]o ask for compensation for the Jewish refugees from Arab Countries. . . . But from the political point of view, we also want to counter the demand for the return of the Palestinian Arab refugees.”<sup>217</sup> That he had joined the diplomatic campaign to fight against Palestinian demands was revealed in his March 2004 letter to the editor in the *New York Times*. In the letter, Haddad opined that the Palestinian refugee problem would disappear “overnight” if the Arab League simply rescinded its 1949 decision not to grant the refugees citizenship. “They will be rehabilitated in the same way that Israel rehabilitated the Jewish refugees from Arab countries,” he wrote.<sup>218</sup>

Despite its experience with JJAC, claims forms were posted on WOJAC-USA’s website, and in mid-2007 Haddad announced that WOJAC had received about 10,000 completed forms since 2005.<sup>219</sup> He was quoted earlier in 2005 as saying that the project would help Israel in the peace negotiations: “The idea is to make an exchange. Arab countries will not compensate Jews who left Iraq and Israel will not compensate the Palestinian refugees.”<sup>220</sup> But Haddad still expected that once Israel dealt with Palestinian claims during negotiations, it would then turn around and pay partial compensation to the Middle Eastern and North African Jews:

I have little hope of ever getting my house in Baghdad back. Iraq is vehemently anti-Jewish. Even the moderate papers there are extremely anti-Jewish. And the Shi’ite cleric Ali al-Sistani has issued a fatwa prohibiting land sales to Jews [*sic*; Ayatullah Kazim al-Husayni

al-Ha'iri, not al-Sistani, issued the fatwa]. But when Israel sits down with the Arabs, I want them to discuss our rights. Our claims will balance out the Palestinian claims. And then, with Israel having benefited from our property, we can ask the government to grant us partial compensation.<sup>221</sup>

Not all Jews formerly from the Arab world were happy about the recent campaigns on behalf of property claims, however. These persons, both in Israel and elsewhere, resented the idea that the Israeli government was going to use their property losses to reduce or eliminate the amount Israel would pay the Palestinians. If the claims canceled each other out, the former Arab Jews therefore would end up with nothing. One vocal critic was Tel Aviv University sociology professor Yehouda Shenhav, an Israeli academic of Iraqi origin who has researched the property question extensively. He also was a founder of the Mizrahi Democratic Rainbow, formed in Israel in March 1997 as a political and sociocultural movement among Mizrahi/Sephardic Jews. Shenhav blasted the concept of linkage for what he perceived as its cynical goal of aiding in the dispossession both of Palestinian refugees and Jewish emigrants from Arab countries, as well as the arrogance of the Israeli government in using the property of private Mizrahi/Sephardic Jews for national diplomatic priorities:

The idea of offsetting the claims of Iraqi Jews with those of the Palestinians is completely immoral. Israel is trying to settle accounts with the Palestinians at the expense of the Mizrahim. Instead of compensating the Palestinians and helping the Mizrahim, it is pulling a stunt that will leave both sides with nothing. Besides, who says the Israeli government owns the property that Iraqi Jews left behind? Who gave the Israeli government the right to nationalize all that property?<sup>222</sup>

Another founder of the Mizrahi Democratic Rainbow, Moshe Karif, voiced equally harsh sentiments about the Israeli government and linkage. Karif, whose family came to Israel from Tunisia and Iran, has vocally denounced linkage as an insult to Mizrahi/Sephardic Jews and their suffering: “Why should my grandparents’ modest assets be used by world Jewish organizations as an excuse not to pay the Palestinians? Who gave the World Jewish Congress, JJAC, or the State of Israel the authority or the right to negotiate away my family’s property?”<sup>223</sup> Karif also bitterly compares the

experience of Ashkenazic Holocaust survivors in Israel, who received West German reparations payments, with that of Mizrahi/Sephardic Jews:

Both the Ashkenazim and the Mizrahim arrived in this country as refugees, with nothing. Those who received reparations were able to create a financial basis for themselves, while the Mizrahim, who arrived with nothing, have remained in the lower classes until now. Now, after all we've suffered, we're supposed to be the ones who "pay off" the Palestinians? Where's the justice in that? It takes a lot of arrogance, hutzpa, and racism to pit the Mizrahi assets against the Palestinian assets. Why didn't anyone do that with the reparations from Germany? By the same twisted logic, the money from Germany could have gone straight to the Palestinians who lost their property and their entire world during the Jewish national struggle. Of course that wouldn't be acceptable—but then why is it acceptable for the Mizrahim? We want our historical bills paid, too. And we don't intend to let anyone keep us out of the discussion.<sup>224</sup>

Different perspectives on the property issue also have arisen among Mizrahi/Sephardic heritage groups. Some fully support these initiatives. The ASF is supportive of JJAC. So is the New York-based International Sephardic Leadership Council, established in the wake of a meeting held in Jerusalem in mid-2003 and headed by Shelomo Alfassa, a descendant of Jews from Turkey and Rhodes. It agreed to work with JJAC in late 2005 in the capacity of "designated primary liaison between JJAC and worldwide Sephardic congregations,"<sup>225</sup> and JJAC later made Alfassa its "director, US campaign." Property claims forms can be downloaded from its website as well. Jews Indigenous to the Middle East and North Africa (JIMENA), formed in late 2001 by Regina Waldman, also is supportive. Born Malaka Bublil in Tripoli, Libya, in 1948, Waldman left the country in 1967 and settled in the United States. Other JIMENA founders include Iraqi-born Semha Alwaya, and Egyptian-born Joseph Abdel Wahed, Joe Pessah, and Remy Pessah (née Raymonde Gazzar). The group is part of the JJAC registration campaign and, as its website notes, fully supports using the claims to end Palestinian and Mizrahi claims once and for all: "As part of an overall Middle East peace accord, the Palestinians' claims must be dealt with fairly and practically and on an equal footing with the Middle Eastern and North African Jews within the framework of negotiations between Israel and the

Palestinian leadership as part of a peace process resulting in a final settlement and an end to any further claims.”<sup>226</sup>

On the other hand, disagreements about this issue have arisen within the World Sephardi Federation. Founded in 1925, the WSF spun off the ASF in 1952 and again in reorganized fashion in 1973. The ASF long has supported seeking property compensation. It spearheaded formation of the International Committee of Jews from Arab Lands in 1999, one of the first coalitions that tried to register Middle Eastern and North African Jewish property losses (see chapter 2). ASF currently supports JJAC and its campaign and also has placed claims forms on its website.<sup>227</sup> Although not a participant in the JJAC project, the parent group, WSF, supports efforts on behalf of the property claims. At a WSF conference in Jerusalem in November 2003, longtime WSF president Nissim Gaon stated that the WSF must strive for restitution of “all the wealth and treasures of our Sephardi heritage.” Gaon was born in Wad Medani, Sudan, in 1922, and left for Switzerland in 1957 to open an office of his company in Geneva. He has stated that he was involved with the Black Panther movement in Israel. Gaon also noted at the conference, in support of Israel’s traditional diplomatic strategy, that pursuing claims will “counterbalance” Palestinian claims.<sup>228</sup>

Yet the WSF vice president and former head of the ASF, Moroccan-born Liliane Winn Shalom, opposed the WSF’s decision to become involved in the compensation efforts. At the November 2003 WSF conference in Jerusalem at which Gaon spoke, she scoffed at the notion that Jews were expelled from her native country: “No one was expelled from Morocco. Jews had equal status there and they came [to Israel] willingly. Retrieving property left in Arab lands should not become a Sephardi issue.” Shalom decried that fact that the WSF had forsaken a more nuanced view of Jewish emigration from Arab countries, and instead had “lumped the whole Arab world” together. “The Arab world is not monolithic,” she stated, claiming for good measure that no one had expelled Gaon from his home in Sudan. Shalom argued that Jews and Arabs should simply accept the past and move on, proposing the property exchange theory: “As a Zionist, I am ready to call it quits. You [the Arabs] don’t give us anything and we don’t give you anything.”<sup>229</sup>

Expressions of Mizrahi/Sephardic resentment even arose within the Israeli government. Speaking anonymously, an Israeli government official of Iraqi origin told an Israeli journalist in 1999, “Sephardim will say that Israel didn’t want to bring them in the first place, that it then put them in

transit camps, then in development towns—and that now we’re being used as a bargaining chip. This will create an explosion. I can’t say how big. But it will.”<sup>230</sup>

David Tal, a Knesset member of Tunisian origin, agreed, stating that “the bitterness will come to the surface, with serious public implications.” He continued: “If Israel resolves this issue with the Arab world, that’s fine. But that’s not the end of the account. Israel would then have to give some compensation to the Sephardim.” Like Moshe Karif, Tal noted the impact Holocaust reparations had on Ashkenazic immigrants. “I don’t want to draw comparisons, but the Jews who fled Germany and Eastern Europe got compensation. That money helped them establish themselves here. The Jews who fled Arab lands have never got anything.”<sup>231</sup>

Binyamin Netanyahu’s diaspora affairs advisor Bobby Brown conceded this last point in 1999, at the time the government covertly worked with ICJAL: if linkage proves successful and the Jewish and Palestinian claims cancel one another out, the Israeli government will need to provide some kind of payment to immigrants from Arab countries. “There will be a lot of debate on this. The first debate will be with the Palestinians. The second will be on how we handle it among our own people,” Brown said. Israel would need to “find a way to provide compensation to the Sephardim.”<sup>232</sup>

For its part, even the Israeli government has not always supported certain initiatives on behalf of the property claims. This was true again when, in June 2002—just three months after the government reopened the unit within the Justice Ministry—the WSF authorized a plan to sue the Arab League for the restitution of over 200,000 formerly Jewish-owned buildings in the Arab world. The Israeli government reacted coolly. The lawsuit was the idea of Amram Attias, the chair of the ICJAL—a group that had been formed at the Israeli government’s behest. The Israeli government expressed its reservations. Upon learning of the plan, Justice Minister Meir Sheerit said, “Every organization can act independently as it feels fit [but] the goal of the Ministry of Justice is to gather information regarding the loss of Jewish property in the Arab states” for diplomatic use against the Palestinians—not so that Jews can file suit for individual or group reparations or compensation. Yonatan Beker, Sheerit’s spokesman, openly conceded that the claims were a “diplomatic tool” that should be used during negotiations with the Palestinians “and not before” as the WSF was trying to do. All this came despite Attias’s insistence that the suit was designed to help Israel diplomats do just that—pursue the policy of linkage.<sup>233</sup>



Certain American Jewish groups expressed caution about the idea as well. CPMAJO Executive Vice Chair Malcolm Hoenlein stated that if a lawsuit such as the one planned were not pursued properly, it actually could cause more damage than good. Hoenlein also stated that the CPMAJO had prepared legal briefs on Jewish claims for diplomatic or legal uses in the future.<sup>234</sup> A few months later, Attias dropped the idea as a result of the negative pressure. “Right now, we want to talk in one voice,” he noted.<sup>235</sup>

Criticism has been leveled about Israeli government inaction and its on-again, off-again attitude toward the issue. As noted in chapter 2, such criticism dates back to the 1950s, when certain Iraqi and Egyptian immigrants and immigrant associations pressured the government to do more on behalf of property compensation. In mid-2000 a Foreign Ministry official conceded that one reason why the government did not do much on the issue in the past is that the concept of linkage “was [only] a propagandist stance.”<sup>236</sup> WOJAC’s Mordekhai Ben Porat, who pointed out a certain government hesitation about WOJAC when it first was formed, has continued on occasion to express his own doubts about the degree to which the government really has intended to pursue the property issue. Speaking to a journalist in early 2001, he conceded, “I don’t think that the government of Israel is so interested in finalizing this subject. But I feel that when the time comes, the government of Israel will be obliged.”<sup>237</sup> Ben Porat was speaking at a time when, between 1999 and 2002, the government had closed down the unit within the Justice Ministry responsible for collecting data on the property losses. Later in November 2001, at an event in Tel Aviv marking the publication of Israeli journalist Itamar Levin’s book on Jewish property losses in the Arab world, Ben Porat repeated his complaint: “A succession of Israeli governments has paid so little attention to the legitimate rights of Jews who fled from Arab lands.”<sup>238</sup> JA Chairman Sallai Meridor also called on the government to help the JA work for compensation. “We must wage this fight for the sake of historical justice,” he noted.<sup>239</sup>

The criticism of the Israeli government’s inaction has mounted in recent years, particularly after the government’s much-vaunted and highly public commitment to pursue the claims through the Justice Ministry’s Department for the Rights of Jews from Arab Countries began to wane within three years of reopening the department in 2002. Despite the growing efforts of JJAC, the ministry’s program soon was placed on hold. The department’s website was not updated, nor did the department give any indication that the computerized database had been completed. In 2003 the



ministry's longtime expert on Jewish claims against Arab countries, Jean-Claude Niddam, spoke in guarded terms about Israel's commitment to the campaign through a policy of linkage: "Once we get to the stage of negotiations, I am confident that the State of Israel will find the proper way to respect and defend the rights of the Jews in the best way. . . . If only we could reach the stage of 'canceling each other [Palestinian and Jewish claims] out,' we will have made great progress. Then we can work out specific models of how to appropriate what."<sup>240</sup>

Foreign Ministry official Nimrod Barkan was even blunter, particularly about Israel's commitment to pushing for compensation claims:

We have to draw a line between the past and the future. The State of Israel has already invested tremendous amounts of money in resettling the Jewish refugees, and we would expect that the Palestinians and the Arab countries would do the same for their own refugees. Individuals may make claims, of course, but I do not foresee the State of Israel doing so. International funds will be established to resettle the refugees. If that means that the claims will "cancel each other out," then that is fine.<sup>241</sup>

While both Meir Sheetrit and Yosef "Tommy" Lapid had supported the department's activities when they each served as Justice Minister during the period 2002–2004, Tzipora "Tzipi" Livni was different. She was not as committed to the department's activities when she headed the Justice Ministry from December 2004 until May 2006. Haddad claims that Livni stopped the Israeli government's support for the department altogether.<sup>242</sup> By June 2006 the ministry had subsumed the department within another that dealt with Holocaust reparations, and Niddam had been replaced by another official.<sup>243</sup> WOJAC also suffered from the Israeli government's ambivalence on this issue during this time. WOJAC leader 'Oved Ben 'Ozer noted, "she [Livni] was against my policy."<sup>244</sup> In early April 2005 he announced that he was closing down WOJAC's office in Tel Aviv again (the first time was in 1999), claiming that the government had backed out of a December 2003 commitment to continue providing funding.<sup>245</sup> The fate of the forty thousand documents in WOJAC's archives was still uncertain.<sup>246</sup>

Many cited objections by the Foreign Ministry for this turn of events. The Foreign Ministry reportedly long had feared that the registration cam-

paign might spur the Palestinians to heighten their own interest in property claims.<sup>247</sup> Livni, in fact, simultaneously served as Justice Minister and Minister of Foreign Affairs from January to May 2006. Heskell Haddad rued this fact in 2005, responding to a question posed by an Israeli journalist about why the Israeli government was not cooperating with the property claims question despite the efforts of WOJAC and JJAC: “I don’t know. The funding for documentation that the government promised would cost it next to nothing, maybe \$250,000. I spoke to Sharon before he was prime minister, and he saw the importance of this issue, but I guess he’s forgotten. This material will have a tremendous value in peace negotiations. . . . This is one of Israel’s best trump cards, and it must not be wasted.”<sup>248</sup> Haddad also stated that Livni does not believe that registering property claims is a good idea because the data are incomplete.<sup>249</sup> It would not be the last time that activists like those in JJAC would be disappointed at Israeli governmental inaction.

WJC Secretary-General Beker also questioned Israel’s on-again, off-again policy toward the Mizrahim-as-refugees argument over the years, particularly when he thought it served as effective ammunition in Israel’s diplomatic fight against the Palestinian right of return. In an opinion piece published in the Israeli press in 2003, Beker blamed both the Right and the Left in Israeli politics:

Drawing an analogy between the stories of the Jewish and Palestinian refugees gives rise to a moral and just argument against the Palestinian demand for the “right of return”; and it is difficult to understand why no consistent use is made of this argument. What is the meaning of the Israeli silence? The Israeli left finds it difficult to cultivate an explanatory argument that appears to emphasize the moral supremacy for the Jewish side. . . . Among the left, the Zionist ethos was learned with much guilt feelings about us being the cause of the refugee problem. . . . Right-wingers and government representatives, too, believed that we shouldn’t use the term “Jewish refugees,” because it is antagonist [*sic*] and doesn’t reflect the Zionist revival. . . . The Zionist ethos doesn’t accept the fact that the vast majority of Israeli residents, Ashkenazim and Sephardim, came to the Promised Land as persecuted or deported refugees. . . . The masses arrived by means of a far less heroic process. This does not detract from the historical justification for the Zionist revolution. . . . The battle against the “right

of return” rages on, and it requires us to adopt a realistic and see-right approach to the Zionist ethos and the Zionist justice.<sup>250</sup>

There are several other reasons why the Justice Ministry’s activity on this issue flagged after announcing it with great fanfare in 2002. One factor deals not with ideology, but with finances. Writing in February 2005, Itamar Levin noted that the government’s budget had not yet been approved. Pending that, the ongoing budget had been slashed to one-twelfth of the previous year’s budget. No new plans or expansion of activities therefore could be financed. But Levin agreed with critics like Haddad and Beker in pointing out that the fundamental reason was political. As Levin noted, “The Ministry of Foreign Affairs, however, has objected to Israel’s claim registration campaign in the past, and its position has not changed since then.”<sup>251</sup> It also may be that having agreed with the PLO in 2001 that property claims will be paid out to individuals by an international fund, Israel is no longer threatened with the prospect of paying out large sums of money to Palestinians. Because its major worry now was how to blunt PLO demands for the right of return, the government was more interested in supporting JJAC’s population exchange publicity campaign.

In August 2006 evidence surfaced of renewed activity on the issue on the part of the Israeli government. Haim Ramon, who had replaced Livni as Minister of Justice in May 2006, resigned after serving only a few months. He was replaced as acting minister by Meir Sheerit. Moroccan-born Sheerit had earlier served as justice minister from March 2001 until February 2003 and had been quite interested in the Mizrahi property question. Sheerit quickly revitalized the Department for the Rights of Jews from Arab Countries, reappointed Niddam to head it, and secured the requisite budget for the department.<sup>252</sup> He pledged to resume working on it at the conference inaugurating the JJAC’s International Rights and Redress Campaign in October 2006.<sup>253</sup>

JJAC itself continued to push its agenda, and by late 2007 it was involved in a flurry of activity in advance of the Israeli-Palestinian negotiations that were scheduled to take place in late November in Annapolis, Maryland—a factor that JJAC publicly invoked with regard to the timing of these activities. From November 4 to 5, the group held a summit meeting in New York featuring reports from several of JJAC’s constituent groups, as well as reports from Israeli officials such as the Justice Ministry’s Jean-Claude Niddam. JJAC also held a press conference at which it presented

copies of part of the memorandum that the WJC submitted on January 19, 1948, to the UN Economic and Social Council (see chapter 2). Describing the memorandum as “recently discovered,”<sup>254</sup> the group cited it as proof of a deliberate Arab League plan to victimize Jews in Arab countries. As noted in chapter 2, it does not appear that the Arab League ever adopted the proposal formally.

Yet despite sharpening its message even more that the Arab world devised a deliberate plan to harass its Jewish population, JJAC seemed to have redefined its goals, including emphasizing to a greater extent than before the avenues of redress *outside the Israeli-Palestinian diplomatic arena* that were available to former Arab Jews. At the summit, the organization released a revised version of its June 2003 document, “Jewish Refugees: The Case for Rights and Redress.” The new version, issued on November 7 and listing Cotler as a coauthor along with the original authors, Urman and David Matas, offered a changed and more precise explanation of the group’s goals and aims. For one thing, the report stated clearly in several places that JJAC’s campaign was not “a campaign against Palestinian refugees.” In the section of the report that he wrote, Cotler noted, “None of this is intended to argue against the Palestinian right of redress nor intended to diminish the suffering of the Palestinian population, nor their plight, nor their victimization.” However, Cotler did not state whether he felt that the Palestinian right of redress included the demand for the right of return. The report went on to argue that forthcoming Israeli-Palestinian talks must include discussion of Jews from Arab countries. And although it has nothing to do with Jews from Arab countries, Cotler also brought up UNRWA, the UN agency long despised by Israel and its supporters, and other UN entities devoted to the Palestinians: “And finally, the whole question of the plight of Palestinian refugees—and their just treatment—might better be served by bringing them within the general United Nations refugee system, rather than the separate system for Palestinian refugees, which has nurtured their plight rather than facilitated its resolution.”<sup>255</sup>

The main difference between the original and revised reports is what JJAC considered to be the remedies available to Jews from Arab countries, and how these people could push for redress of their grievances. While continuing to argue for inclusion of these Jews’ experience in Israeli-Palestinian talks, in creating an international fund for compensating all Middle Eastern refugees, and extending UN protection to former Arab Jews, the 2007 report highlighted other forms of redress—outside Arab-Israeli diplomacy—

to a greater extent than did the first report. This included individual Jews seeking justice on their own through the courts. For example, the report discussed the Shemesh—Shalom ve Shilumim, Bigio, and Metzger court cases (see above). The report also argued that redress could include Arab governments' acknowledgment of wrongs committed against Jews, establishment of foundations to preserve Jewish communal property in the Arab world, and establishment of endowed professorships in Sephardic/Mizrahi studies at prominent universities.<sup>256</sup>

JJAC continued to stress that it did not advocate for or against any particular remedy, and that it specifically was not seeking financial compensation for former Arab Jews:

*Justice for Jews from Arab Countries* is not itself seeking to invoke all remedies on behalf of Jews from Arab countries. In particular, *Justice for Jews from Arab Countries* does not seek monetary compensation on behalf of individual victims through litigation. Individual victims and their representatives are free to seek whatever legal remedies are open to them. We note that several have chosen to do so, either in the courts of the countries from which they fled, or through negotiations with the government of the countries from which they fled.

The report also noted that “mere acceptance of the validity of our assertions of rights and violations are, in a sense, themselves a form of redress, indeed the form of redress we most seek. . . . The general point is that Our [*sic*] effort is to attempt at [*sic*] persuasion rather than legal coercion.”<sup>257</sup>

Despite giving greater attention to other forms of redress, JJAC remained true to its ultimate commitment to seeing Jewish grievances against the Arab world dealt within the context of Arab-Israeli peace talks: “Ultimately, we hope our persuasion will lead to general recognition of the right as part of a comprehensive peace agreement.” Moreover, without specifically mentioning trying to negate the Palestinian right of return, the report offered a ringing endorsement of the concept of linkage, going so far as to use the actual term: “Linkage suggests that, if the rights of one group are not recognized, the rights of the other group should also not be recognized. That is our position.”<sup>258</sup>

Why did JJAC appear to move away from its earlier insistence upon dealing with the claims of Jews from Arab countries largely within the framework of Israeli-Palestinian peace talks? Was it because the number of

notable legal challenges by groups and individual Mizrahi/Sephardic Jews was growing? Was it because it was no longer certain that Israel intended to pursue the matter vigorously in talks with the Palestinians, and therefore it needed to offer up other ways of seeking redress for Mizrahi/Sephardic Jews such as establishing endowed professorships at prestigious universities? The Israeli government certainly did express a cool attitude toward the entire question of former Arab Jews, much to JJAC's chagrin.

The degree to which the Israeli government still was supportive of the idea was called into serious question in 2007. In February, Sheetrit was replaced as Justice Minister by Daniel Friedmann. Friedmann quickly involved himself in controversial efforts to change the judiciary in Israel, not with Jewish claims against Arab countries. Furthermore, Prime Minister Ehud Olmert's office issued a communiqué that same month stating that Minister for Pensioners Affairs Rafi Eitan would take the lead on matters relating to Jews originally from Arab countries, and would chair the ministerial committee on the matter. The fact that an aging Ashkenazic cabinet member with a low-profile cabinet post was put in charge of the committee responsible for Jewish property claims against Arab countries was hardly a ringing endorsement of Olmert's commitment to the issue. In fact, Eitan made the headlines in November 2007 when he publicly called not for movement on Mizrahi/Sephardic property, but for reopening the 1952 reparations agreement signed by the German and Israeli governments. As Minister for Pensioners, and head of a political party that promotes retirees' interests, Eitan stated in the Israeli press that Germany still has an obligation to take care of aging Holocaust survivors in Israel:

We see Germany as responsible for the Holocaust survivors. The agreements we had with them had many holes. Nobody estimated [in 1952] the high cost of the last stage of life in the modern era, or that people would live at least ten years longer on average than they did in the 1950s. Nobody thought that 175,000 Holocaust survivors from the former Soviet Union would come to Israel.<sup>259</sup>

Eitan later denied calling for actually reopening the talks, but public demand that the government look into how Holocaust survivors have been treated in Israel has been so intense in recent years that the Knesset's State Control Committee decided, on January 7, 2008, to establish a full-fledged commission of inquiry to look into how the Israeli government has dealt

with matters relating to Holocaust survivors. One of the justices of the Israeli Supreme Court will head the commission, which is only the second such commission in Israel's history that has been established by the Knesset's State Control Committee.<sup>260</sup> Clearly, Eitan, the Knesset, and the government of Prime Minister Ehud Olmert considered this matter a much more pressing priority than the property claims of Mizrahi/Sephardic Jews. To Mizrahi/Sephardic activists like Moshe Karif, who long have railed against what they see as Israel's preferential treatment of Ashkenazic Holocaust survivors in pushing for compensation, restitution, and reparations, all this no doubt was cause for further anger and conviction that the Israeli government was not as serious about pushing for the claims of Jews from Arab countries as it was seeking compensation and reparations for European Holocaust survivors.

No doubt equally disheartening to others who shared a concern for this issue was Olmert's October 8, 2007, letter to JJAC, which arrived shortly before the group's major summit meeting in New York in early November.<sup>261</sup> In it, Olmert told the group that diplomatic discussion of Jews from Arab countries was premature. However, he assured the group, when the time to bring up refugees in the Middle East was right, Israel would "reaffirm its commitment to resolving the rights of Jewish refugees from Arab countries as well."<sup>262</sup> Although JJAC's Urman stated that delegates to the New York summit were "gratified" by Olmert's letter, press reports stated that they in fact were "infuriated" by the Israeli government's non-committal attitude.<sup>263</sup> Olmert's letter certainly did not sound like a ringing endorsement of the cause of Jews from Arab countries, especially given that it came just a few weeks before Palestinian and Israeli negotiations were scheduled to resume in Annapolis.

Nor should Olmert's tepid attitude have come as a surprise. Back in September 2005, when the Israeli group Shemesh—Shalom ve Shilumim filed a suit against the Israeli government to force it to seek compensation for lost Iraqi Jewish property (see above), it sent copies of its complaint to several Israeli cabinet members. The only one who responded to the group was Olmert, then vice prime minister, who offered support, but in a similarly vague manner: "I believe that when the time comes, when we act to arrange relations between Israel and the renewing Iraqi administration, we will have to address the treatment of the Jewish population and the offenses to them and their possessions."<sup>264</sup>

Direct public Israeli-Palestinian negotiations finally took place for the first time since 2001 when the two sides met in Annapolis, Maryland, on



November 27, 2007. American President George W. Bush brought together Israeli Prime Minister Ehud Olmert and PLO/PA President Mahmud ‘Abbas, and the three men agreed to set an ambitious agenda toward concluding a final peace agreement by the end of 2008. Despite JJAC’s high-profile campaign devoted to raising the issue of ex-Arab Jews during negotiations with the Palestinians, particularly its flurry of activity in advance of the negotiations, the subject came up at Annapolis only once, and then briefly. During her speech at the conference, Israeli Foreign Minister Tzipi Livni made a brief mention of the subject when comparing the plight of Palestinian refugees with that of Mizrahi/Sephardic Jews:

the right thing to do is to build a shared future in two separate states: one—the State of Israel, which was established as a Jewish state, a national home for the Jewish people; and the other—Palestine, which will be established to give a full and complete solution to Palestinians wherever they may be, those who are in Gaza and the West Bank and those in refugee camps in other Arab countries with temporary status, waiting for a sense of belonging to a national state, the same freeing of wholeness that the establishment of the State of Israel gave to Jewish refugees who were forced to leave Arab countries and Europe and became partners in building Israel.<sup>265</sup>

The JJAC’s Urman later said, “I think it was an appropriate reference. I think it was the first time such a reference was made in such a major speech by the foreign minister.”<sup>266</sup> Urman also expressed pleasure several weeks later about press reports claiming that Bush raised the question of Middle Eastern and North African Jews during his state visit to Israel in January 2008.<sup>267</sup>

Groups like JJAC continue their preparations to combat the Palestinian right of return. Meanwhile, recent events in Iraq and Libya, not to mention Israeli governmental hesitation to bring up the question of the former Arab Jews more decisively at Annapolis, continue to pose potential challenges to the notion that Israel will champion Jewish claims during negotiations with the Palestinians. If Mizrahi/Sephardic groups or individuals manage to obtain compensation or restitution of their property through direct agreements with Arab countries, what might this do to Israeli efforts to use the collective Middle Eastern and North African Jewish experience of emigration and property losses as a shield for defending against the right of return?





## Conclusion

In 1955 a former Iraqi Jew named Elias Isaac Joseph Isaac wrote a letter to the United Nations in New York, inquiring whether the world body possessed any information about Jewish property that had been sequestered in Iraq. He wrote again in 1961. While no UN agency dealt specifically with the question of Iraqi Jewish property, officials at the world body's headquarters felt that the United Nations Conciliation Commission for Palestine was the best office to which to forward Isaac's letters. The UNCCP was in the final stages of its massive project collecting data on Palestinian refugee property losses from 1948 and might know something about comparable data on Jewish property in Iraq. Isaac's correspondence ended up being sent to the UNCCP for response, and on September 13, 1961, UNCCP Principal Secretary John P. Gaillard wrote back. He told Isaac simply that Israel had connected the issue of Jewish property in Iraq with that of Arab property in Israel, and that therefore the UNCCP could not help him at that time.<sup>1</sup>

It was a response that speaks volumes about the subject of Jewish property claims against Iraq and other Arab countries. Gaillard simply could have written back that the UNCCP did not possess any information on Jewish property in Iraq, which was true. Gaillard even could have written

something to the effect that the UNCCP likely *never* would be in a position to help Isaac, instead of saying that the UNCCP could not help him “at this time.” Yet the UN official’s letter revealed the degree to which many around the world who dealt with the Arab-Israeli conflict had come to accept the notion of linkage—that Israel had connected, diplomatically, Jewish claims against Arab countries with those of the 1948 Palestinian refugees. Because of that, nothing was being done for individual Jews who harbored grievances, as Isaac apparently did. Gaillard’s letter, while clearly conveying the fact that the UNCCP could not help the unfortunate former Iraqi in his quest, nevertheless was careful not even to comment further on the matter. Far be it from a UNCCP staff official on the east side of midtown Manhattan to venture into the diplomatic intricacies involved with unlinking the two sets of claims for property lost thousands of miles away in the Middle East for the sake of something so prosaic as a letter.

UN bureaucrats were not the only ones who by that time understood Jewish property losses in the Arab world during and after the first Arab-Israeli War of 1948 as somehow connected with the losses sustained by Palestinian Arabs during that same war. Israel had been linking Jewish and Palestinian property claims diplomatically in one form or another since 1948, and particularly since 1951. Several Arab governments had taken action against their Jewish citizens, and their property, for reasons related to the Arab-Israeli conflict and the dispossession of the Palestinians. Over time, others came to understand the Middle Eastern and North African Jewish plight in terms of its interrelation with that of the Palestinians as well. By the 1970s certain Mizrahi/Sephardic organizations like the World Organization of Jews from Arab Countries (WOJAC) also linked international action on Palestinian claims with action on the claims of former Arab Jews. Increasingly, so, too, did the government of the United States of America. By the January 2001 Taba negotiations between Israel and the Palestine Liberation Organization, even the Palestinian leadership, long consisting of politicians who themselves were refugees from 1948, had accepted the idea that Palestinian claims would be paid out of the same international fund that would compensate Jews from the Arab world. The U.S.-based organization Justice for Jews from Arab Countries began an international campaign in 2006 to push for equating Middle Eastern and North African Jewish losses and trauma with that experienced by the Palestinians, in advance of future Israeli-Palestinian negotiations. The list could go on.

As a result of these overt and tacit global understandings that Jewish property claims against Arab countries somehow are linked with Palestinian refugee claims and therefore must await a final Israeli-Palestinian peace deal for resolution, little of substance was accomplished over the decades to seek concrete redress for these dispossessed Jews, whether in the form of restitution, compensation, or both. Given that no Arab-Israeli peace talks took place for years during the 1950s, 1960s, and early 1970s, Israel largely limited its activity on the matter to several incomplete attempts to register Jewish property losses. Even then the information requested was tailored to fit Israeli diplomatic needs vis-à-vis the Palestinians, omitting categories of lost property for which Israel had declared it would not compensate the Palestinians. Even in cases where Israel and certain Arab countries later signed peace treaties, like Egypt and Jordan, or where countries carried on quasi-formal relations with Israel, as in the case of Morocco, the Israeli government has yet to push for resolution of Jewish property claims. It has saved the claims for talks someday with the Palestinians, even though the Palestinian refugees from 1948 were not responsible for these Jewish losses.

The track record of influential international Jewish organizations that in the past pushed hard for resolution of European Jewish Holocaust claims, like the World Jewish Congress, has been no better when it comes to demanding compensation for and/or restitution of Jewish property lost in the Arab world outside of Arab-Israeli negotiations and Israeli demands for linkage. The WJC helped collect statistics on Jewish losses in Egypt in 1956 but seems to have done nothing with them thereafter. By the early twenty-first century, the WJC had renewed its interest in Jewish claims against the Arab world, but only in tandem with Israeli efforts to portray the Palestinian exodus from what became Israel and the Jewish exodus from the Arab world as interrelated and irreversible phenomena. In a March 2000 interview with Israeli journalist Itamar Levin, WJC Executive Director Ilan Steinberg said that the WJC would assist WOJAC and other groups in their campaign to raise awareness of the Jewish claims question. But he conceded that “political” questions influenced the WJC’s work in this regard as much as “moral” questions did, and that therefore the group would work alongside Israel (that is, not seek compensation or restitution outside of Arab-Israeli diplomacy) given the “extreme sensitivity” surrounding the claims:

The WJC is firm in its commitment to raising the question of Jewish assets in Arab countries, although it is clear to us that this is a politi-

cal question, beyond being a moral question. Some claim the issue should not be raised, as it will cause the Palestinians to bring up their own claims; the fact is that they have already brought up their claim. Because of the matter's extreme sensitivity, it will be handled in coordination with Israel's government and other relevant organizations, such as WOJAC and the WSF.<sup>2</sup>

WJC Secretary General Avi Beker was even blunter in noting that the WJC would *not* seek compensation, restitution, or reparations for Middle Eastern and North African Jews. Beker has a long history working to address Holocaust property claims, including service on the board of directors of groups such as the Conference on Jewish Material Claims Against Germany, the Government Foundation for Restitution in the Czech Republic, and the Slovak Fund on Jewish Property. He also edited a book on Jewish property losses during the Holocaust.<sup>3</sup> Yet in 2003, when discussing the WJC's work with JJAC on behalf of former Arab Jews, Beker firmly dismissed the idea that his group would push for property compensation and/or reparations:

JJAC and the WJC are committed to putting the issue of the Jewish refugees on the international agenda, but we will not make any claims unless we are asked to do so by the Israeli government. We will not launch an international campaign for restitution, because that is not our role. We speak of human rights, and we want to tell the story that has not been told, but we will not deal with property and the issue of restitution.<sup>4</sup>

The U.S. government similarly has not pressured Arab states to compensate their former Jewish citizens, even those who became American citizens, for their losses. This even has been true of countries over which the United States possesses considerable influence, such as Egypt. This stance comes in marked contrast to the vigor with which the American government pursues the property claims of Cuban Americans for property seized in their homeland after the 1959 Cuban revolution. Not even after it defeated and occupied Iraq in 2003 did the United States demand action on Jewish claims, in contrast to its attitude toward Jewish reparations from the defeated and occupied Germany after 1945, or even Kuwaiti compensation from the defeated Iraq after 1991.

Why is it that Jewish property claims against Arab countries from Mo-

rocco to Iraq have been linked by so many to the claims harbored by Palestinian refugees against Israel? Do the Palestinians and their plight have anything to do with the losses sustained by Jews from the Arab world? If so, are they the appropriate target for seeking redress, when they were not responsible for the Jewish losses in the first place? Is it because most Jews who left the Arab world immigrated to Israel? Why has Israel steadfastly insisted upon resolving both sets of claims at once, even when it could have done otherwise? Was it really compensation for its citizens that it sought, or something else? What explains why international Jewish groups, not to mention Mizrahi/Sephardic groups and coalitions, similarly have deferred to Israeli diplomatic needs and strategies in this regard instead of pushing for monetary compensation? Why has U.S. policy followed suit? And what of individual Middle Eastern and North African Jews themselves, whether in Israel or elsewhere? What have they felt is the best way to pursue their claims for justice?

In studying the history of this dispossession, this book has shed light on these and other questions. It has illuminated the various reasons why certain Jews who left the Arab world in 1948 and the decades thereafter were able to take only some of their property with them. We have seen that it is impossible to explain this *grosso modo* by lumping together the diverse experience of different types and social classes of Jewish emigrants from so many different Arab countries, some of which were not even fully independent states at the time of the Jewish exodus. In some cases, the cause of Jewish dispossession was government sequestration or expropriation of moveable and immoveable property. In other cases, the amount of funds and personal property Jews could take out of the country was limited by law. Some Jews simply left their property behind when they departed or sold it at below market prices. Others lost their property in route to Israel or had it stolen upon arrival. The total value of these losses can never be established. No systematic reckonings were undertaken, and even Israeli efforts to register losses have been incomplete.

We also have traced how and why these claims became linked with those of the Palestinians. Of particular importance here were the actions taken by certain Arab states against their Jewish citizens in reprisal for Israeli actions against the property of Palestinian refugees, as well as official Israeli policy that formally linked the two property claims questions in 1948 and especially starting in 1951. We examined the reasons why Israel pursued linkage, and how it hoped to gain diplomatically by throwing up the Jewish experience

in the Arab world as a counterweight to Palestinian demands for return and compensation. So important was this Israeli strategy that when Arab-Israeli peace talks resumed in the 1970s after decades of warfare and inaction, Israel still chose not to pursue the Jewish claims outside the rubric of eventual Israeli-Palestinian talks even when it had the chance to do so with Egypt after 1979, and Jordan after 1994. By the time Israel carried out serious negotiations with the PLO in 2000 and 2001, it changed its policy of linkage somewhat and adopted the concept of an international fund that would pay out both Palestinian and Jewish claims. But even here, Jewish claims still would be addressed as part of a final Israeli-Palestinian settlement.

On occasion, individual Jews who lost property when they left the Arab world have sought compensation or restitution outside of the Arab-Israeli diplomatic realm, usually by appealing to foreign courts. International Jewish groups and even organizations purporting to represent the interests of Jewish emigrants from Arab countries like WOJAC, JJAC, and the International Committee of Jews from Arab Lands eschewed these tactics, opting instead to support Israeli diplomatic efforts. Such groups also argued among themselves whether or not they as Jews came to Israel as Zionists wanting to join their largely Ashkenazic brothers and sisters in building a new Jewish state, or as impoverished refugees who had nowhere else to go—an example of the so-called Zionism of distress.

This book also studied what has transpired in the twenty-first century regarding Jewish property claims against the Arab world. What was the effect of the international fund idea on the claims question after it was accepted in January 2001? If Jews finally would be able to seek compensation from such a fund, why did groups like JJAC not expend energy toward registering losses and then pushing for payment, much like Jewish groups have done for Holocaust victims over the years? Instead, JJAC and WOJAC encouraged property registrations, but only as part of wider efforts aimed at generating international political support for equating the Jewish and Palestinian experiences of exile and suffering. The goal has been to convince the international community that a permanent population and property exchange occurred between Jews and Arabs in the Middle East, and therefore the only solution for the Palestinian refugee problem is permanent resettlement of the Palestinians in the Arab world. Resolving the property claims may be important to these groups, but Israel being able to use the equation between Jews and Palestinian refugees to blunt future PLO demands for the right of return seems even more important.

Is the goal of these groups first and foremost to obtain monetary compensation for their constituents as soon as possible, or to help Israel neutralize the PLO call for the right of return? Or both? Moreover, it remains to be seen what the impact could be of possible Libyan or even Iraqi compensation payments to their former Jewish citizens outside the Israeli-Palestinian framework. How might this affect how other Jews who left the Arab world view their options? What might it spell for Israeli diplomatic efforts vis-à-vis the Palestinians, if large numbers of former Arab Jews seek redress on their own, or in groups, through direct talks with Arab states rather than through Israeli power of attorney? Given that Iraqi and Libyan compensation seemed as distant as ever at the time these lines were being written, that may be a moot point. It also remains to be seen what, if any, impact the renewed Israeli-Palestinians talks initiated in November 2007 at Annapolis may hold.

Finally, one aspect of this story that has not been studied in depth in this book deals with former Jewish residents of Arab countries themselves. How do they view this entire issue? What have been their aspirations, their hopes for resolving their own claims? We certainly have examined how various Mizrahi/Sephardic groups and leaders, both inside and outside Israel, have demanded some kind of immediate action on their demands over the years instead of waiting for the day when Israel might swap their claims for those of the Palestinians as part of a final peace deal. Indeed, letter writer Elias Isaac Joseph Isaac took the initiative by writing to the United Nations four years after Iraq dispossessed its Jewish emigrants, rather than simply wait for Israel to raise the issue. Yet by and large, we have seen groups, nations, coalitions, diplomats, and others, talking *about* the Jews from the Arab world, or making decisions and deciding their future *for them*, without reference to what *those people themselves* may have desired.

Indeed, I could not locate a single survey or poll by which WOJAC, JJAC, the ASF, the WJC, the State of Israel, the United Nations, individual Arab states, or any other body has asked former Arab Jews exactly how they want their property claims addressed, and by whom.<sup>5</sup> In democratic countries in the Internet age, would this really be so difficult? WOJAC and other Mizrahi/Sephardic heritage groups that claim to represent the interests of these dispossessed Jews have chosen steadfastly to support Israel's policy of linkage. They have neither lobbied for immediate action on behalf of property claims nor pressured the Israeli government to compensate its Middle Eastern and North African citizens and collect from the Arab world later.



This has led some to rue the difference in the attitude toward obtaining Holocaust reparations for Ashkenazic Jews, versus that regarding dealing with Middle Eastern and North African Jewish claims.

It has not been the purpose of this book to offer prescriptions on how best to redress Jewish property losses in the Arab world. But if Jews who left the Arab world truly are to seek redress for injustices they have suffered, surely they themselves—as groups and as individuals—must take, and be allowed to take, the lead in presenting their claims, and in presenting their own historical narrative. In *The Guilt of Nations: Restitution and Negotiating Historical Injustices*,<sup>6</sup> Elazar Barkan analyzes the recent historical trend whereby groups and nations use the demand for restitution (in the widest sense of the word, including compensation and reparations) as part of a process of negotiating their own identity. He also argues that suffering and victimhood constitute important dimensions of these identities and national narratives, narratives that these aggrieved peoples seek to have legitimized by their former victimizers and the wider world community. This process involves dialogue and bargaining but eventually allows the wounds of the past to begin to heal. The energy from mourning that past also can be put to use in group renewal and rebirth. According to Barkan:

In pursuing restitution, groups barter histories and national memories for recognition and material resources. It results from emphasizing historical identity and morality as an international and political question. The identity of the group, or of the nation, is manifested by its historical legacy. The moral identity of the state is thus revealed as its identity over time. This view of international morality as a historical construction is a shift away from abstract principles and rights, toward political discourse, narratives, and contexts. Within these new circumstances, legitimizing one's story has become a prime political target. The very recognition of one's narratives has become a basic identity need, a contested territory. . . . Group grief that results from injustice often becomes national trauma. In those cases where such trauma exists, restitution can transform the trauma into mourning. As such the injustices will continue to be mourned by the nation, but the pain that has not been healed will be transformed into a force for rebuilding the nation, a constitutive cultural and material resource.<sup>7</sup>

This rings true for the case of Jews from Arab countries and extends to a wider set of losses and suffering than mere property losses, which has been the focus of this book. Barkan also stresses that negotiating national identity and struggling for reparations are processes that bring together the victim and the victimizer—or to avoid the loaded term “victim,” that bring together the injured party and the injuring party. Demanding reparations, restitution, and/or compensation requires negotiating with the former oppressor, presenting one’s narrative, and seeking to have it validated. The two sides must wrestle with the issues of reparations together, not indirectly or by proxy. Indeed, a key dimension of this entire process is seeking from the former oppressor recognition and acceptance of one’s narrative of historical injury and grievance. It is not simply constructing and presenting a narrative of grievance, but having the other side accept its legitimacy, in whole or in part:

For a group identity to become noncontroversial, or at least generally accepted, it has to be recognized *not only by advocates but also by competitors* [emphasis added] . . . [t]he novelty of the urge to amend past injustices is that it addresses history through an effort to build an interpretation of the past that both parties could share. This approach occupies a middle ground that provides both a space to negotiate identities and a mechanism to mediate between national histories. It is a discourse about nationalism and a negotiation regarding whose story and what versions of the national narratives can be legitimated, not only by supporters but also by adversaries and “impartial” outsiders. . . . The contending narratives shape the identity of both perpetrators and victims, as each side is invested in a particular interpretation of the historical events.<sup>8</sup>

The logical premise of Barkan’s comments is that those seeking reparations must be those who were aggrieved, not someone negotiating on their behalf without their consent. His comments also assume that negotiations take place with the right party, not a third party. If one seeks validation of one’s narrative from the former oppressor, it goes without saying that one must seek this from the former oppressor him/her/itself and not from someone else. In our context, does the current situation—the current discussion about Jewish property losses in the Arab world—meet that requirement? When the State of Israel and groups like JJAC say they are presenting

the narrative of Jewish suffering and dispossession in certain Arab countries on behalf of former Arab Jews, from whom do they seek recognition and validation? From whom are they seeking reparations, or what JJAC calls “redress”? Is it from the individual Arab states responsible for Jewish dispossession? Or is it from the Palestinian refugees—a group not responsible for this dispossession, and one that bears its own historical narrative of dispossession and suffering?

As this study has shown, it is the latter. Can justice therefore truly be served, can recognition truly be obtained, can healing and renewal truly be achieved, if Jewish claims for dispossession in the Middle East and North Africa are not laid at the doorstep of the responsible parties but rather used to deflect the claims and narrative of a third party? Can healing take place if the aggrieved Jews themselves are not the ones presenting their own narrative? And if in the end neither Palestinians nor Jews from Arab countries receive compensation and proper recognition, can true healing and reconciliation take place? Can each group work to overcome its respective grievances, which in any event were not inflicted on one another by one another? And do the various governments, both Arab and Israeli, that are implicated in the plight of these two sets of aggrieved populations therefore come away free from blame and accountability?

Another relevant question would be to ask whether or not there is room for individual claims and narratives in the process of negotiating past dispossession. The fact is that various parties over the decades typically have addressed Jewish property claims against the Arab world en masse and in national terms, not in terms of individual persons. Yehouda Shenhav has written of Israel’s turning Middle Eastern and North African Jews’ “private capital” into Israeli “national capital”: removing Jewish property claims against the Arab world from the realm of individual losses, or even community losses, and turning them into a wider national (i.e., Israeli) issue.<sup>9</sup> The property claims question has been subsumed within other larger dramas and problems as well, almost to the point of disappearing within them: the massive and usually tragic demographic changes that radically changed patterns of Jewish spatial reality through the world starting in the 1940s; the creation of Israel and the struggle between Zionism and the Arab world; the Palestinian refugee problem and the lengthy Arab-Israeli conflict; and ongoing socioeconomic and political tensions between Ashkenazic and Mizrahi/Sephardic Jews within Israel.

It is easy to conceptualize, and study, the experience of Jews who left the

Arab world—including their property claims—with broad brushstrokes. This book itself might be guilty of this. Yet in the final analysis, it was individual Jews, and individual Jewish communities, that incurred losses during their often traumatic exodus from Arab countries midway through the twentieth century. It is a story of individual dispossession, and the painful experiences of individual persons and communities. It is easy to lose sight of this. These individual losses have factored heavily into the Middle Eastern and North African Jews' internal discourses of persecution, exile, loss, and identity.<sup>10</sup> Whether part of Arab-Israeli diplomacy or not, whether on their own, in groups, or through the agency of Israel and others, these individuals must come to feel that their grievances are heard and addressed in a way that is acceptable to them if some of the wounds of Mizrahi/Sephardic historical memory are to be healed. Resolving these claims and healing this memory will go far toward creating better relations between Jews of Middle Eastern and North African descent and their Ashkenazic fellow citizens of Israel, between Israelis and their Palestinian neighbors, and between Jews and Arabs throughout the Middle East.



## INTRODUCTION

1. This is the subject of two books I have written: *The Peace Process and Palestinian Refugee Claims: Addressing Claims for Property Compensation and Restitution* (Washington, DC: United States Institute of Peace, 2006); and *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict* (New York: Columbia University Press, 2003).

## I. THE LOSS OF JEWISH PROPERTY IN THE ARAB WORLD

1. There are dozens of works that do so, focusing on both the general Jewish experience in the region, as well as Jewish life in specific countries. Among many others, see Reeva Spector Simon, Michael Menachem Laskier, and Sara Requer, eds., *The Jews of the Middle East and North Africa in Modern Times* (New York: Columbia University Press, 2003); and Bernard Lewis, *The Jews of Islam* (Princeton: Princeton University Press, 1987).

2. Cohen provides an excellent historical sketch of the debates over whether Jews lived securely in the Arab world in his *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994), especially in his introduction and chapter 1, entitled “Myth and Countermyth.”

3. *Ibid.*, 6.

4. *Ibid.*, 12–13.

5. Maurice Roumani, *The Case of the Jews from Arab Countries: A Neglected Issue* (Tel Aviv: World Organization of Jews from Arab Countries, 1977), 24.

6. *Ibid.*, 29.

7. <http://www.jimena.org/faq.htm#1>.

8. Ella Shohat, "The Invention of the Mizrahim," *Journal of Palestine Studies* 29, 1 (Autumn 1999): 6–7.

9. Ella Shohat, "Sephardim in Israel: Zionism from the Standpoint of Its Jewish Victims," *Social Text* 19/20 (Autumn 1988): 9. Available at <http://www.jstor.org>.

10. Shohat, "Invention of the Mizrahim," 12.

11. The Capitulations were special treaties by which European subjects and their local protégés, usually non-Muslim minorities, could pursue their businesses with a type of diplomatic and legal immunity from local laws and courts.

12. For details, see Gudrun Krämer, *The Jews in Modern Egypt, 1914–1952* (Seattle: University of Washington Press, 1989); Joel Beinin, *The Dispersion of Egyptian Jewry: Culture, Politics, and the Formation of a Modern Diaspora* (Berkeley: University of California Press, 1988); and Michael M. Laskier, *The Jews of Egypt, 1920–1970: In the Midst of Zionism, Anti-Semitism, and the Middle East Conflict* (New York: New York University Press, 1992).

13. Karaites are a tiny Jewish sect that rejects the Talmud and thus the entire rabbinic tradition.

14. Shohat, "Invention of the Mizrahim," 9.

15. *Ibid.*

16. I wish to thank one of the anonymous reviewers of the manuscript for pointing out this fact.

17. Esther Meir-Glitzenstein, *Zionism in an Arab Country: Jews in Iraq in the 1940s* (London: Routledge, 2004), 135.

18. Meeting of the Jewish Agency executive (June 24, 1944), cited in *ibid.*, 47.

19. Minutes of Mapai Party Central Committee meeting (July 12, 1943), cited in *ibid.*, 46–47.

20. See *ibid.* (especially 44–51) for a discussion of the One Million Plan and its impact on Zionist efforts at stimulating Jews from the Arab world to immigrate to Palestine/Israel.

21. Minutes of Histadrut executive meeting (December 29–30, 1943), cited in *ibid.*, 51.

22. Shohat, "Sephardim in Israel," 16.

23. In the words of the Zionist leader Chaim Weitzmann.

24. Following contemporary usage, I henceforth will refer to the Arabs of Palestine as Palestinians.

25. Michael R. Fischbach, "Land," in *Encyclopedia of the Palestinians*, ed. Philip Mattar, rev. ed. (New York: FactsOnFile, 2005).

26. Shohat, "Invention of the Mizrahim," 11.

27. Ibid.
28. Shohat, "Sephardim in Israel," 11.
29. There is a large body of new literature on the Palestinian refugees and the particular question of why they fled. For several different perspectives on this question, see Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited*, Cambridge Middle East Library (Cambridge: Cambridge University Press, 2004); Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications, 2006); Yoav Gelber, *Palestine 1948: War, Escape, and the Emergence of the Palestinian Refugee Problem*, 2d rev. ed. (Sussex: Sussex Academic Press, 2006); and Avi Shlaim, "The Debate about 1948," in *The Israel/Palestine Question*, ed. Ilan Pappé (London: Routledge, 1999).
30. Fischbach, *Records of Dispossession*, 16; United States National Archives and Records Administration [hereafter, NARA], RG 84, Haifa Consulate/General Records 1948/300-804.9; Document: 711.3, Lippincott to Secretary of State (June 22, 1948).
31. Fischbach, *Records of Dispossession*, 17-18.
32. First published in the Israeli government's *Sefer ha-Hukkim* [Book of Laws], no. 37 (March 20, 1950), 6.
33. The Druze religion is a medieval offshoot of Isma'ili Shi'ite Islam. Druze Arabs today inhabit southern Syria, the Golan Heights, central Lebanon, and northern Israel. Because of a deal struck between Druze leaders and Zionist officials during the 1948 Arab-Israeli War, the Druze stayed out of the fighting. In Israel today, the government treats them differently from Muslim and Christian Arabs. They are drafted into the military, for example, and are well represented in the paramilitary Border Guards.
34. Fischbach, "Land," 295.
35. American Jewish Committee Online Archives [hereafter, AJCA], Seligman to Shalom (December 17, 1947).
36. *New York Times*, January 11, 1948.
37. AJCA, "Condition of the Jews in Syria" (undated, but April 21, 1949). The same document can be found in the Jacob Rader Marcus Center of the American Jewish Archives [hereafter, AJA], MS361, B20/7.
38. Ibid.; *al-Sha'b* newspaper [Baghdad], February 23, 1949, appended to AJCA, "Second Report on Iraq, January-April 1949" (June 10, 1949).
39. NARA RG 59, 883.411/7-2550, Damascus to Department of State (July 25, 1950).
40. *The American Jewish Yearbook*, vol. 52 (1951), prepared by the American Jewish Committee, Morris Fine, ed. (New York: American Jewish Committee; Philadelphia: Jewish Publication Society of America, 1951), 421 (hereafter cited as *American Jewish Yearbook*, followed by the volume, year, and page number).
41. Roumani, *The Case of the Jews from Arab Countries*, 4.
42. AJCA, "Report on the Situation of Jews in Syria" (April 28, 1956); "Persecution of the Jews of Syria" (December 1953), attached to Israeli Consulate in New York to Siegal.



43. Ya'akov Meron, "Expulsion," in *The Forgotten Millions: The Modern Jewish Exodus from Arab Lands*, ed. Malka Hillel Shulewitz (London: Cassell, 1999), 92; *American Jewish Yearbook*, vol. 60 (1959), 255.

44. AJCA, "Situation of Jewish Community in Syria as Reported on November 29, 1948" (no date), attached to Satterthwaite to Slawson (December 21, 1948).

45. *American Jewish Yearbook*, vol. 57 (1956), 519.

46. NARA RG 59, 883.411/10-1552, Damascus to Department of State (October 15, 1952), and RG 59 883.411/6-2553, Damascus to Department of State (June 25, 1953).

47. Itamar Levin, *Locked Doors: The Seizure of Jewish Property in Arab Countries*, trans. (Westport, CT: Praeger, 2001), 182.

48. Itamar Levin, "Jewish Property in Iraq, Egypt and Syria: Can It Be Retrieved in Court?" *Justice*, no. 36 (Autumn 2003): 12.

49. Ya'akov Meron, "Why Jews Fled the Arab Countries," *Middle East Quarterly* (September 1995). Available at <http://www.meforum.org/article/263>.

50. AJCA, Foreign Affairs Department to Paris Office (June 8, 1956).

51. NARA RG 59, 890D.52/2-149, Damascus to Department of State (February 1, 1949).

52. Israel State Archives [hereafter, ISA] (130) 2563/4, January 1952 report of Moshe Sasson, in Levin, *Locked Doors*, 180, n. 41.

53. *Ibid.*, 179.

54. *New York Times*, October 3, 1952.

55. *Ibid.*, May 11, 1953.

56. AJCA, Foreign Affairs Department to Paris Office (June 8, 1956); Segal to Engel and Slawson (June 15, 1956).

57. NARA RG 59, 883.411/11-2553, Damascus to Department of State (November 25, 1953).

58. Records of the American Sephardi Federation at the Center for Jewish History (hereafter, ASFR), AR-4, I: Writings of Walter P. Zenner; box 2, "A Preliminary Study of Jews in Contemporary Syria: A Restricted Remnant Community," 8.

59. *New York Times*, May 4, 1949.

60. NARA RG 59, 890D.5211/11-1249, Sutton to Department of State (February 1, 1949).

61. It was noted that this policy was designed partly so that the state could get ahold of such property, rather than private entities who were acquiring it without legal basis. *Al-Hayat*, April 11, 1953, cited in *American Jewish Yearbook*, vol. 55 (1954), 370-71.

62. *American Jewish Yearbook*, vol. 57 (1956), 519-20.

63. *Al-Sha'b* [Damascus], January 12, 1954, cited in *American Jewish Yearbook*, vol. 57 (1956), 519.

64. *Haaretz*, December 12, 1957, attached to AJCA, Paris Office to New York Office (December 23, 1957).

65. Ibid.; AJCA, Bendor to Shuster (October 1, 1956), attached to Shuster to Segal (October 3, 1956).

66. AJCA, Segal to Engel and Slawson (June 15, 1956).

67. See, for example, the account of an August 23, 1956, meeting between an American Jewish Committee official and an official of the State Department's Syrian desk. AJCA, Rubin to Hevesi (August 23, 1956), attached to Hevesi to Shuster (August 28, 1956).

68. AJCA, Thomas to El-Bitar [*sic*] (January 6, 1958), attached to Waggoner to Peretz (January 15, 1958).

69. AJCA, Thomas to Engel (October 1, 1958).

70. World Zionist Organization, Central Zionist Archives (hereafter, CZA) Z6/1431, Golan to Goldmann (March 30, 1959); *American Jewish Yearbook*, vol. 60 (1959), 255, and vol. 67 (1966), 422.

71. Megan Goldin, "Syrian Jews in Israel Seek Compensation," Reuters, January 7, 2000.

72. Telephone interview with Moshe Sasson (December 12, 2000).

73. NARA RG 59, 883.411/3-752, Damascus to Department of State (March 7, 1952).

74. ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950."

75. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

76. In 1966 U.S. dollars. A copy of the captured Arabic-language document, along with English, French, and Hebrew translations, can be found in Israel Defense Force, Spokesman's Office, *Confiscation of Jewish Property in Syria for the Requirements of Syrian Intelligence Against Israel* (n.p., July 1967).

77. Ibtisam Qa'qur, ed., *Qadiyat shira' al-aradi wa'l-istitan al-sahyuni bi'l-Urdunn wa Hawran wa'l-Jawlan* [The Issue of Zionist Land Purchasing and Settlement in Jordan, Hawran, and Golan] (Amman: Dar al-Jalil li'l-Nashr, 2003), 55–56. This remarkably detailed book by researchers from the Amman-based Dar al-Jalil publishing house unfortunately contains no references and only a small bibliography. However, it appears to be based very closely on the finely researched, detailed Hebrew-language dissertation of Zvi Ilan entitled "Nisyonot le-Rekhisat Adama u-le-Hityashvut Yehudit be-'Ever ha-Yarden ha-Mizrahi, 1871–1947" [Attempts at Jewish Land Purchase and Settlement in Eastern Transjordan, 1871–1947] (Ph.D. dissertation, Bar Ilan University, 1981). As would be expected, Ilan's dissertation contains the appropriate citations from his sources. Ilan also published a revised version of his dissertation in 1984 as *Ha-Kemihab le-hityashvut yehudit be-'Ever ha-Yarden, 1871–1947* [Yearning for Jewish Settlement in Transjordan, 1871–1947] (Jerusalem: Yad Yizhak Ben-Zvi, 1984).

78. One also encounters the spellings Bir Shajum and Bir Shakum. Properly, "bir" should be rendered "bi'r."

79. Qa'qur, *Qadiyat shira' al-aradi*, 59.

80. Ya'akov Meron, "The Golan Heights 1918–1967," in *Military Government in the Territories Administered by Israel 1967–1980*. Vol. 1: *The Legal Aspects*, ed.

Meir Shamgar (Jerusalem: Hebrew University of Jerusalem Faculty of Law, Harry Sacher Institute for Legislative Research and Comparative Law, 1982), 102; Arutz Sheva News Service, January 10, 2000. See Ilan, "Nisyonot le-Rekhisht Adama," esp. 402.

81. Qa'qur, *Qadiyat shirah al-aradi*, 94.

82. *Ibid.*, 98.

83. Simon Schama, *Two Rothschilds and the Land of Israel* (New York: Knopf, 1973), 107. See also Manfred R. Lehmann, "On My Mind: The Golan Heights: Bought by Baron Rothschild 100 Years Ago," available at [http://www.manfredlehmann.com/news/news\\_detail.cgi/29/0](http://www.manfredlehmann.com/news/news_detail.cgi/29/0). Much of Lehmann's information seems to be based on Schama's book.

84. Schama, *Two Rothschilds*, 134–135.

85. PRO FO371/62116, PICA to chief secretary (September 12, 1946), in B. Destani, ed., *Minorities in the Middle East: Jewish Communities in Arab Countries 1841–1974*. Vol. 4: 1943–1951, doc. 27.

86. PRO FO371/62116, PICA to chief secretary (September 12, 1946), in *Minorities in the Middle East*, vol. 4, doc. 27; Schama, *Two Rothschilds*, 352, n. 31.

87. Jewish Telegraphic Agency (September 5, 1946), in Joseph Schechtman, *On Wings of Eagles, The Plight, Exodus, and Homecoming of Oriental Jews* (New York: Thomas Yoseloff, 1961), 157.

88. PRO FO371/62116, Damascus to Foreign Office (July 17, 1947); PRO CO733/492/1, Wolfson to Chief Secretary (September 12, 1946).

89. ISA (80) 5711/gimel/23, Salomon to Meir (August 15, 1957).

90. ISA (80) 5711/gimel/23, Salomon to Eshkol (December 31, 1958).

91. *Ma'ariv*, January 6, 2000; Ofir Petersburg, "Ha-Keren Kayemet. Beinatayim" [The Fund Stands. For Now], *Magazin Mamon* [Mamon Magazine; insert to *Yediot Abaronot* newspaper], June 17, 1997, 10.

92. The 12.5 percent estimate comes from *American Jewish Yearbook*, vol. 53 (1952), 360. The 25 percent estimate is from Michael M. Laskier, "Egyptian Jewry under the Nasser Regime, 1956–70," *Middle Eastern Studies* 31, 3 (July 1995): 573–74.

93. Published in the French-language Egyptian government newspaper *Journal Officiel Numéro Extraordinaire [64] du 30 Mai 1948*.

94. *Journal Officiel*, Special Edition no. 36, May 30, 1948; Special Edition no. 67, June 2, 1948; and Special Edition no. 70, June 5, 1948, respectively.

95. NARA RG 59, 883.4016/4-1949, memorandum attached to Mintzer to Satterthwaite (April 19, 1949).

96. NARA RG 59, 883.4016/4-1949, Rusk to Blaustein.

97. *American Jewish Yearbook*, vol. 52 (1951), 408–9.

98. World Jewish Congress, *The Treatment of Jews in Egypt and Iraq* (New York: World Jewish Congress, 1948), 17.

99. *American Jewish Yearbook*, vol. 52 (1951), 408.

100. AJA, MS361, H107/15, report of December 1949 attached to Perlzweig to Marcus (January 19, 1949).

101. Zvi Zinger (Yaron), "State of Israel (1948–72)," in *Immigration and Settlement*. Israel Pocket Library (Jerusalem: Keter Books, 1973), 54.

102. CZA S6/6523, letter of Rabbi Tsvi Frank (May 29, 1949), in Dvora Hachen, *Immigrants in Turmoil: Mass Immigration to Israel and Its Repercussions in the 1950s and After*, trans. Gila Brand. (Syracuse: Syracuse University Press, 2003), 55.

103. Victor D. Sanua, "Emigration of Sephardic Jews from Egypt after the Arab-Israeli Wars," in *Proceedings of the Eleventh World Congress of Jewish Studies*. Division B, vol. 3: *The History of the Jewish People in Modern Times* (Jerusalem: World Union of Jewish Studies, 1994). Mention of Egypt's export restrictions on persons of all faiths is also found in NARA RG 59, 867N.48/2–2649, Cairo to Department of State (February 26, 1949).

104. *American Jewish Yearbook*, vol. 52 (1951), 416. Issuing payment in the first country of arrival served, among other things, to keep emigrants from traveling onward to Israel.

105. ISA (180) 1836/hts/5, "Egypt's Plotting Against Jewish Property" (June 25, 1951).

106. *American Jewish Yearbook*, vol. 55 (1954), 370; *New York Times*, October 3, 1952.

107. *Journal Officiel No 88 bis "A" du 1er November 1956*.

108. *Ibid.*

109. *Journal Officiel* Special Edition no. 30A, November 8, 1956.

110. Laskier, *The Jews of Egypt, 1920–1970*, 254–56; Laskier, "Egyptian Jewry," 580.

111. AJCA, "The Spoliation and Persecution of Jews in Egypt" (no date, but June 1958).

112. AJA, MS 361, H108/10, document attached to Riegner to Perlzweig (December 6, 1956).

113. *Jewish Chronicle*, November 20, 1959, in Schechtman, *On Wings of Eagles*, 200.

114. *Ibid.*

115. *American Jewish Yearbook*, vol. 62 (1961), 337.

116. *Ibid.*, vol. 63 (1962), 425.

117. Laskier, *The Jews of Egypt*, 256.

118. NARA 874.411/12-356 (December 3, 1956).

119. AJA MS361, B18/1, minutes of World Jewish Congress Executive (American branch) (January 23, 1957).

120. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 5* (June 9, 1959). This document is also located in American Jewish Joint Distribution Committee Archives (hereafter, AJJDC). Geneva III; box L-26; folder 459.

121. AJCA, Shuster's report on the Jews of Egypt (February 8, 1957).

122. *Al-Qadim*, August 10, 1957, in Schechtman, *On Wings of Eagles*, 200–1.

123. AJA, MS361, B18/1, "Situation of the Jewish Community in Egypt" (March 25, 1958).

124. *American Jewish Yearbook*, vol. 59 (1958), 397.
125. NARA 874.411/7-2057, Cairo to Department of State (July 20, 1957).
126. Laskier, "Egyptian Jewry under the Nasser Regime," 613–14.
127. NARA 886B.411/2-2060, Cairo to Department of State (February 20, 1960).
128. *American Jewish Yearbook*, vol. 62 (1961), 336, 338.
129. *Ibid.*, vol. 69 (1968), 136–37.
130. ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign claims Registration Office as of December 31, 1950."
131. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).
132. NARA RG 59, 874.411/1-1457, attachment to Klutznick to Dulles (January 14, 1957).
133. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 5* (June 9, 1959). See also CZA Z6/1972, Easterman to Goldmann (March 13, 1959).
134. Schechtman, *On Wings of Eagles*, 203–5.
135. *Divrei ha-Knesset* [Knesset Debates] 26 (February 10, 1959), 1050; Levin, *Locked Doors*, 136–138.
136. *The Scribe: Journal of Babylonian Jewry* 1, 3 (January–February 1972).
137. This was confirmed to the author by Bat-Zion Eraqi Klorman, one of the preeminent scholars of Yemenite Jewish history (personal communication, June 14, 2006).
138. AJA MS361, B20/12, "The Jews of Yemen" (April 29, 1949).
139. PRO FO371/61451, Aden to Secretary of State for Colonies (March 14, 1947), in Destani, *Minorities in the Middle East*, vol. 4, doc. 29.
140. See the account of a Yemeni Muslim involved in the purchase of Jewish property: Thomas B. Stevenson, "Capturing History: Listening to Oral Narratives in Yemen," *The World & I.com* (January 2002). Available at <http://www.worldandi.com/public/2002/january/teller.html>.
141. *Ibid.* See also Tudor Parfitt, *The Road to Redemption: The Jews of the Yemen 1900–1950* (Leiden: Brill, 1996), 257.
142. Stevenson, "Capturing History."
143. *Ibid.*
144. This occurred when Shlomo, son of Yitshak ha-Levi Yahiya (the last chief rabbi of San'a'), sold his house. Parfitt, *Road to Redemption*, 257.
145. Shlomo Barer, *The Magic Carpet* (New York: Harper and Bros., 1952), 160–61, 178, in Schechtman, *On Wings of Eagles*, 61.
146. Parfitt, *Road to Redemption*, 264–65.
147. *Ibid.*, 269–70. See 256–70 for details about what happened to the Jews' personal and communal property during their exodus from Yemen.
148. *Ibid.*, 251. The entire account of the Habbani Jews is found on pp. 246–55.
149. Sir Tom Hickinbotham, *Aden* (London: Constable, 1958), no page num-

ber, cited in Schechtman, *On Wings of Eagles*, 83. Schechtman also cites *Yalkut ha-Mizrah ha-Tikhon* [Middle East Anthology] (January–February 1950).

150. Reuben Ahroni, *The Jews of the British Crown Colony of Aden: History, Culture, and Ethnic Relations* (Leiden: Brill, 1994), 233.

151. Jewish Agency, *Digest of Press and Events* (December 23, 1949), in Schechtman, *On Wings of Eagles*, 80.

152. Ahroni, *Jews of the British Crown Colony of Aden*, 224.

153. PRO FCO17/531, “Jewish Communities in Arab Countries” (September 27, 1967), in *Minorities in the Arab World*, vol. 5, doc. 164.

154. Ahroni, *Jews of the British Crown Colony of Aden*, 233.

155. Reuben Aharoni, *Jewish Emigration from the Yemen 1951–98: Carpet without Magic*. SOAS Centre for Near and Middle Eastern Studies (Richmond, U.K.: Curzon Press, 2001), 21, 32.

156. *Ibid.*, 66–67, 75.

157. *Ibid.*, 32–34.

158. ISA (130) 1848/hts/9, “Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950.”

159. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

160. Levin, *Locked Doors*, 29.

161. *Ibid.*, 16, citing a document from the Histadrut archives (doc. 14/27).

162. AJCA, “Memorandum Summarizing Reports Received from the American Embassy at Baghdad Regarding Treatment Accorded Iraqi Citizens of Jewish Faith” (no date), attached to Hare to King (December 19, 1949).

163. *Al-Amal*, October 31, 1948, cited in AJCA, “Memorandum on the Situation of the Jews in Iraq” (November 3, 1949).

164. There are many accounts of the Ades incident. A short account is found in Levin, *Locked Doors*, 14.

165. Histadrut Archives 14/393, “Summary Report” (July 12, 1950), in Moshe Gat, *The Jewish Exodus from Iraq 1948–1951* (London: Frank Cass, 1997), 94, 149.

166. *Jewish Chronicle*, June 23, 1950, in Schechtman, *On Wings of Eagles*, 105–6.

167. AJCA, “A General Report on the Conditions of the Jewish Community in Iraq” (undated, but May 1948); “Memorandum on the Situation of the Jews in Iraq” (undated, but late 1949).

168. AJCA, “Report on Iraq,” attached to Kosover to Segal (March 21, 1949); “A General Report on the Conditions of the Jewish Community in Iraq” (undated, but May 1948); “Memorandum on the Situation of the Jewish Community in Iraq” (October 28, 1949), attached to Blaustein to McGhee (October 28, 1949).

169. AJCA, “Second Report on Iraq, January–April 1949” (June 10, 1949).

170. AJCA, “Report on Iraq,” attached to Kosover to Segal (March 21, 1949); “Memorandum on the Situation of the Jews in Iraq” (undated).

171. Meir-Glitzstein, *Zionism in an Arab Country*, 204.



172. AJCA, "Report on Iraq," attached to Kosover to Segal (March 21, 1949).

173. *Al-Zaman* [Beirut], July 4, 1954, cited in *American Jewish Yearbook*, vol. 56 (1955), 493.

174. ACJA, "Second Report on Iraq, January–April 1949" (June 10, 1949).

175. PRO FO 371/82478, 78773, Baghdad to Foreign Office (March 7, 1950). For an American report on smuggling via Iran, see NARA RG 59, 887.411/3–2751, "The Position of Jews in Iraq" (April 5, 1951).

176. Mordechai Ben-Porat, *To Baghdad and Back: The Miraculous 2,000 Year Homecoming of the Iraqi Jews*, trans. Marcia Grant and Kathy Akeriv (Jerusalem: Gefen Publishing House, 1998), 274.

177. PRO FO 371/82478, Baghdad Embassy to Bevin (March 7, 1950).

178. The text of the law can be found in PRO FO 371/82478, Foreign Office minute (March 7, 1950), in *Minorities in the Middle East*, vol. 4, doc. 42.

179. PRO FO 371/82478, 78773, Baghdad to Foreign Office (March 7, 1950).

180. Roumani, *The Case of the Jews from Arab Countries*, 4.

181. Yehoshua Freundlich, ed., *Documents in the Foreign Policy of Israel*. Vol. 5: 1950 (Jerusalem: Israel State Archives, 1988), doc. 128, Sharett to Missions Abroad (March 5, 1950).

182. *Ibid.*

183. *Ibid.*, doc. 189, Keren to United States Division (April 13, 1950).

184. ISA (130) 1791/1, "The Rescue of Jewish Capital in the Diaspora and Its Transfer to Israel" (January 22, 1951).

185. PRO FO371/91690, Beeley to Furlonge (March 7, 1951), and Eastern Department to Foreign Office (March 21, 1951), in *Minorities in the Middle East*, vol. 4, docs. 108 and 119.

186. ISA (130) 2387/4 (June 21, 1950). See chapter 2 on the exchange of property of Palestinian refugees.

187. *Documents in the Foreign Policy of Israel*, vol. 5 (1950), doc. 244, Keren to United States Division (May 19, 1950).

188. PRO, FO 371/82478, 78773, Baghdad to Foreign Office (March 7, 1950). The document is signed by "Humphrey Llewellyn for the ambassador," so presumably it describes meetings involving Mack, who was ambassador.

189. Joseph B. Schechtman, *The Arab Refugee Problem* (New York: Philosophical Library, 1952), III.

190. *Al-Sha'b* [Baghdad], March 15, 1951, in ISA (130) 2563/6.

191. PRO FO371/91690, Foreign Office minute (March 14, 1951), in *Minorities in the Middle East*, vol. 4, doc. 110, 316 ff.

192. Yehouda Shenhav, *The Arab Jews: A Postcolonial Reading of Nationalism, Religion, and Ethnicity*. Cultural Sitings (Stanford: Stanford University Press, 2006), 123.

193. *Al-Umma* [Baghdad], March 11, 1951, in ISA (130) 2563/5, "Discriminatory and Oppressive Anti-Jewish Measures in Iraq" (April 2, 1951).

194. NARA RG 59, 887.411/3-2751, "The Position of the Jews in Iraq" (April 5, 1951).

195. The law is found in Abbas Shiblak, *Iraq Jews: A History of Mass Exodus* (London: Saqi Books, 2005), 193-96.

196. ISA (130) 1836/hts/3, "The Control & Administration of Assests [*sic*] of Jews Who Denounced Their Iraqi Nationality & the Work of the Custodian General" (April 17, 1951).

197. Ibid.

198. *Al-Sha'b* [Baghdad], March 15, 1951, in ISA (130) 2563/6.

199. *American Jewish Yearbook*, vol. 55 (1954), 371.

200. Ibid. This source states that the sales took place in the summer of 1953. Other sources state that the sales started in November 1953. See *ibid.*, vol. 56 (1955), 493, and vol. 57 (1956), 518.

201. *World Jewish Affairs*, December 17, 1954, cited in *ibid.*, vol. 57 (1956), 517-18.

202. *American Jewish Yearbook*, vol. 61 (1960), 306.

203. *Al-Sha'b* [Baghdad], March 15, 1951, in ISA (130) 2563/6.

204. ISA (130) 2563/5, memorandum of June 14, 1951. See also the handwritten Arabic letter of March 23, 1951, in ISA (130) 2563/6.

205. Government of Israel to Government of the United States (March 20, 1951), in *Documents on the Foreign Policy of Israel*, vol. 5 (1951), doc. 88, 182-83.

206. NARA RG 59 887.411/3-2751, "The Position of the Jews in Iraq; Preliminary Draft."

207. NARA RG 59 887.411/3-2751, Berry to McFall (April 5, 1951).

208. Aide-Mémoire from the Government of Israel to the Government of the United States (June 27, 1951), in *Documents on the Foreign Policy of Israel*, vol. 6 (1951), doc. 240, 411.

209. NARA RG 59 887.411/5-751, "Memorandum Pertaining to Iraqi Jews" (April 19, 1951), attached to Blaustein to McGhee (April 1951).

210. *American Jewish Yearbook*, vol. 62 (1961), 342.

211. *Ibid.*, vol. 67 (1966), 421.

212. Lists of names can be found attached to several State Department dispatches beginning in the fall of 1964 in NARA RG 59, SOCI 14 IRAQ.

213. NARA RG59 SOC 14-1 IRAQ, letter to William F. Ryan (April 13, 1964).

214. *American Jewish Yearbook*, vol. 72 (1971), 443-44.

215. I found the document, dated 17 October 1970 and directed by the General Intelligence Department to the Ministry of the Interior, on the Internet at <http://iraqijews.awardspace.com/property1.jpg>. It is unclear who obtained the document or under what circumstances.

216. PRO FCO17/1547, "Situation of the Jews of Arab Lands," attached to Gluckstein to Greenhill (April 6, 1971); in *Minorities in the Middle East*, vol. 6, doc. 198.



217. Including *New York Times*, December 11, 1975, and *Le Monde*, December 6, 1975. The American Sephardi Federation later published an ad in the January 11, 1976, edition of the *New York Times* entitled “Invitation Declined” and featuring a photo of two Iraqi Jews hanged in 1969.

218. ISA (130) 2563/2, Middle Eastern Department to Minister of Foreign Affairs (August 14, 1951).

219. PRO FO 3761/115767, Munro to Foreign Office (April 13, 1955).

220. *Al-Sha‘b* newspaper cited the figures, which were carried in the Lebanese paper *Bayrut*, January 31, 1951. These are cited in ISA (130) 2463/8, Research Department to Bendor (May 15, 1952).

221. ISA (130) 1836/hts/3, “The Control & Administration of Assests [*sic*] of Jews Who Denounced Their Iraqi Nationality & the Work of the Custodian General” (April 17, 1951).

222. *American Diplomacy* 4, 2 (Spring 1999).

223. ISA (130) 1848/hts/9, “Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950.”

224. ISA (130) 2401/22, “Claims for Jewish Property Frozen in Arab States” (October 6, 1952).

225. It is unclear why this amount is less than that previously recorded. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

226. *Divrei ha-Knesset* [Knesset Debates] 26 (February 10, 1959), 1050; Levin, *Locked Doors*, 63–64; Shenhav, *Arab Jews*, 131.

227. *New York Times*, August 27, 1950.

228. NARA RG 84, Libya—Tripoli, General Records 1948–49; file 800-833, Taft to Secretary of State (November 23, 1948).

229. Amal Shihada, “Ya‘tabiruna Anfusuhum al-Majmu‘a al-Yahudiyya al-‘Arabiyya al-Akbar fi’l-Dawla al-‘Ibriyya” [They Consider Themselves the Biggest Arab-Jewish Community in the Hebrew State], *al-Hayat*, May 25, 2006.

230. Jewish Agency statistics in Zinger (Yaron), “State of Israel (1948–72),” 54.

231. *Congress Digest* (December 1, 1949), in Schechtman, *On Wings of Eagles*, 145.

232. AJA MS361, H236/5, Nahum to Perlzweig (December 2, 1949). Arbib is not mentioned by name in the document.

233. AJJDCA. Shipment: Geneva III; box L24; file 431; document: Jacobson to Rock (October 21, 1949).

234. AJA MS361, H235/24, English translation of H. Arzieli, “Jews in Tripolitania and Cyrenaica” (August 14, 1949).

235. Jewish Telegraphic Agency (October 11, 1949), in *ibid*.

236. AJA MS361, B20/11, Scrivener to Easterman (November 17, 1949).

237. AJJDCA. Shipment: Geneva III; box L-24; file 431; Benatar to Beckelman (December 21, 1949).

238. AJA MS361, H235/24, English translation of H. Arzieli, “Jews in Tripolitania and Cyrenaica” (August 14, 1949).

239. PRO FO 371/73907, memorandum of R.S. Scrivener (August 10, 1949), in *Minorities in the Arab World*, vol. 4, doc. 38.
240. AJA MS361, B20/11, Roth to Marcus (August 11, 1949).
241. AJA MS361, H235/18, Comunita Israelitica della Tripolitania to World Jewish Congress (December 2, 1949).
242. Lawrence Resner, *Eternal Stranger* (Garden City, NY: Doubleday, 1951), n.p., and *New York Times*, September 27, 1951, cited in Schechtman, *The Arab Refugee Problem*, 127.
243. AJJDCA, Shipment: Geneva III; box L-24; file 431; Benatar to Beckelman (December 21, 1949).
244. AJAC, "Libya: A Crucial Testing-Ground for the Status of Jews in an Independent Moslem State" (February 23, 1951), attached to Shuster to Slawson (February 21, 1951). See also two documents in *Minorities in the Arab World*, vol. 5, doc. 179, FCO 39/125, Drysdale to Kealy (November 27, 1967), and doc. 182, FO 39/125, Kealy to Nabarro (December 8, 1967).
245. AJA, MS361, H236/4, draft memorandum of January 12, 1950.
246. AJCA, "Libya: A Crucial Testing-Ground for the Status of Jews in an Independent Moslem State" (February 23, 1951), attached to Shuster to Slawson (February 21, 1951); Segal to Slawson (March 12, 1951).
247. AJCA, "Memorandum to the Committee on Near Eastern Affairs No. 5" (November 7, 1950).
248. AJA, MS361, H236/4, Perlzweig to Goldmann (January 16, 1950).
249. Ibid.
250. AJCA, "Memorandum to the Committee on Near Eastern Affairs No. 4" (October 25, 1950).
251. AJCA, Berger to Karlikow (September 6, 1951).
252. AJCA, Shuster to Roosevelt (December 17, 1951).
253. AJA MS361, H236/1, Goldmann to Easterman (August 7, 1952).
254. AJCA, Paris Office to Foreign Affairs Department (July 25, 1957).
255. "Curbs Reported on Jews in Libya," *New York Times*, January 21, 1959; "Libya Explains Action, Says Only Tripolitania Jewish Group in Under Study," *New York Times*, March 21, 1959.
256. AJA MS361, H236/8, Perlzweig to Easterman (November 1, 1961).
257. AJA MS361, H236/7, Perlzweig to Abelow (February 13, 1959).
258. The Arabic word used is "Isra'iliyyin," which was synonymous with "Jews" (Ar.: Yahud) prior to the establishment of Israel in 1948 but thereafter almost always meant "Israelis." The law dealt with those who had moved to Israel, but lawyers and diplomats in Libya at the time felt that the term was intended to mean "Jews" and not simply "Israelis." One jurist told the British Embassy at the time that the best way to translate the term might be "Israelites." The same term was employed in 1970 Libyan legislation. See FCO 17/673, Goulding to Walker (September 30, 1970), in *Minorities in the Middle East*, vol. 6, doc. 171.
259. An English translation of the law can be found in PRO FCO39/673,

attached to Goulding to Ibbott (May 7, 1970), *Minorities in the Middle East*, vol. 6, doc. 136.

260. *American Jewish Yearbook*, vol. 69 (1968), 139.

261. AJA MS361, H374/13, Halfon to Bonney (April 28, 1969).

262. AJA MS361, H236/8, Perlzweig to Easterman (November 1, 1961). The Jewish Telegraphic Agency article can be found in AJA MS361, H374/13 as the AJC's "Bulletin No. 30" of November 2, 1961.

263. AJA MS361, H236/8, Perlzweig to Becker (November 29, 1961).

264. Muhammad bin Ghalbawn, "al-Munazzimat al-Yahudiyya tas'a l'il-Say-tara 'ala Libiya ba'd Taswiyat al-Qadaya al-Filastiniyya" [Jewish Organizations Seek to Control Libya after Settlement of the Palestinian Issue], *al-Hayat*, January 9, 2006.

265. AJA MS361, H374/13, "The Anti-Semitic Riots in Libya of June 5."

266. AJA MS361, H374/13, Isaac Kleinbaum, *Bulletin No. 1* (July 18, 1967), attached to memorandum from the AJJDC Geneva secretariat of July 26, 1967.

267. AJA MS361, H374/13, Isaac Kleinbaum, *Bulletin No. 11* (October 13, 1967).

268. *American Jewish Yearbook*, vol. 69 (1968), 139; Institute of Jewish Affairs, in association with the World Jewish Congress, "Jews in Arab Countries. Background Paper No. 22" (July 1971), 18.

269. "Jews in Arab Countries. Background Paper No. 22," 18.

270. Renzo De Felice, *Jews in an Arab Land: Libya, 1835-1970*, trans. Judith Roumani (Austin: University of Texas Press, 1985), 284.

271. American Jewish Committee, "Bulletin No. 91" (February 16, 1968), in *ibid.*, 393, n. 36.

272. PRO FCO 39/125, Tripoli to Foreign Office (August 31, 1967), in *Minorities in the Middle East*, vol. 6, doc. 160.

273. PRO FCO 39/125, Tripoli to Foreign Office (December 6, 1967), in *Minorities in the Middle East*, vol. 6, doc. 181.

274. An English translation of the law can be found in PRO FCO39/673, attached to Goulding to Ibbott (May 7, 1970), in *Minorities in the Middle East*, vol. 6, doc. 136.

275. Once again, the actual Arabic word used was "Isra'iliyyin." See n. 258.

276. PRO FCO 39/673, Tripoli to Foreign Office (May 7, 1970), in *Minorities in the Middle East*, vol. 6, doc. 136.

277. PRO FCO 17/673, Goulding to Walker (September 30, 1970), and PRO FCO 17/673, Walker to Linton (October 6, 1970), in *Minorities in the Middle East*, vol. 6, docs. 171 and 172.

278. *American Jewish Yearbook*, vol. 72 (1971), 447.

279. An English translation of the law can be found in CZA Z6/2441, attached to the Jews of Libya Association's letter of January 10, 1973.

280. AJA MS361, H375/1, World Jewish Congress, Institute of Jewish Affairs, "Expropriation Measures in Libya" (August 3, 1970).

281. ASFR, ASF AR6, series 3/Box 10/Libya: First International Convention of Jews from Libya, convention program.
282. AJA MS361, H375/1, Jabès to Riegner (November 9, 1971).
283. De Felice, *Jews in an Arab Land*, 284, 396, n. 48.
284. ASFR, ASF AR6, series 3/Box 10/Libya: First International Convention of Jews from Libya, convention program.
285. CZA Z6/244I, Association of the Jews of Libya letter (January 10, 1973).
286. ASFR, ASF AR6, series 3/Box 10/Libya: First International Convention of Jews from Libya, convention program.
287. ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950."
288. De Felice, *Jews in an Arab Land*, 284, 396, n. 48.
289. *Jerusalem Post*, September 1, 2004.
290. Orly Halpern, "Israelis Brace for Libya Visit," *Jerusalem Post* Internet ed., March 3, 2005.
291. Itamar Levin, "Qadhafi: Jews Must Be Compensated for Loss of Property," *Globes* Internet ed., September 1, 2004.
292. Shihada, "Ya'tabiruna Anfusuhum al-Majmu'a al-Yahudiyya al-'Arabiyya al-Akbar fi'l-Dawla al-'Ibriyya"; Jonathan Saul, "Jews Seek Libyan Compensation in Test Case," Reuters, May 8, 2005.
293. NARA 883A.411/5-2852, Beirut to Department of State (May 28, 1952).
294. NARA 883A 401/5-356, Beirut to Department of State (May 3, 1955).
295. *American Jewish Yearbook*, vol. 52 (1951), 419.
296. *American Jewish Yearbook*, vol. 51 (1950), 421.
297. *American Jewish Yearbook*, vol. 56 (1955), 495; vol. 54 (1953), 469; *New York Times*, October 3, 1952.
298. *American Jewish Yearbook*, vol. 55 (1954), 370.
299. *American Jewish Yearbook*, Vol. 57 (1956), 520.
300. CZA Z6/143I, Golan to Goldmann (March 30, 1959).
301. NARA 883A 411/6-1859 (June 18, 1959).
302. "Beirut Debates Loyalty of Jews," *New York Times*, August 7, 1959.
303. Roland Tomb, "Lament Lebanon's Lost Tribe," *Daily Star*, October 20, 2004. [http://www.maronite-heritage.com/html/lebanese\\_jewish\\_community.html](http://www.maronite-heritage.com/html/lebanese_jewish_community.html).
304. ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950."
305. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).
306. Irbid, Dayr al-Sa'na, and Malka. For further information and references, see Fischbach, *Records of Dispossession*, 172.
307. For details, see Ilan, "Nisyonot le-Rekhishat Adama u-le-Hityashvut Yehudit be-'Ever ha-Yarden ha-Mizrahi, 1871-1947," 407-408. See n. 77 for information about Ilan's Hebrew-language book on the topic, as well as the Arabic-language book by Ibtisam Qa'qur that appears to be based almost entirely upon it.

308. For details, see Adaia and Abraham Shumski, *A Bridge Across the Jordan: The Friendship Between a Jewish Carpenter and the King of Jordan* (New York: Arcade Publishing, 1997).

309. PRO CO 733/140, Government House to Secretary of State (April 1, 1927).

310. There were attempts by Jews to buy other land, and Transjordan was rife with rumors from the 1930s until today that such purchases were made secretly, using Arab frontmen. However, my study of Jordanian land records from the 1930s and 1940s did not uncover a single example. For details, see Michael R. Fischbach, *State, Society, and Land in Jordan* (Leiden: Brill, 2000), 178–183.

311. David Blougrund, *The Jewish National Fund*. Policy Study no. 49 (Washington, DC: Institute for Advanced Strategic and Political Studies, 2001), 9.

312. Supplement 1 (October 8, 1953) to the Jordanian government's *al-Jarida al-Rasmiyya* [Official Gazette], no. 1158, (September 16, 1953): 560; Supplement 1 (April 8, 1954), to *al-Jarida al-Rasmiyya*, no. 1177 (April 3, 1954): 299–300.

313. NARA RG 59, Lot file 57D298/Records of the Office of Near Eastern Affairs/Subject File 1941–54/Box 2/Palestine Electric Corporation, Limited.

314. Jordan, Ministry of Finance, Department of Lands and Survey, files of the Diwan. File: 6/3/jim, “Aradi al-Sultan ‘Abd al-Hamid” [Lands of Sultan ‘Abd al-Hamid], G. F. Walpole’s memorandum (October 20, 1936); Jordan, Ministry of Finance, Department of Lands and Survey, land settlement files. Ghawr al-Rama files. Jadwal al-Iddi’a’at [Schedule of Claims]; *ibid.*, Ghawr al-Safi files. Qadiyyat 365/10 [Case 365/10], “Taqrir ‘Umumi” [General Report] (April 11, 1952).

315. ISA (130) 1848/hts/9, “Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950.”

316. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

317. Details can be found in Fischbach, *Records of Dispossession*, 156–157.

318. Meron, “Expulsion” in *Forgotten Millions*, ed. Shulevitz, 99–100.

319. British Consulate General in Jerusalem, “Political Summary for Arab Palestine for the Month of January 1949, sheet four, in *Political Diaries of the Arab World. Palestine and Jordan*, vol 10: 1948–1965, ed. Robert L. Jarman (Slough, U.K.: Archive Editions, 2001), 389.

320. Supplement no. 3 (October 8, 1951) to *al-Jarida al-Rasmiyya*, no. 1083 (September 16, 1951): 311.

321. Supplement no. 1 to *al-Jarida al-Rasmiyya*, no. 1222 (March 23, 1955): 239, and Supplement no. 1 to *al-Jarida al-Rasmiyya*, no. 1223 (July 9, 1955): 640.

322. UNSA DAG 13–3, UNCCP. Subgroup: Land Identification and Valuation Office. Series: Records of the Land Specialist, 1937–1967/Box 38/1964/66/Israel; Jarvis to Comay (March 17, 1966).

323. Supplement no. 1 (July 23, 1955) to *al-Jarida al-Rasmiyya*, no. 1234 (July 16, 1955): 686–88

324. See Fischbach, *Records of Dispossession*, 160, and *State, Society, and Land in Jordan*, 192–193, for details.

325. Supplement no. 1 (April 8, 1954) to *al-Jarida al-Rasmiyya*, no. 1177 (April 3, 1954): 299–300.
326. *Al-Jarida al-Rasmiyya*, no. 1625 (April 1, 1963): 307.
327. *Ibid.*, no. 1939 (July 25, 1966): 1421; no. 1959 (October 25, 1966): 2214; and no. 1962 (November 12, 1966): 2332.
328. NARA RG 59 325.84/2–761, Jerusalem to Department of State (February 7, 1961).
329. Marshall J. Breger and Thomas A. Idinopulos, *Jerusalem's Holy Places and the Peace Process*. Policy Paper no. 46 (Washington, DC: Washington Report for Near East Policy, 1999), 12; Meron Benvenisti, *City of Stone: The Hidden History of Jerusalem*, trans. Maxine Kaufman Nunn (Berkeley: University of California Press, 1996), 241.
330. Jordan, Ministry of Culture, National Library/Center for Documents and Documentation. File 8/2/6, “Qadaya al-Aradi” [Land Cases], doc. 8/2/6/145, Jawda Salim al-Bakri to Prime Minister (May 4, 1967).
331. ISA (130) 1848/hts/9, “Overall Summary of the Work of the Foreign Claims Registration Office as of December 31, 1950.”
332. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).
333. Nadav Shragai, “Jewish Towns Grow in the Face of Violence,” *Haaretz*, February 11, 2003.
334. ISA (130) 1852/hts/11, Landau to Ministry of Foreign Affairs (November 27, 1955), Eshkol to Landau (November 1955), and Migdal to Middle East Affairs Advisor (no date).
335. CZA S80/340, Roth to Berkowitz (July 13, 1956).
336. *Ibid.*
337. Based in part on Jewish Agency data; Hacothen, *Immigrants in Turmoil*, 267.
338. See Michael M. Laskier, “From Hafisia to Bizerte: Tunisia’s Nationalist Struggle and Tunisian Jewry, 1952–61,” *Mediterranean Historical Review* 2, 2 (December 1987): 188–222.
339. Jewish Agency figures in Zvi Zinger (Yaron), “State of Israel (1948–72),” in *Immigration and Settlement*. Israel Pocket Library (Jerusalem: Keter Books, 1973), 64.
340. *American Jewish Yearbook*, vol. 67 (1966), 435, and vol. 66 (1965), 473.
341. Jewish Telegraphic Agency (March 9, 1959).
342. CZA S6/10155, “North African Jews on the Move” (January 1962).
343. *American Jewish Yearbook*, vol. 65 (1964), 323.
344. I could not find information about the outcome of the case. AJCA, Paris Office to New York Office (June 23, 1959); *American Jewish Yearbook*, vol. 58 (1959), 262; vol. 59 (1960), 318; vol. 60 (1961), 348–349.
345. Zinger (Yaron), “State of Israel (1948–72),” 55.
346. Hacothen, *Immigrants in Turmoil*, 234.
347. CZA C10/3151, “The Realities in North Africa” (January 7, 1955).



348. Document of March 15, 1953, in Ben Gurion Archives, cited in Haco-  
hen, *Immigrants in Turmoil*, 240–241.
349. AJA MS361, H210/1, Eytan to Easterman (December 18, 1955), attached  
to Easterman to Hyman (January 2, 1956).
350. CZA S6/7274, cited in Michael M. Laskier, *Israel and the Maghreb:  
From Statehood to Oslo* (Gainesville: University Press of Florida, 2004), 73–74.
351. *Al-Tabrir*, May 30, 1959, in *ibid.*, 80.
352. AJA MS361, H255/8, Easterman to Jacobs (April 12, 1962).
353. Zinger (Yaron), “State of Israel (1948–72),” 64.
354. CZA S6/10155, “North African Jews on the Move” (January 1962), and  
NARA RG 59, 871.411/12-2061, Rabat to Department of State (December 20,  
1961).
355. Laskier, *Israel and the Maghreb*, 124.
356. Religious endowment land. It is known elsewhere in the Arab world as  
waqf.
357. CZA Z6/2521, “Position of Jewish Communal Assets in Morocco” (De-  
cember 23, 1976).
358. CZA Z6/2521, Lack to Goldmann (December 15, 1976).
359. *Ibid.*
360. *Ibid.*
361. *Ibid.*; CZA Z6/2521, “Position of Jewish Communal Assets in Morocco”  
(December 23, 1976).
362. Thomas F. Brady, “Half of Jews in Algeria Reported to Have Fled,” *New  
York Times*, June 26, 1962.
363. Based in part on Jewish Agency data; Haco-*hen*, *Immigrants in Turmoil*,  
267.
364. Zinger (Yaron), “State of Israel (1948–72),” 64.
365. Brady, “Half of Jews in Algeria Reported to Have Fled.”
366. *American Jewish Yearbook*, vol. 64 (1963), 407.
367. Brady, “Half of Jews in Algeria Reported to Have Fled.”
368. The law appears in *Le Monde*, October 7–8, 1962.
369. UN Human Rights Committee, “Communication No 1424/2005: Al-  
geria. 20/12/2006. CCPR/C/88/D/1424/2005. (Jurisprudence)” (December 20,  
2006). UN document CCPR/C/88/D/1424/2005.
370. *American Jewish Yearbook*, vol. 65 (1964), 330.

## 2. JEWISH CLAIMS IN THE CONTEXT OF THE ARAB-ISRAELI CONFLICT AND THE PEACE PROCESS, 1948–2001

1. For more information about the German reparations, see Ronald Zweig,  
*German Reparations and the Jewish World: A History of the Claims Conference*, 2d  
ed. (London: Frank Cass, 2001); Nana Sagi, *German Reparations: A History of  
the Negotiations* (New York: St. Martin’s Press, 1986).

2. ISA (130) 1778/1, Eytan to Israeli embassies abroad (undated, but from 1950).

3. *Israel Government Yearbook*, vol. 5711/1950, 134.

4. ISA (130) 1791/1, "The Rescue of Jewish Capital in the Diaspora and Its Transfer to Israel" (January 22, 1951).

5. ISA (130) 1791/1, "Jewish Iraqi Property—Registration of Claims (Proposal)."

6. The scholar who has written the most definitive work on linkage is Yehouda Shenhav. I am indebted to his pioneering work on this subject.

7. UN document A/RES/181 (II) (A + B) (November 29, 1947).

8. UN document S/1025 (September 16, 1948).

9. UN document A/RES/194 (III) (December 11, 1948).

10. NARA RG 59, 887.411/3-2751, "The Position of the Jews of Iraq" (April 5, 1951).

11. *Documents on the Foreign Policy of Israel*, vol. 1, doc. 357, Sharett to Comay (July 22, 1948). See also doc. 380.

12. ISA (130) 2401/22, "Claims for Jewish Property Frozen in Arab States" (October 6, 1952).

13. Yosef Weitz, *The Struggle for the Land* (Tel Aviv: Lion the Printer, 1950), 102-4.

14. *Israel Government Yearbook*, vol. 5711/1950, 213.

15. *Ibid.*, vol. 5712/1951-1952, 155.

16. *Ibid.*, vol. 5711/1950, 213.

17. UNSA DAG 13-3, UNCCP Office of the Principal Secretary. Records Relating to Compensation/Box 18/1948-51/Working Papers. W/50, "Compensation to Refugees and the Question of War Damages" (August 4, 1950).

18. ISA (43) 5595/gimel/4716, "The Report of the Committee to Examine the Issue of Compensation for Absentee Property" (March 17, 1950), section 9.

19. AJA MS 361, B140/8, "Memorandum Submitted to the UN Economic and Social Council by the World Jewish Congress" (January 19, 1948), appendix. The document was given the UN designation E/C.2/75. Submission of the memorandum was mentioned in the *New York Times*, May 16, 1948.

20. Text of the UN Economic and Social Council Resolution E/1179 taken from AJA, MS 361, B141/15, "Memorandum Concerning the Situation of Jews in Moslem Lands Submitted to the President of the Economic and Social Council" (February 6, 1950).

21. *Ibid.*

22. Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949*. Cambridge Middle East Library (Cambridge: Cambridge University Press, 1987), 52.

23. Minutes of the Israeli Cabinet, no. 35 (September 6, 1949), in Shenhav, *Arab Jews*, 119.

24. *New York Times*, July 29, 1948.



25. Minutes of the Provisional Council of State (July 29, 1948), vol. 1, p. 8, in Meir-Glitzenstein, *Zionism in an Arab Country*, 212.
26. *New York Times*, August 3, 1948.
27. *New York Times*, November 15, 1948.
28. AJCA, "Condition of the Jews in Syria" (undated, but April 1949).
29. Ibid.; *al-Sha'b* [Baghdad], February 23, 1949, appended to AJCA, "Second Report on Iraq, January–April 1949" (June 10, 1949).
30. NARA RG 59, 890D.52/2–149, Damascus to Department of State (February 1, 1949).
31. *New York Times*, July 23, 1948.
32. NARA RG 59, 867N.48/2–2649, Cairo to Department of State (February 26, 1949).
33. Yehouda Shenhav, "The Jews of Iraq, Zionist Ideology, and the Property of the Palestinian Refugees of 1948: An Anomaly of National Accounting," *International Journal of Middle East Studies* 31, 4 (November 1999): 612–13.
34. Minutes of the Israeli cabinet, No. 35 (September 6, 1949), in Shenhav, *Arab Jews*, 119.
35. *Davar*, October 17, 1949, and *New York Times*, October 16, 1949.
36. Records of the First Government, 4 (October 25, 1949), in Shenhav, *Arab Jews*, 121.
37. *Documents on the Foreign Policy of Israel*, vol. 4, 117; document: Kollek to Sharett (June 10, 1949).
38. PRO FO 371/82619, Tel Aviv to Baghdad (October 10, 1950).
39. ISA (130) 2402/5, memorandum of March 13, 1952, in Nur Masalha, *Israeli Plans to Resettle the Palestinian Refugees 1948–1972*. Monograph Series No. 2 (Ramallah: Palestinian Diaspora and Refugee Centre [SHAML], 1996), 26; ISA (130) 2402/15, memorandum of March 24, 1950, in *ibid.*, 25; Yosef Weitz's diary entry for May 13, 1954, in *ibid.*, 28.
40. *Ibid.*, 34–35, 37.
41. AJA MS 361, B20/7, Easterman to Linton (February 22, 1949).
42. AJCA, Shuster to Slawson (June 13, 1949).
43. Schechtman, *The Arab Refugee Problem*, 121.
44. PRO FO 371/82478, 78773, Baghdad to Foreign Office (March 7, 1950).
45. ISA (130) 1836/hts/3, "Gaza Government Plots Against the Property of Jews from Arab Lands," 1950.
46. Attachment to NARA 883A.411/5-2251, Beirut to Department of State (May 22, 1951).
47. ISA (130) 1836/hts/5, "Egypt's Plotting Against Jewish Property" (June 25, 1951); see also ISA (130) 2563/4, January 1952 report of Moshe Sasson, in Levin, *Locked Doors*, 180, n. 41, and ISA (130) 2563/10, cited in *ibid.*, 214.
48. *American Jewish Yearbook*, vol. 55 (1954), 370; *New York Times*, October 3, 1952.
49. *American Jewish Yearbook*, vol. 55 (1954), 370.
50. Shenhav, *Arab Jews*, 110.

51. See Fischbach, *Records of Dispossession* and *The Peace Process and Palestinian Refugee Claims* for details.

52. ISA (138) 2445/3, "Report on a Settlement of the Arab Refugee [Issue]" (November 25, 1948), appendix 9.

53. Yosef Weitz, "Le-Hanhil Adama Hadasha" [Bequest of New Land], *Molad* 2, 12 (March 1949): 325; Weitz, *The Struggle for the Land*, 113–14.

54. ISA (43) 5440/1582, "Report of the Custodian of Absentee Property Office" (March 31, 1950).

55. CZA A246/57, "Comments on Value Assessments of Absentee Landed Property" (November 12, 1962).

56. Arab Higher Committee, *al-Laji'un al-Filastiniyyun: Dahaya al-Isti'mar wa'l-Sahyuniyya* [The Palestinian Refugees: Victims of Imperialism and Zionism] (Cairo: Arab Higher Committee, 1955), 81–93.

57. The discrepancy comes from the fact that the study does not indicate whether the value stated reflects the value of the dollar in 1947–1948 when the refugees fled (the higher figure) or 1956 when the study was published (the lower figure). J. Khoury, *Arab Property and Blocked Accounts in Occupied Palestine* (Cairo: League of Arab States, General Secretary, Palestine Section, 1956), 20.

58. Yusif Sayigh, *al-Iqtisad al-Isra'ili* [The Israeli Economy] (Cairo: League of Arab States, Institute for Higher Arab Studies, 1966), 107–10.

59. Sami Hadawi, *Palestinian Rights and Losses in 1948: A Comprehensive Study. Part V: An Economic Assessment of Total Palestinian Losses Written by Dr. Atef [sic] Kubursi* (London: Saqi Books, 1988), 113, 187.

60. UNSA DAG 13–3, UNCCP Refugee Office. Land Specialist/Box 35/1951/Reports: J. M. Berncastle; MCP/3/51/9, "Valuation of Abandoned Arab Land in Israel" (August 14, 1951). Berncastle's final report also can be found in CZA Z6/1995.

61. UN document A/AC.25/W.84, "Working Paper Prepared by the Commission's Land Expert on the Methods and Techniques of Identification and Valuation of Arab Refugee Immoveable Property Holdings in Israel" (April 28, 1964); UNSA DAG 13–3, UNCCP Principal Secretary. Records Relating to the Technical Office/Box 16/1952–57/Land Identification Project/Jarvis Report; A/AC.25/W.83, "Initial Report of the Commission's Land Expert on the Methods and Techniques of Identification and Valuation of Arab Immoveable Property Holdings in Israel" (September 15, 1961).

62. UNSA DAG 13–3, UNCCP Principal Secretary. Records Relating to Compensation/Box 20/1961–64/Background Papers; "Discussion of the Value of Moveable Property" (December 1961), appendices 1–3.

63. ISA (43) 5595/gimel/4716, "The Report of the Committee to Examine the Issue of Compensation for Absentee Property" (March 17, 1950).

64. ISA (130) 2401/2211, "Meeting of the Committee Investigating the Arab Refugees" (September 15, 1953).

65. For a brief discussion about the difficulties determining accurate figures spent on Middle Eastern and North African immigrants in Israel, see Yehuda

Dominitz, "Immigration and Absorption of Jews from Arab Countries," in Shulevitz, *The Forgotten Millions*, 156–57.

66. *Ibid.*, 161.

67. The law was published in the Israeli government's *Sefer ha-Hukkim* [Book of Laws], no. 112 (14th of Kislev, 5713/December 2, 1952), 2.

68. Dominitz, "Immigration and Absorption," 158, 159–60, 163, 170, 173, 174, 183.

69. Israeli government protocol of cabinet meeting (March 15, 1950), in Levin, *Locked Doors*, 52–53.

70. *Divrei ha-Knesset* [Knesset Debates], first Knesset, third session, viii, 1358–59, in Shenav, *Arab Jews*, 125.

71. *Ibid.*

72. *Ibid.*

73. *Ibid.*

74. *Ibid.*

75. ISA (130) 1791/1, Kahana to Office of Special Affairs (March 30, 1951).

76. ISA (130) 1791, Kahana, Gera, and Natan to Legal Advisor and Financial Division (March 30, 1951).

77. PRO FO 371/91690, Eastern Department to Foreign Office (March 21, 1951); in *Minorities in the Middle East*, vol. 4, doc. 119.

78. Eytan to Palmer (March 29, 1951), in *Documents on the Foreign Policy of Israel*, vol. 6, 196–97.

79. Fischer's statement before the Palestine Conciliation Commission (November 14, 1951), in *ibid.*, 788–91.

80. NARA RG 59 887.411/3–2751, "The Position of the Jews in Iraq; Preliminary Draft."

81. *Ibid.*, Berry to McFall (April 5, 1951).

82. Aide-mémoire from the Government of Israel to the Government of the United States (June 27, 1951); in *Documents on the Foreign Policy of Israel*, Vol. 6, 1951, doc. 240, 411.

83. NARA RG 59, 887.411/3–2751, "The Position of the Jews of Iraq" (April 5, 1951).

84. NARA RG 59, REF 2 PAL, Cairo to Secretary of State (August 10, 1963).

85. NARA RG 59, 884.411/12–259, Tel Aviv to Secretary of State (December 2, 1959).

86. NARA, John F. Kennedy Presidential Library, National Security Council Files, Box 119. Tel Aviv to Secretary of State (April 3, 1963), and Department of State to Amman, Cairo, Damascus, and Tel Aviv (April 13, 1963), both cited in Mordechai Gazit, *President Kennedy's Policy toward the Arab States and Israel* (Tel Aviv: Shiloah Center for Middle Eastern and African Studies, Tel Aviv University, 1983), 126, 133.

87. The Saunders statement can be found, among other places, at the Middle East Web website: <http://www.mideastweb.org/saunders.htm>, as well as the *Department of State Bulletin* (December 1, 1975): 797–800.

88. Israel-U.S. Working Paper on Suggestions for the Resumption of the Geneva Peace Conference (October 5, 1977), in *WOJAC's Voice* 1, 2 (January 1979): 10.

89. *American Foreign Policy: Current Documents* (Washington, DC: Government Printing Office, 1981), 712, cited in *U.S. Official Statements: The Palestinian Refugees*, ed. Norbert Scholz (Washington, DC: Institute for Palestine Studies, 1994), 66. Veliotos probably was trying to think of the name of the World Organization of Jews from Arab Countries (WOJAC).

90. ISA (130) 2401/22, "Claims for Jewish Property Frozen in Arab States" (October 6, 1952).

91. *Ibid.*, and memorandum of November 5, 1952.

92. NARA RG 84, United Nations/USUN Central Files—UN Letters/2450, "Blocked Arab Accounts"; "Interim Memorandum on Results of First Instalment [*sic*] of 'Blocked Accounts' Release Agreement" (September 18, 1953).

93. *Documents on the Foreign Policy of Israel*, vol. 7; Eban to Sharett (May 15, 1952); ISA (130) 2563/2, Middle Eastern Department to Minister of Foreign Affairs (August 14, 1951).

94. ISA (130) 2401/22, "Claims for Jewish Property Frozen in Arab States" (October 6, 1952).

95. *Ibid.*

96. For details on Israel's release of blocked refugee bank accounts, see Fischbach, *Records of Dispossession*, 195–209.

97. UNCCP document "Valuation of Abandoned Arab Land in Israel" (August 14, 1951). This report, written by the UNCCP's John M. Berncastle, is found in several archives. One is UNSA DAG 13–3, UNCCP Refugee Office. Land Specialist/Box 35/1951/Reports: J. M. Berncastle; MCP/3/51/9. It can also be found in CZA Z6/1995.

98. ISA (130) 2401/22/1, Director of UN Department of Ministry of Foreign Affairs to Washington (November 5, 1952).

99. ISA (130) 1791/1, Kahana to Office of Special Affairs (March 30, 1951).

100. ISA (130) 2401/22/1, Director of UN Department of Ministry of Foreign Affairs to Washington (November 5, 1952).

101. ISA (130) 2563/7, Levisohn to Aliav (February 20, 1956).

102. Ben Porat, *To Baghdad and Back*, 275.

103. ISA (130) 2563/6, "Jewish Inalienable Properties in Baghdad" (March 7, 1951). English and Arabic copies of the report are available in the file.

104. Ben Porat, *To Baghdad and Back*, 227–79.

105. ISA (130) 2563/5, memorandum of June 14, 1951.

106. ISA (130) 1791/1, "Jewish Iraqi Property—Registration of Claims (Proposal)."

107. ISA (130) 2563/61 (May 30, 1951), and (130) 2563/5 (July 9, 1952), in Shenhav, *Arab Jews*, 131.

108. ISA (130) 1963/1, Sofer to Prime Minister (July 18, 1951).

109. ISA (130) 2401/22, "Claims for Jewish Property Frozen in Arab States" (October 6, 1952).
110. Interview with Naeim Giladi in *The Link* 31, 2 (April–May 1998): 8.
111. *Divrei ha-Knesset* [Knesset Debates] 26 (February 10, 1959): 1050; Levin, *Locked Doors*, 63–64; Shenhav, *Arab Jews*, 131.
112. Shenhav, *Arab Jews*, 131.
113. ISA (130) 2563/7, "Summary of Meeting on the Public Commission for the Registration of Claims of Iraqi Jews" (October 22, 1955).
114. Examples of the forms can be found in ISA (130) 2563/7.
115. *Divrei ha-Knesset* [Knesset Debates] 26 (February 10, 1959): 1050; Levin, *Locked Doors*, 63–64.
116. Avi Machlis, "Compensation for Jews Who Fled Arab Countries," Jewish Telegraphic Agency (unknown date), cited in *Jewish News of Greater Phoenix* 52, 20 (August 25, 2000).
117. Levin, *Locked Doors*, 136–38.
118. Schechtman, *On Wings of Eagles*, 203–5.
119. Randall C. Belinfante, "Resources for Research on Jews of Arab Countries," in *Proceedings of the 38th Annual Convention of the Association of Jewish Libraries*, 18. Available at <http://www.jewishlibraries.org/ajlweb/publications/proceedings/proceedings2003/belinfante.pdf#search=%22roumani%20%22as%20you%20know%22%22>.
120. Great Britain, Colonial Office, *Report of the Commission of Enquiry into Disturbances in Aden in December, 1947* (London: His Majesty's Stationery Office, 1948), 25.
121. Ahroni, *The Jews of the British Crown Colony of Aden*, 212, 224.
122. *Report of the Commission of Enquiry into Disturbances in Aden in December, 1947*.
123. Ahroni, *The Jews of the British Crown Colony of Aden*, 224.
124. *Ibid.*, 224–25.
125. *Aden—Compensation to Jews: Scheme of Government Assistance in Connection with the Civil Disturbances of December 1947*, and other records in the archives of the Board of Deputies of British Jews, cited in *ibid.*, 225–27.
126. Archived on the website of the United Nations High Commissioner for Refugees: [www.unhcr.org/cgi-bin/texis/vtx/admin/opendoc.htm?tbl=ADMINid=3ae68fd22b](http://www.unhcr.org/cgi-bin/texis/vtx/admin/opendoc.htm?tbl=ADMINid=3ae68fd22b).
127. AJA, MS 361, B18/2, Robinson to Easterman and Perlzweig (March 5, 1957).
128. *Ibid.*
129. UNSA DAG 13–3, UNCCP Office of the Principal Secretary. Records Relating to Compensation/Box 18/1950/Compensation: Letter dated July 9, 1950, addressed to the Chair of the Conciliation Commission by the Foreign Minister of Israel" (July 13, 1950).
130. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No.*

2 (December 3, 1957). This document can also be found in AJJDCA. Geneva III. Box L-26. Folder 459.

131. AJA, MS316, H107/15, Perlzweig to Goldmann (March 24, 1959); CZA C10/3449, Jacobson's confidential memorandum of January 23, 1959.

132. AJA, MS361, H107/1.

133. NARA 874.411/6-1357, Geneva to Secretary of State (June 13, 1957).

134. AJA, MS361, B18/1, minutes of WJC executive (American branch), January 23, 1957.

135. NARA 874.411/12-2056, Memorandum of Conversation (December 20, 1956).

136. AJA, MS361, B18/3, Maslow to Robinson (June 4, 1957). The letter from the three groups also is found in NARA 874.411/5-2257.

137. NARA 874.411/1-2457 (January 31, 1957).

138. Nahum Goldmann, *The Autobiography of Nahum Goldmann: Sixty Years of Jewish Life*, trans. Helen Sebba (New York: Holt, Rinehart and Winston, 1969), 251.

139. General Information Questionnaire, Central Registry of Jewish Losses in Egypt. AJA MS 316, H107/15.

140. Ibid.

141. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 2* (December 3, 1957).

142. Ibid.

143. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 5* (June 9, 1959). This document can also be found in AJJDCA. Geneva III. Box L-26. Folder 459.

144. Ibid.

145. AJJDCA. Geneva III. Box L-26. Folder 459; "Losses Declared by French Registrants," attached to Galimidi to Jacobson (December 26, 1958).

146. Ibid.

147. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 5* (June 9, 1959).

148. AJA, MS361, B18/2, Easterman to Robinson (March 6, 1957).

149. AJA, MS361, B18/3, Riegner to Robinson (June 7, 1957).

150. Ibid., and AJA, MS361, H107/15.

151. ACA MS361, H107/15, Perlzweig to Easterman and Riegner (March 4, 1959) and Easterman to Goldmann (March 13, 1959).

152. Goldmann, *The Autobiography of Nahum Goldmann*, 303.

153. AJA MS361, H107/15, Perlzweig to Prinze (March 26, 1959).

154. AJA MS361, H107/15, Perlzweig to Goldmann (March 24, 1959).

155. Jewish Telegraphic Agency (February 20, 1957).

156. AJJDCA. Geneva III. Box L-26. Folder 466; Ministry of Foreign Affairs to Pacciardi (July 17, 1957) and Italian Exchange Office to Banca d'Italia (July 13, 1957).

157. CZA C10/3263, "Memoire sur la Situation créée aux Français Israélites; Rapatriés d'Egypte Par l'Accord du 22 Août 1958, conclu à Zurich entre la France et la R.A.U."

158. CZA C10/3449, Jacobson's confidential memorandum of January 23, 1959.

159. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 5* (June 9, 1959).

160. CZA C10/3449, Jacobson's confidential memorandum of January 23, 1959.

161. CZA C10/3263, letter on behalf of the association signed by Levy and Hassid (July 30, 1959).

162. CZA C10/3449, Central Registry of Jewish Losses in Egypt, *Bulletin No. 2* (December 3, 1957).

163. For more information on the British compensation, see F. H. Collier, "Registered? Claims against the Egyptian Fund under the Foreign Compensation Acts," *International and Comparative Law Quarterly* 15, 4 (October 1966): 1175–81.

164. PRO FO1004/48, cited in Levin, *Locked Doors*, 123.

165. PRO FO950/716, cited in *ibid.*, 139.

166. The French government used the official term "repatriates" to refer to French citizens who "returned" to France from Algeria, even though many of them, including Jews, never had been to France.

167. AJA MS361, H5/3, Kaplan to Easterman (April 1, 1963).

168. Alliance Israélite Universelle Library; Fonds Jacques Lazarus, R 02, Dossier VI: Biens communautaires en Algérie. Letter from the Association des juifs originaires d'Algérie to de Broglie (April 25, 1963)

169. Thomas F. Brady, "Half of Jews in Algeria Reported to Have Fled," *New York Times*, June 26, 1962.

170. NARA RG 59, SOC 12 ALG, Constantine to Department of State (March 23, 1963)

171. AJA MS361, H5/4, "Algerian Jewry" (December 10, 1965).

172. NARA RG 59, SOC 9.2 ALG, Algiers to Department of State (December 12, 1963).

173. AJA MS361, H6/14, "Algerian Jewry" (December 10, 1965).

174. AJA MS361, H5/4, *Revue Juive* (May 26, 1972).

175. Jacques Lazarus, "Le rôle de l'AJOA dans l'intégration des Juifs d'Algérie en France" [The Role of the AJOA in the Integration of the Jews of Algeria in France], *L'Arche*, no. 546–47 (August–September 2003). Available at [http://www.col.fr/arche/article.php3?id\\_article = 360](http://www.col.fr/arche/article.php3?id_article = 360).

176. For information on the laws, see William B. Cohen, "Legacy of Empire: The Algerian Connection," *Journal of Contemporary History* 15 (1980): 97–123.

177. "Les Mesures de Reparation Financière," sec. 2: "Les Lois d'Indemnisation." French Senate. Available at <http://www.senat.fr/rap/104-104/104-1041.html>.



178. “Teytaud and Others v. France,” *Human Rights Case Digest* 12, 1 (January 2001): 125–26.

179. For more on Mizrahi/Sephardic political activism in Israel, see Sami Shalom Chetrit, “Mizrahi Politics in Israel: Between Integration and Alternative,” *Journal of Palestine Studies* 29, 4 (Summer 2000): 51–65.

180. I am once again indebted to the pioneering work on WOJAC done by Yehouda Shenhav. See in particular his “Ethnicity and National Memory: The World Organization of Jews from Arab Countries (WOJAC) in the Context of the Palestinian National Struggle,” *British Journal of Middle Eastern Studies* 29, 1 (2002): 27–56.

181. Yehouda Shenhav, “Kehilot ve Mahozot shel Zikaron Mizrahi” [Communities and Districts of Mizrahi Memory], manuscript, Van Leer Institute and Tel Aviv University, 2000.

182. Meeting of the WOJAC Actions Committee, March 11, 1976, in Shenhav, “Ethnicity and Memory,” 32.

183. Statement at the fourth national WOJAC convention, December 16, 1993, cited in *ibid.*, 33.

184. Shenhav, “Ethnicity and Memory,” 52.

185. *WOJAC's Voice* 1, 2 (January 1979): 10.

186. Mordechai Ben-Porat and Shaul Ramati, *Who Is a Refugee in the Middle East? From the Rostrum of the United Nations* (n.p.: World Organization of Jews from Arab Countries, 1978), 5.

187. I would like to credit Yehouda Shenhav for his pioneering work on WOJAC, including his discussions of its various theses.

188. Spoken at the third national WOJAC convention, April 5, 1990, cited in Shenhav, “Ethnicity and Memory,” 42.

189. Roumani, *The Case of the Jews from Arab Countries*, viii.

190. Shenhav, *Arab Jews*, 165–66.

191. Letter of October 5, 1993, cited in Shenhav, “Ethnicity and Memory,” 44.

192. *The Scribe: Journal of Babylonian Jewry*, no. 74 (Autumn 2001).

193. *The Scribe*, no. 73 (Autumn 2000).

194. Peter Hirschberg, “Private Property Keep Out!,” *The Jerusalem Report* 27 (September 1999): 18.

195. Shenhav, “Ethnicity and Memory,” 43.

196. *Ibid.*

197. *The Scribe: Journal of Babylonian Jewry*, no. 73 (July 2000).

198. Interview with Heskell Haddad, New York (October 22, 2007).

199. *Ibid.*

200. *Ibid.*

201. Shenhav, “Ethnicity and Memory,” 43.

202. “Growing Relationship between Ashkenazi and Sephardi Jews,” *The Forward*, June 26, 1987.

203. ASFR, ASF AR6, series III/Box 10/Libya: First International Conven-



tion of Jews from Libya; International Commission for Claims of Jews from Libya, Inc.

204. *Yediot Aharonot* (December 17, 1993), cited in Shenhav, *Ethnicity and Memory*, 44, n. 19.

205. Rachel Pomerance, "Libya's Khadafy Opens Up to Jewish Refugees; What's His Motive?," Jewish Telegraphic Agency, October 14, 2004.

206. Daphna Berman, "Sephardi Jewry at Odds over Reparations from Arab World," *Haaretz* Internet edition, November 14, 2003. For some of Fellah's ideas about Jewish and Palestinian compensation, and the project to reinvest the funds for development projects, see Raffaello Fellah, "Per la pace in Terra Santa" [For Peace in the Holy Land], *30Giorni*, no. 7-8 (2000), available at [www.30giorni.it/it/articolo\\_stampa.asp?id=12825](http://www.30giorni.it/it/articolo_stampa.asp?id=12825).

207. Yehouda Shenhav, "What Do Palestinians and Arab-Jews Have in Common? Nationalism and Ethnicity Examined through the Compensation Question," manuscript, available at <http://www.arts.mcgill.ca/mcpp/prn/PAPERS/shenhav1.htm>. Shenhav later published this article in *Hagar: An International Social Science Review* 1, 1 (2000).

208. Shenhav, "Ethnicity and Memory," 49.

209. *Ibid.*

210. NARA, John F. Kennedy Presidential Library, National Security Council Files, Box 119. Tel Aviv to Secretary of State (April 3, 1963), and Department of State to Amman, Cairo, Damascus, and Tel Aviv (April 13, 1963), both cited in Gazit, *President Kennedy's Policy Toward the Arab States and Israel*, 126, 133.

211. Shenhav, "Ethnicity and Memory," 39.

212. *Ibid.*

213. *Ibid.*

214. *Ibid.*, 40.

215. *Ibid.*

216. *Ibid.*

217. Matti Friedman, "Israel's Trump Card," *Jerusalem Report*, May 16, 2005.

218. Shenhav, "Ethnicity and Memory," 39.

219. *Ibid.*, 51.

220. *Ibid.*

221. Evron to Israeli Missions (March 23, 1978), cited in *WOJAC's Voice* 1, 2 (January 1979): 6.

222. *Divrei ha-Knesset* [Knesset Debates], vol. 75, 1121.

223. Cited in *The Scribe: Journal of Babylonian Jewry* No. 60 (December 1993): 4.

224. Shenhav, "Kehilot ve Mahazot shel Zikaron Mizrahi," 41.

225. Ya'akov Meron, *The "Complicating" Element in the Arab-Israeli Conflict* (n.p.: 1977), 4-5, 7, 15.

226. Ya'akov Meron, "Why Jews Fled the Arab Countries," *Middle East Quarterly* 2, 3 (September 1995). Available at <http://www.meforum.org/article/263> (no page numbers).

227. Ibid.
228. ASFR, ASF AR6, series III/Box 18/World Organization of Jews from Arab Countries 1983–1988; Benozair to Levy (September 1, 1988).
229. From the tribunal's conclusions. See Shulewitz, *The Forgotten Millions*, appendix 1.
230. His article, "Resolution 242 After Twenty Years," appeared in a 1988 issue of *American Foreign Policy Interests* and is available at <http://www.ncafp.org/projects/MiddleEast/UNres242.htm>.
231. Shenhav, "Ethnicity and Memory," 42.
232. *The Scribe*, no. 66 (September 1996).
233. *WOJAC's Voice* 1, 2 (January 1979): 9.
234. Ibid.
235. Ibid., 20.
236. Shenhav, "The Jews of Iraq," 623.
237. Levin, *Locked Doors*, 137–38.
238. Ibid., 331.
239. Guy Bechor, "Dreams in Egypt," *Haaretz*, July 30, 1996.
240. Levin, *Locked Doors*, 146.
241. *Le Monde Diplomatique* (September 2000).
242. Telephone interview with Moshe Sasson, former Israeli ambassador to Egypt (December 2000).
243. Bechor, "Dreams in Egypt"; Elizabeth Bryant, "Egypt's Diminishing Jewish Community Beleaguered from Within, Without," Religion News Service, September 27, 2000.
244. Agence France Press, cited in *Jordan Times*, June 22–23, 2007.
245. Marilyn Henry, "'The Real Thing' and the Right Thing," *Jerusalem Post* Internet ed., May 24, 1999.
246. *International Litigation and Arbitration Newsletter* 5, 4 (May 2005).
247. Blougrund, *The Jewish National Fund*, 9. At least a small part of the PEC land, an 820 dunum island at the confluence of the Yarmuk and Jordan rivers, remained under the private ownership of the successor to the PEC, the IEC (Israel Electric Corporation), up until the time of the peace treaty. See Prime Minister Yitzhak Rabin's comments to the Knesset debate on approval of the Israeli-Jordanian peace treaty on October 25, 1994 (available at the website of the Israeli Ministry of Foreign Affairs: <http://www.mfa.gov.il/MFA/Archive/Speeches/PM%20RABIN%20AT%20KNESSET%20DEBATE%20ON%20THE%20APPROVAL%20OF%20ISRA>).
248. *Jordan Times*, June 27, 1994.
249. *Al-Dustur* [Amman], May 22, 1997; *Jordan Times*, May 24, 1997; *Yediot Aharonot*, June 17, 1997.
250. Interview with Marwan Muasher (January 2001); *Jerusalem Report*, November 2, 1995. Interestingly, the Jordanian government apparently changed its mind by 2005. In a March 2005 interview, Jordanian Foreign Minister Hani Mulki said that during his upcoming trip to Israel he would broach the topic

of Jordanian-owned property in Jerusalem. See Randa Habib, “Mulki’s Israel Visit to ‘Bring Back Warmth’ between Neighbors,” *Jordan Times*, March 3, 2005.

251. Peter Hirschberg, “Private Property; Keep Out!” *Jerusalem Report* (1999).

252. Daniel Kurtzman, “Sephardim Gauge Moneys Lost during Exodus from Arab Lands,” Jewish Telegraphic Agency, June 21, 1999; Elli Wohlgeleinter, “Campaign Identifies Jewish Property in Arab Countries,” *Jerusalem Post*, May 14, 1999.

253. Aryeh Dayan, “A Home for a Home, and a Synagogue for a Mosque,” *Haaretz*, September 23, 1999; Kurtzman, “Sephardim Gauge Moneys Lost.”

254. “Jewish Assets in Arab Countries,” *The Scribe*, no. 73 (July 2000).

255. Daniel Kurtzman, “Sephardim Gauge Financial Losses During Exodus from Arab Countries,” Jewish Telegraphic Agency (June 20, 1999).

256. Isabel Kershner, “The West Jerusalem File,” *Jerusalem Report* (November 2, 1995); Isabel Kershner, “The Refugee Price Tag,” *Jerusalem Report* 11, 6 (July 17, 2000); Ahmad Jadallah and Khalil Tufakji, “Documenting Arab Properties in Western Jerusalem,” in *Jerusalem 1948: The Arab Neighbourhoods and their Fate in the War*, ed. Salim Tamari (Jerusalem: Institute for Jerusalem Studies and BADIL Resource Center for Palestinian Residency and Refugee Rights, 1999), 237–39.

257. Levin, *Locked Doors*, 220.

258. *Ibid.*

259. Itamar Levin, “WJC Starts Battle for Compensation to Jews of Arab Countries,” *Globes: Israel’s Business Arena*, June 22, 1999; “Fact Statement from the International Committee of Jews from Arab Lands.”

260. Elli Wohlgeleinter and Ben Lynfield, “Jews Seek to Identify Property Left Behind in Arab Countries,” *The Jewish News Weekly of Northern California*, May 7, 1999.

261. *Haaretz*, September 15, 1999, in Levin, *Locked Doors*, 217.

262. Dayan, “A Home for a Home, and a Synagogue for a Mosque.”

263. Melissa Radler, “Justice for All,” *Jerusalem Post* international ed., April 1, 2001.

264. ASFR, ASF AR6, series III/Box 8/Administrative Correspondence 1999; claim form of Marcel Shekel.

265. Telephone interview with Amram Attias, September 14, 2006.

266. See ISA (130) 1791/I, “Jewish Iraqi Property—Registration of Claims (Proposal)” (March 30, 1951), as an example.

267. Hirschberg, “Private Property Keep Out!”

268. Dayan, “A Home for a Home.”

269. Wohlgeleinter and Lynfield, “Jews Seek to Identify Property.”

270. *Ibid.*

271. Telephone interview with Amram Attias, September 14, 2006.

272. Itamar Levin, *Confiscated Wealth: The Fate of Jewish Property in Arab Lands*. Policy Forum no. 22 (Jerusalem: Institute of the World Jewish Congress, 2000).
273. Levin, *Locked Doors*.
274. *Ibid.*, xv–xvi.
275. *Middle East Peace Report* (January 8, 2001); *Jerusalem Post* international ed., April 1, 2001.
276. Itamar Levin, “World Organization of Jews from Arab Countries: Total Expropriated: \$30 Billion,” *Globes: Israel’s Business Arena*, January 2, 2001.
277. *Ibid.*
278. Kershner, “The Refugee Price Tag.”
279. Gilead Sher, *The Israeli-Palestinian Peace Negotiations, 1999–2001: Within Reach* (London and New York: Routledge, 2006), 247–48.
280. *Ibid.*, 101.
281. *Report on Israeli Settlement in the Occupied Territories* 10, 5 (September–October 2000): 2.
282. Charles Enderlin, *Shattered Dreams: The Failure of the Peace Process in the Middle East 1995–2002*, trans. Susan Fairfield (New York: Other Press, 2003), 198.
283. *Al-Hayat*, November 23 and 24, 2000, cited in Middle East Media Resource Institute, *Special Dispatch*, no. 157 (November 28, 2000).
284. Levin, *Locked Doors*, 223.
285. Akram Hanieh, “The Camp David Papers,” *Journal of Palestine Studies* 30, 2 (Winter 2001): 82; *Haaretz* Internet ed., January 3, 2000; *Jerusalem Post* international ed., April 1, 2001.
286. Salim Tamari, *Palestinian Refugee Negotiations: From Madrid to Oslo II* (Washington, DC: Institute for Palestinian Studies, 1996), 6.
287. Hirschberg, “Private Property Keep Out!”
288. *Le Monde Diplomatique* (September 2000).
289. Yair Sheleg, “Seeking Compensation for Jews Who Fled,” *Haaretz*, January 3, 2001.
290. *Jerusalem Post* international ed., April 1, 2001.
291. Enderlin, *Shattered Dreams*, 252.
292. *Ibid.*
293. “The Moratinos Nonpaper on the Taba Negotiations, Summer 2001,” *Journal of Palestine Studies* 31, 3 (Spring 2002): 87.
294. “Israeli Proposal Presented at Taba,” *Journal of Palestine Studies* 31, 2 (Winter 2002): 150.

### 3. THE STATUS OF JEWISH PROPERTY CLAIMS TODAY

1. For example, see the following document in the British Public Records Office: “Situation of the Jews of Arab Lands,” PRO FCO 17/1547, Gluckstein

to Greenhill (April 6, 1971), published in Destani, *Minorities in the Middle East*, vol. 6, doc. 198; *New York Times*, January 6, 1977.

2. "Situation of the Jews of Arab Lands." See also Meron, "Expulsion," 117, n. 66, and "Syria: Remnants of an Ancient Community," *The Middle East* 214 (August 1992): 15.

3. *New York Times*, January 6, 1977.

4. *Al-Qabas*, December 28, 1976, cited in *New York Times*, December 29, 1976.

5. *New York Times*, April 28, 1992; Robert Tuttle, "The Jews of Syria," SyriaComment.com (October 24, 2005). Available at <http://faculty-staff.ou.edu/L/Joshua.M.Landis-1/syriablog/2005/10/jews-of-syria-by-robert-tuttle.htm>.

6. "Syria: Remnants of an Ancient Community," 15–16.

7. *Los Angeles Times*, November 22, 1994.

8. *Ibid.*

9. Levin, *Locked Doors*, 201.

10. Martin Chulov, "Elderly Jews at Home," *The Australian* Internet ed., August 1, 2006.

11. Levin, *Locked Doors*, 202.

12. "Syria: Remnants of an Ancient Community," 16.

13. Tuttle, "The Jews of Syria."

14. Hector Delphi, "Up Front: Discretion in Damascus," *Jerusalem Report*, May 19, 2003. Available at <http://jrep.com/UpFront/Article-18.html>. This article claims that there were only twenty synagogues remaining in Damascus, not twenty-two as stated in "Syria: Remnants of an Ancient Community," 16. It is unclear why there is a discrepancy. In this article, Khadr Kabariti also claims, "I never thought of leaving," even though a *Los Angeles Time* story of November 22, 1994, details his immigration to France and quick return to Syria in 1994.

15. For an account of one such act of smuggling, see the following article in an online magazine published by the Jewish Agency for Israel: "I Brought the Torah Scrolls with me from Syria!" *Mag-Net* 6, 10 (October 2003).

16. "Syrian Jewish Treasures at Home in Israel," *Canadian Jewish News*, January 25, 2001; Steven Plaut, "The Harriet Tubman of Syrian Jewry," *Jewish Press*, November 1, 2006; Sarina Roffé, "The Jews of Aleppo," available at <http://www.jewishgen.org/SefardSIG/AleppoJews.htm>.

17. U.S. Department of State, *Country Reports on Human Rights Practices 2004: Syria*. Available at <http://www.state.gov/g/drl/rls/hrrpt/2004/41732.htm>.

18. Anshel Pfeffer, "Fragment of Ancient Parchment from Bible Given to Jerusalem Scholars," *Haaretz* internet edition (November 6, 2007); Malky Mendel, "Review of *Jerusalem Crown: The Bible of the Hebrew University of Jerusalem*," *Hakirah: The Flatbush Journal of Jewish Law and Thought* 2 (Fall 2005): 172–73. Two of several websites with details on the history of the Aleppo Codex are <http://www.aleppocodex.org> and <http://www.yefetl.co.il>.

19. Pfeffer, "Fragment of Ancient Parchment."

20. *Al-Dustur* [Amman], May 22, 1997; *Jordan Times*, May 24, 1997; *Yediot Aharonot*, June 17, 1997; IsraelWire, January 10, 2000.
21. *Yediot Aharonot*, June 17, 1997; IsraelWire, January 10, 2000.
22. Reuters News Service, January 7, 2000.
23. Interview with Imad Moustapha, Washington, DC, February 9, 2007.
24. *Daily Star*, November 18, 1998; *al-Abraham Weekly Online*, January 14–20, 1999.
25. *Al-Abraham Weekly Online*, January 14–20, 1999.
26. Mahmoud Harb, “Beyrouth était la seule capitale arabe à voir sa communauté israélite s’agrandir après 1948,” *L’Orient le Jour*, February 11, 2008.
27. For further information about Lebanon’s Jewish communities, see Kirsten Schulze, *The Jews of Lebanon: Between Coexistence and Conflict* (Brighton: Sussex Academic Press, 2001).
28. Sefi Hendler, “Beirut’s Last Jews,” Y-NetNews.com, August 19, 2006; David Bronner, “Les Derniers Juifs du Liban,” Guysen Israël News, January 10, 2007.
29. Yoav Stern, “American-Muslim Blog Promotes Lebanese Jewish Community,” *Haaretz*, January 3, 2007.
30. *American Jewish Yearbook*, vol. 94 (1994), 462.
31. Arutz Sheva News Service, August 7, 2000.
32. Elizabeth Bryant, “Egypt’s Diminishing Jewish Community Beleaguered from Within, Without,” Religion News Service, September 27, 2000; Reuters, August 11, 2000.
33. Muhammad Gamal Arafat, “Abu Ghraib Haunts US Rights Commission in Egypt,” IslamOnline.net, July 21, 2004; Dwight Bashir, United States Commission on International Religious Freedom, telephone interview, 2004.
34. Levin, “Jewish Property in Iraq, Egypt and Syria,” 11. Levin does not indicate who carried out the survey.
35. *American Jewish Yearbook*, vol. 62 (1961), 336.
36. According to the Association Internationale Nebi Daniel. See the group’s website: <http://www.nebidaniel.org/immeubles.php?lang=en>.
37. Amiram Barkat, “The End of the Exodus from Egypt,” *Haaretz*, April 22, 2005.
38. Abraham Rabinovich, “Preserving the Remnants of Egypt’s Synagogues,” *Jerusalem Post*, February 22, 1996.
39. David Lamb, “A Last Stand by the Jews of Egypt,” *Los Angeles Times*, November 19, 2002.
40. Barkat, “The End of the Exodus from Egypt.”
41. *Ibid.*
42. *Ibid.*
43. From the group’s website: <http://www.hsje.org/society/hsjeobjevtives.htm>.
44. Bryant, “Egypt’s Diminishing Jewish Community Beleaguered from Within, Without.”

45. Abraham Rabinovich, "Preserving the Remnants of Egypt's Synagogues," *Jerusalem Post*, February 22, 1996.
46. Available at <http://www.hsje.org/Letter%20to%20Weinstein%201.htm>.
47. *Bassatine News* 1, 4 (March 1997). Available at <http://www.geocities.com/RainForest/Vines/5855/bassa4.htm>.
48. Lamb, "A Last Stand by the Jews in Egypt."
49. "The Guardian," *Egypt Today* (May 2005).
50. Ibid.
51. Ibid.
52. Ibid.
53. Both letters available at <http://hsje.org/HSJELetterCongress/htm>.
54. "The Guardian."
55. Barkat, "The End of the Exodus from Egypt."
56. See this page from the website of the Association International Nebi Daniel for more information: <http://www.nebidaniel.org/registres.php?lang=en>.
57. Barkat, "The End of the Exodus from Egypt."
58. Ibid.
59. Ibid.
60. Amiram Barkat, "Remembering the 'Second Exodus from Egypt,'" *Haaretz* Internet ed., July 12, 2006.
61. See <http://www.nebidaniel.org/action.php?lang=en>.
62. Sarah Mishkin, "Second Exodus," *Egypt Today* 29.2 (January 2008); available online at <http://egypttoday.com/article.aspx?ArticleID=8803>.
63. Ibid.
64. Ibid.
65. See the petition at <http://www.nebidaniel.org/petition.php?lang=en>.
66. Dave Gordon, "Reclaiming the Family Fortune: Arab Countries from Which Our Families Were Expelled Owe Us billions: Can We Get Them to Pay?" *Community Magazine* 4, 8 (May 2005): 59.
67. For the ways that the JNF used maps on its collection boxes as a form of propaganda, see Yoram Bar-Gal, "The Blue Box and JNF Propaganda Maps, 1930-1947," *Israel Studies* 8.1 (2003): 1-19.
68. Eyal Benvenisti and Eyal Zamir, "Private Claims to Property Rights in the Future Israeli-Palestinian Settlement," *American Journal of International Law* 89 (1995): 314.
69. ISA (130) 1848/hts/9, "Overall Summary of the Work of the Foreign Claims Registration Office as of 31 December 1950."
70. Meron, "Expulsion," 99-100.
71. "KKL has Recovered Land Which Husayn Transferred to Arabs in Judea and Samaria," *Ma'ariv*, August 16, 1978.
72. Ibid.
73. Barukh Me'iri, "Hundreds of Dunums in Judea and Samaria Belonging



to Jewish Emigrants from Iraq Cleared of Their Inhabitants,” *Ma’ariv*, December 7, 1979.

74. *Ibid.*

75. Nur Masalha, *The Politics of Denial: Israel and the Palestinian Refugee Problem* (London: Pluto Press, 2003), 118–20.

76. *WOJAC’s Voice* 2, 1 (January–February 1986): 3.

77. See Benvenisti and Zamir, “Private Claims to Property Rights,” 313, for a full explanation of this legal point.

78. Meron, “Expulsion,” 100; Eyal Benvenisti and Eyal Zamir, *Adamot ha-Yehudim be-Yehuda, Shomron, Hevel ‘Azza, ve Mizrah Yerushalayim* [Jewish Land in Judea, Samaria, the Gaza Strip, and East Jerusalem] (Jerusalem: Jerusalem Institute for Israel Studies, 1993), 158–65. Thanks to Jeremy Forman for translating this passage for me, as well as for his expertise on Israeli military law and legal proceedings.

79. *Jerusalem Post*, May 25, 1997.

80. Tom Segev, *1967: Israel, the War, and the Year that Transformed the Middle East*, trans. Jessica Cohen (New York: Metropolitan Books, Henry Holt, 2007), 435.

81. *Divrei ha-Knesset* [Knesset Debates] (August 14, 1968), vol. 52, booklet 38, p. 3329, cited in Eitan Felner, *A Policy of Discrimination: Land Expropriation, Planning and Building in East Jerusalem* (Jerusalem: B’TSELEM, Israeli Information Center for Human Rights in the Occupied Territories, 1997), 57.

82. Nadav Shragai, “More Jews Moving into Arab Musrara,” *Haaretz*, October 4, 2002.

83. Benvenisti and Zamir, “Private Claims to Property Rights,” 309. See also Michael Dumper, *The Politics of Sacred Space: The Old City of Jerusalem in the Middle East Conflict* (Boulder: Lynne Rienner Publishers, 2002), 58–61.

84. Amiram Barkat, “JNF-Owned Company Bought Land in the Territories,” *Haaretz*, February 20, 2005.

85. Dan Leon, “The Jewish National Fund: How the Land Was ‘Redeemed,’” *Palestine-Israel Journal of Politics, Economics, and Culture* 12, 4 and 13, 1 (2005 and 2006).

86. Akiva Eldar, “Zionism on Trial,” *Haaretz* Internet ed., January 31, 2005.

87. *Report on Israeli Settlements in the Occupied Territories* (March–April 2005): 6.

88. Blougrund, *The Jewish National Fund*, 8, 10.

89. *Report on Israeli Settlements in the Occupied Territories* (March–April 2005): 6.

90. Akiva Eldar, “Theft Under the Cover of Ideology,” *Haaretz*, September 6, 2005.

91. Blougrund, *The Jewish National Fund*, 10–11.

92. Ibrahim Barzak, “Abbas Decrees Settlements for Public Use,” Associated Press, August 20, 2005; “Abbas Signs Decree Giving PA Control over Settle-



ment Lands,” *Haaretz* Internet ed., August 20, 2005; “Abbas Signs Decree on Gaza Property,” *Haaretz* Internet ed., August 21, 2005. The text of the decree was published by *al-Quds*, August 21, 2005.

93. Press release of the International Sephardic Leadership Council, December 5, 2004. Available at <http://www.sephardiccouncil.org/press-ravmadar.html>.

94. Larry Luxner, “Muslims Restore Tunisia Shuls,” Jewish Telegraphic Agency, January 16, 2008.

95. Mark Tessler and Linda L. Hawkins, “The Political Culture of Jews in Tunisia and Morocco,” *International Journal of Middle East Studies* 11, 1 (February 1980): 67.

96. UN Human Rights Committee, “Communication No 1424/2005: Algeria. 20/12/2006. CCPR/C/88/D1424/2005. (Jurisprudence) (December 20, 2006).

97. “Une rumeur infondée déclenche une campagne antisémite en Algérie,” *Le Monde*, June 28, 2005.

98. “Jewish Exiles Return to Algeria,” *Middle East Online*, May 23, 2005. Available at <http://www.middle-east-online.com/english/?id = 13572>.

99. Itamar Eichner, “Rabbi Shabazi’s Bones to be Buried in Israel?,” YNET New.com, January 21, 2008. Available at [www.ynetnews.com](http://www.ynetnews.com).

100. Shenhav, *The Arab Jews*, 171.

101. Shenhav, “Ethnicity and National Memory,” 45.

102. Associated Press, December 29, 2005, in *Israel Insider*. Available at <http://www.mafhoum.com/press9/263S25.htm>.

103. Levin, *Locked Doors*, 9.

104. Zuhayr Andrawus, “al-Murashshah li-Mansab Wazir al-‘Adl al-‘Iraqi Yu’ayyid l’adat Amlak al-Yahud al-‘Iraqiyyin allati Sadiraha al-Nizam” [The Candidate for the Position of Iraqi Justice Minister Supports the Return of the Property of Iraqi Jews That Was Confiscated by the Regime], *al-Hayat* (July 11, 2003), citing *al-Quds al-‘Arabi* and *Yediot Aharonot*.

105. Lawrence Smallman, “Israel Wants Iraq to Pay Compensation,” *Al-jazeera.net*, June 1, 2004.

106. Judith Miller, “Iraqi Documents on Israel Surface on a Cultural Hunt,” *New York Times*, May 5, 2003; Michael R. Fischbach, “Israel Tallies Up Compensation Claims by Iraq’s Jews,” *Daily Star*, September 4, 2004.

107. “The Iraqi Jewish Archive Preservation Report” (October 2, 2003). Available at <http://oi.uchicago.edu/OI/IRAQ/mela/IraqiJewishArchiveReport.htm>.

108. Eric J. Greenberg, “Fate of Rare Document Trove Remains Unclear as Iraqi Regime Takes Charge,” *Forward* (July 2, 2004).

109. Private communication with Doris A. Hamburg (November 7, 2007).

110. Matthew Gutman, “Baghdad Files Strengthen Jews’ Property Claims,” *Jerusalem Post* Internet ed., June 1, 2004.

111. Gutman, “Baghdad Files Strengthen Jews’ Property Claims”; Lawrence

Smallman, "Israel Wants Iraq to Pay Compensation." I spent nearly two years trying to obtain copies of these documents from the U.S. military and Department of State through a Freedom of Information Act request but was unsuccessful. Several government and military agencies claimed that they tried to locate the documents but were unsuccessful even in finding reference to their ever having been captured.

112. Matthew Gutman, "Moderate Iraqi Shi'ites Seem Tolerant, but How Much Power Will They Have?" Jewish Telegraphic Agency, May 5, 2003.

113. Jane Beresford, "The Baghdad Librarian's Story," Taking a Stand, BBC Radio 4, January 8, 2008. Available at <http://news.bbc.co.uk/2/hi/middle-east/177208.stm>.

114. Assam Haim, "Iraqi Jews to Resume Prayers at Yechezkel's Tomb," *Ma'ariv*, June 9, 2003; Tim Judah, "Passover in Baghdad," Granta.com. Available at <http://www.granta.com/extracts/2010>.

115. Carlos C. Huerta, "Jewish Heartbreak and Hope in Nineveh," *Jerusalem Post*, July 24, 2003.

116. "Tomb of Nahum in Iraq Needs Urgent Repairs," Point of No Return, January 4, 2007. Available at [www.jewishrefugees.blogspot.com](http://www.jewishrefugees.blogspot.com).

117. Douglas Davis, "Iraq to Weigh Returning Jewish Property," *Jerusalem Post* Internet ed., December, 26, 2003.

118. Dexter Filkins, "Iraqi Council Weighs Return of Jews, Rejecting it So Far," *New York Times*, February 28, 2004.

119. Ibid; Sarah Sennott, "It Is Now or Never," *Newsweek*-MSNBC.com, April 9, 2004.

120. *Dar al-Salam*, July 10, 2003, cited in Nimrod Raphaeli, "The New Iraqi Press and the Jews," Middle East Media Research Institute, Inquiry and Analysis Series, no. 146, August 26, 2003.

121. "Cleric Calls for Killing of Jews who Buy Land," Reuters, June 28, 2003.

122. "Turkey Responds to Activities of Jewish-Based Kurdish Credit Bank with Ziraat Bank," Cihan News Agency, November 13, 2003. Available at <http://www.casi.org.uk/discuss/2003/msg04818.html>.

123. Ronen Tal, "Claiming Babylon's Stolen Treasures," Y Net News.com, May 29, 2006; Shihada, "Ya'tabaruna Anfusahum al-Majmu'a al-Yahudiyya al-'Arabiyya al-Akbar fi'l-Dawla al-'Ibriyya"; Irwin Cotler, David Matas, and Stanley Urman, "Jewish Refugees from Arab Countries: The Case for Rights and Redress" (New York: Justice for Jews from Arab Countries, 2007), sec. 6(D)(d).

124. See the court's various rulings in the case, HCJ 8902/05, Amutat Shemesh—Shalom ve Shilumim v. Prime Minister et al, on the court's website: [www.court.gov.il](http://www.court.gov.il).

125. Shlomo Shamir, "Iraqi-Jewish Expats to Seek Compensation for Lost Assets," *Haaretz*, May 16, 2003.

126. Pazit Ravina, "Ex-Iraqi Jews Plan Massive Class-Action Suit for Lost Assets," *Jerusalem Report*, June 20, 2003.

127. Ibid.
128. "Londoner Claims Ancient Jewish Title and a Fortune in Iraq," *Wall Street Journal*, June 30, 2003.
129. Orly Halpern, "Iraq Jews Demand Compensation for Billions in Lost Assets," *Jerusalem Post*, August 31, 2005.
130. *Haaretz*, May 6, 2003.
131. Halpern, "Iraq Jews Demand Compensation."
132. Stewart Ain, "Iraqi Jews Seeking Claims," *Jewish Week*, May 23, 2003; Ran Dagoni and Itamar Levin, "Iraqi Jews Mulling Compensation Lawsuits Against Iraq," *Globes* Internet ed., July 2, 2003; Dexter Filkins, "Iraqi Council Weighs Return of Jews, Rejecting it so Far," *New York Times*, February 28, 2004.
133. Interview with Heskell Haddad, October 22, 2007.
134. Jenny Hazan, "Baghdad Evacuees Celebrate Arrival in Israel," *Jerusalem Post*, July 27, 2003.
135. "Helmet Given Back to Israelis," Associated Press, August 17, 2003.
136. James D. Besser, "Iraq Restitution Gets Push," *Jewish Week*, January 2, 2004.
137. *Palestine Report*, March 17, 2004.
138. Interview with 'Oved Ben 'Ozer, Tel Aviv, August 30, 2006.
139. Interview with Heskell Haddad, October 22, 2007.
140. Shlomo Shamir, "Insurance Firm to Pay Jews Who Fled Iraq in 1950s," *Haaretz* Internet ed., April 20, 2004; "French Insurer to Pay Iraqi Jewish Claims," Reuters, April 19, 2004.
141. *The Scribe* 20, October 1986.
142. *Sunday Times* [London], July 5, 2000, cited in "Mossad Snatches Sacred Jewish Texts from Saddam," *The Scribe* 73 (July 2000); "Abandoned Iraqi Torah Makes Trek to New York," Jewish Telegraphic Agency, December 3, 1999.
143. *Al-Hayat*, May 31, 2003, and *al-Sharq al-Awsat*, May 8, 2003, cited in Raphaeli, "The New Iraqi Press and the Jews."
144. Michael Arnold, "Under Saddam's Eye," *Jerusalem Post*, March 13, 1998.
145. Orly Halpern, "Iraq Jews to Demand Compensation for Billions in Lost Assets."
146. Tony Harnden, "Gaddafi Regime in Secret Talks with Top Israelis," *Telegraph* [London], January 8, 2004; Inigo Gilmore, "Libyan Jews Claim £100m for Seized Wealth," *Sunday Telegraph*, January 11, 2004; Michael R. Fischbach, "Will Libya's Jews Get Back What Gadhafi Confiscated?" *Daily Star*, May 17, 2005.
147. Orly Halpern, "Israelis Brace for Libya Visit," *Jerusalem Post*, March 3, 2005.
148. Gilmore, "Libyan Jews Claim £100m for Seized Wealth"; Marion Fischel, "Gaddafi Offers Compensation to Libyan Jews," *Jerusalem Post*, September 1, 2004.

149. Khaled Abu Toameh, "Ghaddafi's Son: Arab Leaders Should Embrace US Reform Proposals," *Jerusalem Post*, March 25, 2004.

150. Itamar Levin, "Qadhafi: Jews Must Be Compensated for Loss of Property," *Globes*, September 1, 2004.

151. *American Jewish Yearbook 1985*, 321.

152. *Ha-Olam ha-Zeh*, April 28, 1993, cited in Jacob Abadi, "Pragmatism and Rhetoric in Libya's Policy Toward Israel," *Journal of Conflict Studies* 20, 1 (Fall 2000).

153. Shihada, "Ya'tabaruna Anfusahum al-Majmu'a al-Yahudiyya al-'Arabiyya al-Akbar fi'l-Dawla al-'Ibriyya."

154. Halpern, "Israelis Brace for Libya Visit"; Gilmore, "Libyan Jews Claim £100m for Seized Wealth."

155. Isabel Kershner, "The Reporter: Jewish Delegation to Libya Soon for Talks on Property Compensation," *Jerusalem Report.com*, May 3, 2004.

156. Rachel Pomerance, "Gadhafi Holds Court with Libyan Jews," *Jewish Telegraphic Agency*, October 15, 2004; Rachel Pomerance, "Libya's Khadafy Opens up to Jewish Refugees: What's His Motive?" *Jewish Telegraphic Agency*, October 14, 2004; Halpern, "Israelis Brace for Libya Visit"; Ruth E. Gruber, "Libyan Jews' Trip Canceled," *Jewish Telegraphic Agency*, October 22, 2004.

157. See Tesciuba's comments about Fellah in "Non Aspetteremo Trent'Anni per Firmare L'Accordo" [We Will Not Wait Thirty Years to Sign the Accord], *PHP Nuke*, January 23, 2005. Available at <http://www.shalom.it/modules.php?name = Newsfile = print sid; = 364>.

158. "Former Libyan Jews to Seek Payment for Seized Property," *Associated Press*, December 20, 2004; Raphael Luzon, "In Libya Now," *Jewish Renaissance* (April 2005): 21.

159. *Jewish Chronicle*, August 11, 1950, in Schechtman, *On Wings of Eagles*, 143.

160. Raphael Luzon, "In Libya Now," *Jewish Renaissance* (April 2005): 21.

161. *Ibid.*

162. Pomerance, "Libya's Khadafy Opens Up to Jewish Refugees."

163. Nathan Guttman, "Rapprochement with Libya Falts as New Sanctions Are Contemplated," *Forward* Internet edition, July 3, 2007.

164. Fischbach, *Records of Dispossession* and *The Peace Process and Palestinian Refugee Claims*.

165. The Jewish Agency for Israel, *Global Jewish Agenda*, November 22, 2001.

166. "Denying Them Right of Return, Israel Decides to Deprive Palestinian Refugees from Compensation," *Palestine Media Centre*, February 20, 2003.

167. *Jerusalem Post*, March 3, 2002.

168. From Government Decision no. 1250 of December 28, 2003. Available at <http://www.justice.gov.il/MOJEng/rights+of+Jews+from+Arab+Lands+/Government+Decision.htm>.

169. *Ibid.*

170. Ibid.
171. The forms are posted on the Ministry of Justice's website: <http://www.justice.gov.il/NR/rdonlyres/841B3A20-0875-4799-B130-CA28449DDDDF/0/EnglishClaimsForm.rtf>.
172. Melissa Radler, "Campaign to Record Claims of Jewish Refugees from Muslim Lands," *Jerusalem Post*, May 11, 2002.
173. Itamar Levin, "Justice Ministry Expanding Claims Registry for Jewish Property in Arab Countries," *Globes*, June 9, 2003; Rachel Pomerance, "Sephardi Jews to Sue Arab League to Counter Palestinian Refugee Claims," Jewish Telegraphic Agency, June 18, 2002; personal correspondence with Vivienne Roumani-Denn; Hilary Leila Krieger, "Jews Forced Out of Arab Countries Seek Reparations," *Jerusalem Post*, October 22, 2006. The figure of 10,000–12,000 files was cited by WOJAC head 'Oved Ben 'Ozer in an interview, Tel Aviv, August 29, 2006.
174. Amiram Barkat, "Lapid Wants Jews from Iraq and Iran to Prepare Claims," *Haaretz* Internet ed., December 18, 2003.
175. Eetta Prince-Gibson, "Right of Return," *Jerusalem Post Magazine* (August 8, 2003).
176. Institute of the World Jewish Congress, *A Population and Property Transfer: The Forgotten Exodus of Jews from Arab Lands* (Dispatch no. 88, September 2002). Available at [http://www.worldjewishcongress.org/dispatches/dispatch\\_088.html](http://www.worldjewishcongress.org/dispatches/dispatch_088.html).
177. Ibid.
178. Charlotte Hall, "Diaspora Gives Stage to Arab Jews," *Haaretz*, May 23, 2003.
179. UNSA DAG 13–3, UNCCP Office of the Principal Secretary. Records Relating to Compensation/Box 18/1949–51/Working Papers on Compensation; W/32, "Letter and memorandum dated November 22, 1949 Concerning Compensation, Received by the Chairman of the Conciliation Commission from Mr. Gordon R. Clapp, Chairman, United Nations Economic Survey Mission for the Middle East" (January 19, 1950).
180. NARA, John F. Kennedy Presidential Library, National Security Council Files, Box 119. Tel Aviv to Secretary of State (April 3, 1963), and Department of State to Amman, Cairo, Damascus, and Tel Aviv (April 13, 1963), both cited in Gazit, *President Kennedy's Policy toward the Arab States and Israel*, 126, 133.
181. Rachel Pomerance, "New Coalition Seeks Compensation for Jewish Refugees from Arab World," Jewish Telegraphic Agency, September 30, 2002.
182. Prince-Gibson, "Right of Return."
183. Ibid.
184. Telephone interview with Stanley Urman, September 15, 2006.
185. Rachel Pomerance, "Group Highlights Flight of Jewish Refugees from Arab World," Jewish Telegraphic Agency, June 25, 2003.
186. See, for example, Eric Fingerhut, "Forgotten Refugees Effort Under

Way to Focus on Jews of Arab Lands,” *Washington Jewish Week* Internet ed., July 26, 2007.

187. Prince-Gibson, “Right of Return.”

188. Pomerance, “Group Highlights Flight of Jewish Refugees from Arab World.”

189. “Jewish Refugees from Arab Countries: The Case for Rights and Redress,” 30. Available at <http://www.justiceforjews.com/legal.pdf>.

190. Ibid.

191. Sher, *The Israeli-Palestinian Peace Negotiations, 1999–2001*, 247–48.

192. “Historic Mobilization in Defense of Jewish Rights,” WOJAC and JJAC, June 6, 2005.

193. Fingerhut, “Forgotten Refugees Effort Under Way to Focus on Jews of Arab Lands.”

194. “JJAC Statement on Visit of Jewish Delegation to Libya,” October 11, 2004. Available at [http://www.justiceforjews.com/pdf/Statement\\_on\\_Visit\\_102605.pdf](http://www.justiceforjews.com/pdf/Statement_on_Visit_102605.pdf).

195. Ibid.

196. Justice for Jews from Arab Countries, in conjunction with the American Libyan Jewry Association, “Statement of Principles,” November 1, 2004. Available at [http://www.justiceforjews.com/pdf/Statement\\_on\\_Libyan\\_Jewry.pdf](http://www.justiceforjews.com/pdf/Statement_on_Libyan_Jewry.pdf).

197. John Quigley, “Security Council Resolution 242 and the Right of Repatriation,” *Journal of Palestine Studies* 37.1 (Autumn 2007): 55.

198. Ibid., 59.

199. Archived on the website of the UN High Commissioner for Refugees: [www.unhcr.org/cgi-bin/texis/vtx/admin/openssl.htm?tbl = ADMIN id; = 3ae68fd22b](http://www.unhcr.org/cgi-bin/texis/vtx/admin/openssl.htm?tbl = ADMIN id; = 3ae68fd22b).

200. For example, see Jenny Hazan and Greer Fay Cashman, “Jews Expelled from Arab Countries Accuse Arab Regimes of Ethnic Cleansing,” *Jerusalem Post*, June 25, 2003.

201. Prince-Gibson, “Right of Return.”

202. Shenhav, “Ethnicity and Memory,” 40.

203. Justice for Jews from Arab Countries, “Jewish Refugees from Arab Countries: The Case for Rights and Redress,” fact sheet.

204. Taken from the website of Justice for Jews from Arab Countries: <http://www.justiceforjews.com>.

205. Sheri Shefa, “Jewish Refugees from Arab Countries Can Register Online,” *Canadian Jewish News* Internet ed., September 21, 2006.

206. “Historic Mobilization in Defense of Jewish Rights,” WOJAC and JJAC, June 6, 2005.

207. Pomerance, “New Coalition Seeks Compensation for Jewish Refugees from Arab World.”

208. Fingerhut, “Forgotten Refugees Effort Under Way to Focus on Jews of Arab Lands.”

209. Prince-Gibson, “Right of Return.”
210. Hazan and Cashman, “Jews Expelled from Arab Countries.”
211. *Ibid.*
212. “Campaign on Behalf of Jews from Arab Lands,” Arutz Sheva—Israel-NationalNews.com, March 14, 2006.
213. Melissa Radler, “US Senate Takes Up Issue of Jews who Fled Arab Lands,” *Jerusalem Post* Internet ed., March 31, 2004.
214. Fingerhut, “Forgotten Refugees Effort Under Way to Focus on Jews of Arab Lands.”
215. Interview with Heskel Haddad, October 22, 2007.
216. See <http://www.justiceforjews.com>, particularly the archived “leadership reports.”
217. Elliot Resnick, “Righting a Historic Injustice,” *Jewish Press*, June 13, 2007. Available at [http://www.jewishpress.com/page.do/21869/Rightin\\_A\\_Historic\\_Injustice.html](http://www.jewishpress.com/page.do/21869/Rightin_A_Historic_Injustice.html).
218. *New York Times*, March 14, 2004.
219. Resnick, “Righting a Historic Injustice.”
220. Orly Halpern, “Iraq Jews to Demand Compensation for Billions in Lost Assets,” *Jerusalem Post*, August 31, 2005.
221. Matti Friedman, “Israel’s Trump Card,” *Jerusalem Report*, May 16, 2005.
222. Dayan, “A Home for a Home, and a Synagogue for a Mosque.”
223. Prince-Gibson, “The Right of Return.”
224. *Ibid.*
225. February 27, 2006, letter to Sephardic rabbis from Shelomo Alfassa, executive director of ISLC, and Rabbi Nessim Elnecavé, ISLC rabbinical director. Available at [http://www.sephardiccouncil.org/letter\\_rabbi\\_jjac-islc.pdf](http://www.sephardiccouncil.org/letter_rabbi_jjac-islc.pdf); JJAC, “Declaration of the International Rights and Redress Campaign,” October 23, 2006.
226. From JIMENA’s website, <http://www.jimena.org>.
227. <http://www.americansephardicfederation.org>.
228. Daphna Berman, “Sephardi Jewry at Odds over Reparations from Arab World,” *Haaretz* Internet ed., November 14, 2003.
229. *Ibid.*
230. Hirschberg, “Private Property Keep Out!”
231. *Ibid.*
232. *Ibid.*
233. Rachel Pomerance, “Sephardi Jews to Sue Arab League to Counter Palestinian Refugee Claims,” Jewish Telegraphic Agency, June 18, 2002.
234. *Ibid.*
235. Telephone interview with Amram Attias, September 14, 2006; Pomerance, “New Coalition Seeks Compensation for Jewish Refugees from Arab World.”
236. Isabel Kershner, “The Refugee Price Tag.”



237. Melissa Radler, "Justice for All," *Jerusalem Post* international ed., April 1, 2001.
238. Greer Faye Cashman, "Government Hit for Neglecting Jewish Property in Arab Lands," *Jerusalem Post*, November 20, 2001.
239. Jewish Agency for Israel, *Global Jewish Agenda* 2, 41 (November 22, 2001).
240. Prince-Gibson, "Right of Return."
241. Ibid.
242. Interview with Heskell Haddad, October 22, 2007.
243. Hilary Leila Krieger, "Jews Forced Out of Arab Countries Seek Reparations," *Jerusalem Post*, October 23, 2006; interview with 'Oved Ben 'Ozer, Tel Aviv, August 29, 2006.
244. Interview with 'Oved Ben 'Ozer, Tel Aviv, August 29, 2006.
245. Ibid.; Friedman, "Israel's Trump Card."
246. Interview with 'Oved Ben 'Ozer, Tel Aviv, August 29, 2006.
247. For example, see Dave Gordon, "Reclaiming the Family Fortune: Arab Countries from Which Our Families Were Expelled Owe Us Billions: Can We Get Them to Pay?" *Community Magazine* 4, 8 (May 2005): 59.
248. Friedman, "Israel's Trump Card."
249. Interview with Heskell Haddad, October 22, 2007.
250. Avi Beker, "Respect for the Jews of Arab States," *Haaretz* international ed., July 20, 2003.
251. Itamar Levin, "Dual Registration: Jews from Arab Countries Want to Register Property Claims, but Israel Keeps Delaying," *Globes* Internet ed., February 24, 2005.
252. Krieger, "Jews Forced Out of Arab Countries Seek Reparations."
253. Aviram Zino, "Minister to Oriental Jews: Claim Your Reparations," YNet.com, October 23, 2006.
254. JJAC apparently located the WJC memorandum at the Central Zionist Archives in Jerusalem. I found it in May 2007 among the records of the World Jewish Congress at the Jacob Rader Marcus Center of the American Jewish Archives at Hebrew Union College in Cincinnati, Ohio. See AJA MS 361, B140/8, "Memorandum Submitted to the UN Economic and Social Council by the World Jewish Congress" (January 19, 1948), appendix. The document was given the UN designation E/C.2/75.
255. Cotler, Matas, and Urman, "Jewish Refugees from Arab Countries: The Case for Rights and Redress" (2007), introduction and sec. 1(D).
256. Ibid., sec. 6(E).
257. Ibid., secs. 6(D)(d), 6(E).
258. Ibid.
259. Anshel Pfeffer, "Israel Seeks Fresh Holocaust Reparations Deal with Germany," *Haaretz* internet edition (November 9, 2007).
260. "State Panel to Probe Treatment of Holocaust Survivors by Go'vt," *Haaretz* internet edition (January 7, 2008).



261. The director of JJAC's U.S. campaign, Shelomo Alfassa, noted that Olmert sent the letter via the regular mail, where it sat with other correspondence in the JJAC's offices for awhile until it was noticed. Clearly the group was surprised that the prime minister's message about so important a topic was not delivered in a more expeditious, high-priority manner. Telephone interview with Shelomo Alfassa, November 7, 2007.

262. Ben Harris, "Olmert: Not Yet on Jewish Refugees," Jewish Telegraphic Agency, November 5, 2007.

263. Jillian Bandes, "The Other Refugees: A Newly Discovered Document Explains the Jewish exile from Muslim Lands," *The Weekly Standard*, November 13, 2007.

264. Tal, "Babylon's Stolen Treasures."

265. Paul Lungren, "Jewish Refugees Briefly Mentioned at Annapolis," *Canadian Jewish News*, December 6, 2007.

266. Ibid.

267. Herb Keinon, "Official: Bush Aware of Jewish Refugees' Plight," *Jerusalem Post* internet edition (January 15, 2008).

## CONCLUSION

1. UNSA DAG 13-3, UNCCP Principal Secretary. Series: Records Relating to Compensation/Box 21/1958-73/The Question of Arab Land Ownership; Gaillard to Isaac (September 13, 1961).

2. Levin, *Locked Doors*, 221.

3. Avi Beker, ed., *The Plunder of Jewish Property during the Holocaust: Confronting European History* (New York: Palgrave Macmillan, 2001).

4. Prince-Gibson, "Right of Return."

5. The only example of a survey of Mizrahi/Sephardic Jews asking what should be done about their property losses that I could find dealt not with this wider question of how their claims should be addressed, but rather with the specific question of whether former Egyptian Jews wanted a UN member state to "safeguard" their sequestered property until such time as it could be restituted to them. Jerome Jacobson, head of the Central Registry of Jewish Losses in Egypt, sent out inquiries in 1957 to those Jews who had registered their 1956-1957 property losses in Egypt with the Central Registry. The questionnaire asked them whether or not they wanted to have their property in Egypt "safeguarded" by a member state of the UN Refugee Fund. Only a small number of Jews bothered to register with the registry in the first place, so in the end, Jacobson received only 103 replies to his questionnaire, on behalf of 443 Jews. This was described in chapter 2.

6. Elazar Barkan, *The Guilt of Nations: Restitution and Negotiating Historical Injustices* (New York: Norton, 2000).

7. Ibid., 345.

8. Ibid., xxi–xxii.
9. For example, see Shenhav, *The Arab Jews*, 127.
10. See Michael R. Fischbach, “Palestinian and Mizrahi Jewish Property Claims in Discourse and Diplomacy,” in *Exile and Return: Predicaments of Palestinians and Jews*, ed. Ann M. Lesch and Ian S. Lustick (Philadelphia: University of Pennsylvania Press, 2005).



## BIBLIOGRAPHY

### PRIMARY SOURCES

#### *Archival and Governmental Documents*

Alliance Israélite Universelle Library, Paris

American Jewish Committee, Online Archives

American Jewish Joint Distribution Committee Archives, Jerusalem

American Sephardi Federation Archives. American Sephardi Federation at the Center for Jewish History, New York

Israel. Prime Ministry. Israel State Archives, Jerusalem

Jacob Rader Marcus Center of the American Jewish Archives. Hebrew Union College, Cincinnati, Ohio

Jordan. Ministry of Culture. National Library and Center for Documents and Documentation, Amman

Jordan. Ministry of Finance. Department of Lands and Survey, Amman

United Kingdom. Public Records Office, London

United Nations. Secretariat Archives, New York

United States. National Archives and Records Administration, College Park, Maryland

World Zionist Organization. Central Zionist Archives, Jerusalem

#### *Published Documents*

Destani, B., ed. *Minorities in the Middle East: Jewish Communities in Arab Countries 1841–1974*. Vol. 4: 1943–1951, vol. 5: 1952–1968, and vol. 6: 1969–1974. N.p.: Archive Editions, 2005.

- Great Britain, Colonial Office. *Report of the Commission of Enquiry into Disturbances in Aden in December, 1947*. London: His Majesty's Stationery Office, 1948.
- Israel. Israel Defense Force, Spokesman's Office, *Confiscation of Jewish Property in Syria for the Requirements of Syrian Intelligence Against Israel*. N.p.: July 1967.
- . *Divrei ha-Knesset* [Knesset Debates]. Jerusalem: Various years.
- . *Israel Government Yearbook*. Jerusalem: Various years.
- . Israel State Archives. *Documents on the Foreign Policy of Israel*. Various editors. Jerusalem: Various years.
- . Ministry for Foreign Affairs, Information Division. *Persecution of Jews in Arab Lands*. Jerusalem: Government Printer, 1969.
- Jarman, Robert L. *Political Diaries of the Arab World. Palestine and Jordan*. Vol. 10: 1948–1965. Slough, UK: Archive Editions, 2001.

## SECONDARY SOURCES

- Abadi, Jacob. "Pragmatism and Rhetoric in Libya's Policy Toward Israel." *Journal of Conflict Studies* 20.1 (Fall 2000).
- Abu Shakrah, Jan. "Deconstructing the Link: Palestinian Refugees and Jewish Immigrants from Arab Countries." In *Palestinian Refugees: The Right of Return*, ed. Naseer Aruri. London: Pluto Press, 2001.
- Aharoni, Ada. "The Forced Migration of Jews from Arab Countries." *Peace Review* 15, 1 (March 2003): 53–60.
- Ahroni, Reuben. *Jewish Emigration from the Yemen 1951–98: Carpet Without Magic*. Richmond, UK: Curzon Press, 2001.
- . *The Jews of the British Crown Colony of Aden: History, Culture, and Ethnic Relations*. Leiden: Brill, 2004.
- American Jewish Congress. *The Black Record: Nasser's Persecution of Egyptian Jewry*. New York: American Jewish Congress, 1957.
- The American Jewish Yearbook*, various editors and volumes. New York: American Jewish Committee; Philadelphia: Jewish Publication Society of America, various years.
- Bahloul, Joelle. *The Architecture of Memory: A Jewish-Muslim Household in Colonial Algeria, 1937–1962*. New York: Cambridge University Press, 1996.
- Bar-Gal, Yoram. "The Blue Box and JNF Propaganda Maps, 1930–1947." *Israel Studies* 8.1 (2003): 1–19.
- Barkan, Elazar. *The Guilt of Nations: Restitution and Negotiating Historical Injustices*. New York: Norton, 2000.
- Basri, Carole. "The Jewish Refugees from Arab Countries: An Examination of Legal Rights—A Case Study of the Human Rights Violations of Iraqi Jews." *Fordham International Law Journal* 26, 3 (March 2003): 656–720.
- . *The Jews of Iraq: A Forgotten Case of Ethnic Cleansing*. Policy Study no. 26. Jerusalem: Institute of the World Jewish Congress, 2003.

- Beinin, Joel. *The Dispersion of Egyptian Jewry: Culture, Politics, and the Formation of a Modern Diaspora*. Berkeley: University of California Press, 1988.
- Ben-Porat, Mordechai. *To Baghdad and Back: The Miraculous 2,000 Year Homecoming of the Iraqi Jews*, trans. Marcia Grant and Kathy Akeriv. Jerusalem: Gefen Publishing House, 1998.
- Ben-Porat, Mordechai, and Shaul Ramati. *Who Is a Refugee in the Middle East? From the Rostrum of the United Nations*. N.p.: World Organization of Jews from Arab Countries, 1978.
- Benvenisti, Eyal, and Eyal Zamir. *Adamot ha-Yehudim be-Yehuda, Shomron, Hevel 'Azza, ve Mizrah Yerushalayim* [Jewish Land in Judea, Samaria, the Gaza Strip, and East Jerusalem]. Jerusalem: Jerusalem Institute for Israel Studies, 1993.
- . "Private Claims to Property Rights in the Future Israeli-Palestinian Settlement." *American Journal of International Law* 89 (1995).
- Benvenisti, Meron. *City of Stone: The Hidden History of Jerusalem*, trans. Maxine Kaufman Nunn. Berkeley: University of California Press, 1996.
- Ben-Zvi, Isaac [Yitzhak Ben Zvi]. "Lost and Regained: They That Were Lost in the Land of Assyria." *Phylon* 16, 1 (1955): 57–63.
- Blougrund, David. *The Jewish National Fund*. Policy Study no. 49. Washington, DC: Institute for Advanced Strategic and Political Studies, 2001.
- Breger, Marshall J., and Thomas A. Idinopulos. *Jerusalem's Holy Places & the Peace Process*. Policy Paper no. 46. Washington, DC: Washington Report for Near East Policy, 1999.
- Carr, Donald. "The Other Refugees." *Middle East Focus* 6 (March 1984): 4–5, 24.
- Chetrit, Sami Shalom. "Mizrahi Politics in Israel: Between Integration and Alternative." *Journal of Palestine Studies* 29, 4 (Summer 2000): 51–65.
- Chouraqui, André N. *Between East and West: A History of the Jews of North Africa*, trans. Michael M. Bernet. Philadelphia: Jewish Publication Society of America, 1968.
- Cohen, Hayyim J. *The Jews of the Middle East 1860–1972*. New York: Wiley; Jerusalem: Israel Universities Press, 1972.
- Cohen, Mark R. *Under Crescent and Cross: The Jews in the Middle Ages*. Princeton: Princeton University Press, 1994.
- Cohen, William B. "Legacy of Empire: The Algerian Connection." *Journal of Contemporary History* 15 (1980): 97–123.
- Collier, F. H. "'Registered' Claims against the Egyptian Fund under the Foreign Compensation Acts." *International and Comparative Law Quarterly* 15, 4 (October 1966): 1175–81.
- De Felice, Renzo. *Jews in an Arab Land: Libya, 1835–1970*, trans. Judith Roumani. Austin: University of Texas Press, 1985.
- Dominitz, Yehuda. "Immigration and Absorption of Jews from Arab Countries." In *The Forgotten Millions: The Modern Jewish Exodus from Arab Lands*, ed. Malka Hillel Shulevitz. London: Cassell, 1999.

- Dumper, Michael. *The Politics of Sacred Space: The Old City of Jerusalem in the Middle East Conflict*. Boulder: Lynne Rienner, 2002.
- Enderlin, Charles. *Shattered Dreams: The Failure of the Peace Process in the Middle East 1995–2002*, trans. Susan Fairfield. New York: Other Press, 2003.
- Epstein [Elat], Eliahu. “Notes from a Paper on the Present Conditions in the Hauran.” *Journal of the Royal Central Asian Society* 23 (1936).
- Fellah, Raffaello. “Per la pace in Terra Santa” [For Peace in the Holy Land]. *30Giorni*, no. 7-8 (2000).
- Felner, Eitan. *A Policy of Discrimination: Land Expropriation, Planning and Building in East Jerusalem*. Jerusalem: B'TSELEM, Israeli Information Center for Human Rights in the Occupied Territories, 1997.
- Fischbach, Michael R. “Land.” In *The Encyclopedia of the Palestinians*, ed. Philip Mattar. Rev. ed. New York: FactsOnFile, 2005.
- . “Palestinian and Mizrahi Jewish Property Claims in Discourse and Diplomacy.” In *Exile and Return: Predicaments of Palestinians and Jews*, ed., Ann M. Lesch and Ian S. Lustick. Philadelphia: University of Pennsylvania Press, 2005.
- . *The Peace Process and Palestinian Refugee Claims: Addressing Claims for Property Compensation and Restitution*. Washington, DC: United States Institute of Peace Press, 2006.
- . *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*. New York: Columbia University Press, 2003.
- . *State, Society, and Land in Jordan*. Leiden: Brill, 2000.
- Gabbay, Rony E. *A Political Study of the Arab-Jewish Conflict: The Arab Refugee Problems (A Case Study)*. Geneva: Librairie E. Droz; Paris: Librairie Minard, 1959.
- Gat, Moshe. *The Jewish Exodus from Iraq 1948–1951*. London: Frank Cass, 1997.
- Gazit, Mordechai. *President Kennedy’s Policy toward the Arab States and Israel*. Tel Aviv: Shiloah Center for Middle Eastern and African Studies, Tel Aviv University, 1983.
- Gelber, Yoav. *Palestine 1948: War, Escape, and the Emergence of the Palestinian Refugee Problem*. 2d rev. ed. Sussex: Sussex Academic Press, 2006.
- Goldberg, Harvey E. “Gravesites and Memorials of Libyan Jews: Alternative Versions of the Sacralization of Space in Judaism.” In *Grasping Land: Space and Place in Contemporary Israeli Discourse and Experience*, ed. Eyal Ben-Ari and Yoram Bilu. Albany: State University of New York Press, 1997.
- , ed. *Sephardi and Middle Eastern Jewries: History and Culture in the Modern Era*. New York. Bloomington: Indiana University Press, 1996.
- Goldmann, Nahum. *The Autobiography of Nahum Goldmann: Sixty Years of Jewish Life*, trans. Helen Sebba. New York: Holt, Rinehart and Winston, 1969.
- Hacohen, Dvora. *Immigrants in Turmoil: Mass Immigration to Israel and Its Repercussions in the 1950s and After*, trans. Gila Brand. Syracuse: Syracuse University Press, 2003.

- Hadawi, Sami. *Palestinian Rights & Losses in 1948: A Comprehensive Study*. Part 5: *An Economic Assessment of Total Palestinian Losses written by Dr. Atef [sic] Kubursi*. London: Saqi Books, 1988.
- Haddad, Heskell M. *Flight from Babylon: Iraq, Iran, Israel, America*. New York: McGraw-Hill, 1986.
- . *Jews of Arab and Islamic Countries: History, Problems, Solutions*. New York: Shengold Publishers, 1984.
- Hanieh, Akram. "The Camp David Papers." *Journal of Palestine Studies* 30, 2 (Winter 2001): 75–97.
- Hillel, Shlomo. *Operation Babylon*, trans. Ina Friedman. New York: Doubleday, 1987.
- Ilan, Zvi. *Ha-Kemihah le-Hityashvut Yehudit be-Ever ha-Yarden, 1871–1947* [Yearning for Jewish Settlement in Transjordan, 1871–1947]. Jerusalem: Yad Yizhak Ben-Zvi, 1984.
- . "Nisyonot le-Rekhisat Adama u-le-Hityashvut Yehudit be-Ever ha-Yarden ha-Mizrahi, 1871–1947" [Attempts by Jews to Purchase Land and Settle in Eastern Transjordan, 1871–1947]. Ph.D. dissertation, Bar Ilan University, 1981.
- "Israeli Proposal Presented at Taba." *Journal of Palestine Studies* 31, 2 (Winter 2002).
- Jadallah, Ahmad and Khalil Tufakji, "Documenting Arab Property in West Jerusalem. A: Problems of Documentation." In *Jerusalem 1948: The Arab Neighbourhoods and Their Fate in the War*, ed. Salim Tamari. Jerusalem: Institute for Jerusalem Studies and BADIL Resource Center for Palestinian Residency and Refugee Rights, 1999.
- Khazzoom, Aziza. "The Great Chain of Orientalism: Jewish Identity, Stigma Management, and Ethnic Exclusion in Israel." *American Sociological Review* 68, 4 (August 2003): 481–510.
- Krämer, Gudrun. *The Jews in Modern Egypt, 1914–1952*. Seattle: University of Washington Press, 1989.
- Laskier, Michael M. "Egyptian Jewry under the Nasser Regime, 1956–70," *Middle Eastern Studies* 31, 3 (July 1995).
- . "From Hafsia to Bizerte: Tunisia's Nationalist Struggle and Tunisian Jewry, 1952–61." *Mediterranean Historical Review* 2, 2 (December 1987): 188–222.
- . *Israel and the Maghreb: From Statehood to Oslo*. Gainesville: University Press of Florida, 2004.
- . *The Jews of Egypt, 1920–1970: In the Midst of Zionism, Anti-Semitism, and the Middle East Conflict*. New York: New York University Press, 1992.
- . *North African Jewry in the Twentieth Century: The Jews of Morocco, Tunisia, and Algeria*. New York: New York University Press, 1994.
- . "Zionism and the Jewish Communities of Morocco." *Studies in Zionism* 6, 1 (1985): 119–39.
- Lazarus, Jacques. "Le rôle de l'AJOA dans l'intégration des Juifs d'Algérie en France" [The Role of the AJOA in the Integration of the Jews of Algeria in France]. *L'Arche*, no. 546–47 (August–September 2003).



- Lehmann, Manfred R. "On My Mind: The Golan Heights: Bought by Baron Rothschild 100 Years Ago." Ms.
- Leon, Dan. "The Jewish National Fund: How the Land Was 'Redeemed.'" *Palestine-Israel Journal of Politics, Economics, and Culture* 12, 4 and 13, 1 (2005 and 2006).
- Levin, Itamar. *Confiscated Wealth: The Fate of Jewish Property in Arab Lands*. Policy Forum no. 22. Jerusalem: Institute of the World Jewish Congress, 2000.
- . "Jewish Property in Iraq, Egypt and Syria: Can It be Retrieved in Court?" *Justice*, no. 36 (Autumn 2003).
- . *Locked Doors: The Seizure of Jewish Property in Arab Countries*, trans. Rachel Neiman. Westport, CT: Praeger, 2001.
- Lewis, Bernard. *The Jews of Islam*. Princeton: Princeton University Press, 1987.
- Masalha, Nur. *Israeli Plans to Resettle the Palestinian Refugees 1948–1972*. Monograph Series no. 2. Ramallah: Palestinian Diaspora and Refugee Centre [SHAML], 1996.
- . *The Politics of Denial: Israel and the Palestinian Refugee Problem*. London: Pluto Press, 2003.
- Meir-Glitzstein, Esther. *Zionism in an Arab Country: Jews in Iraq in the 1940s*. London: Routledge, 2004.
- Mendel, Malky. "Review of *Jerusalem Crown: The Bible of the Hebrew University of Jerusalem*." *Hakirah: The Flatbush Journal of Jewish Law and Thought* 2 (Fall 2005): 172–73.
- Meron, Ya'akov. *The "Complicating" Element of the Arab-Israeli Conflict*. N.p.: 1977.
- . "The Expulsion of the Jews from the Arab Countries: The Palestinians' Attitude towards It and Their Claims." In *The Forgotten Millions: The Modern Jewish Exodus from Arab Lands*, ed. Malka Hillel Shulewitz. London: Cassell, 1999.
- . "The Golan Heights 1918–1967." In *Military Government in the Territories Administered by Israel 1967–1980*. Vol. 1: *The Legal Aspects*, ed. Meir Shamgar. Jerusalem: Hebrew University of Jerusalem Faculty of Law, Harry Sacher Institute for Legislative Research and Comparative Law, 1982.
- . "Why Jews Fled the Arab Countries." *Middle East Quarterly* (September 1995).
- "The Moratinos Nonpaper on the Taba Negotiations, Summer 2001." *Journal of Palestine Studies* 31, 3 (Spring 2002): 87.
- Morris, Benny. *The Birth of the Palestinian Refugee Problem, 1947–1949*. Cambridge Middle East Library. Cambridge: Cambridge University Press, 1987.
- "Palestinian Proposal on Palestinian Refugees." *Journal of Palestine Studies* 31, 2 (Winter 2002).
- Pappé, Ilan. *The Ethnic Cleansing of Palestine*. Oxford: Oneworld Publications, 2006.

- Parfitt, Tudor. *The Road to Redemption: The Jews of the Yemen 1900–1950*. Leiden: Brill, 1996.
- Peretz, Don. *Israel and the Palestine Arabs*. Washington, DC: Middle East Institute, 1958.
- . “Problems of Arab Refugee Compensation.” *The Middle East Journal* 8, 4 (Autumn 1954): 403–16.
- Press, Jesaias. “Die jüdischen Kolonien Palästinas” [On the Jewish Colonies of Palestine]. *Zeitschrift des Deutschen Palästina-Vereins* 35 (1912).
- Prittie, Terence, and Bernard Dineen. *The Double Exodus: A Study of the Arab and Jewish Refugees in the Middle East*. N.p., n.d.
- Qa‘qur, Ibtisam, ed., *Qadiyat shira’ al-aradi wa’l-istitan al-sahyuni bi’l-Urdunn wa Hawran wa’l-Jawlan* [The Issue of Zionist Land Purchasing and Settlement in Jordan, Hawran, and Golan]. Amman: Dar al-Jalil li’l-Nashr, 2003.
- Quigley, John. “Security Council Resolution 242 and the Right of Repatriation.” *Journal of Palestine Studies* 37.1 (Autumn 2007): 49–61.
- Rejwan, Nissim. *The Jews of Iraq: 3000 Years of History and Culture*. Boulder: Westview Press, 1985.
- Roumani, Maurice. *The Case of the Jews from Arab Countries: A Neglected Issue*. Tel Aviv: World Organization of Jews from Arab Countries, 1977.
- Sagi, Nana. *German Reparations: A History of the Negotiations*. New York: St. Martin’s Press; Jerusalem: Magnes Press, Hebrew University of Jerusalem, 1986.
- Sanua, Victor. “Emigration of Sephardic Jews from Egypt after the Arab-Israeli Wars.” *Proceedings of the Eleventh World Congress of Jewish Studies*. Division B, vol. 3: *The History of the Jewish People in Modern Times*. Jerusalem: World Union of Jewish Studies, 1994.
- Sayigh, Yusuf ‘Abdullah. *Al-Iqtisad al-Isra’ili* [The Israeli Economy]. Cairo: League of Arab States, Institute for Higher Arab Studies, 1966.
- Schama, Simon. *Two Rothschilds and the Land of Israel*. New York: Knopf, 1973.
- Schechtman, Joseph B. *The Arab Refugee Problem*. New York: Philosophical Library, 1952.
- . *On Wings of Eagles: The Plight, Exodus, and Homecoming of Oriental Jews*. New York: Thomas Yoseloff, 1961.
- Scholz, Norbert. *U.S. Official Statements: The Palestinian Refugees*. Washington, DC: Institute for Palestine Studies, 1994.
- Schulze, Kirsten. *The Jews of Lebanon: Between Coexistence and Conflict*. Brighton: Sussex Academic Press, 2001.
- Segev, Tom. *1967: Israel, the War, and the Year That Transformed the Middle East*, trans. Jessica Cohen. New York: Metropolitan Books, Henry Holt, 2007.
- Shenhav, Yehouda. *The Arab Jews: A Postcolonial Reading of Nationalism, Religion, and Ethnicity*. Cultural Sitings. Stanford: Stanford University Press, 2006.
- . “Arab Jews, Population Exchange, and the Palestinian Right of Return.”

- In *Exile and Return: Predicaments of Palestinians and Jews*, ed. Ann M. Lesch and Ian S. Lustick. Philadelphia: University of Pennsylvania Press, 2005.
- . "Ethnicity and National Memory: The World Organization of Jews from Arab Countries (WOJAC) in the Context of the Palestinian National Struggle." *British Journal of Middle Eastern Studies* 29, 1 (2002): 27–56.
- . "The Jews of Iraq, Zionist Ideology, and the Property of the Palestinian Refugees of 1948: An Anomaly of National Accounting." *International Journal of Middle East Studies* 31, 4 (November 1999): 605–30.
- . "Kehilot ve Mahazot shel Zikaron Mizrahi" [Communities and Districts of Mizrahi Memory]. Manuscript, Van Leer Foundation and Tel Aviv University, 2000.
- . "What Do Palestinians and Arab-Jews Have in Common? Nationalism and Ethnicity Examined through the Compensation Question." *Hagar: An International Social Science Review* 1, 1 (2000).
- Sher, Gilead. *The Israeli-Palestinian Peace Negotiations, 1999–2001: Within Reach*. London and New York: Routledge, 2006.
- Shiblak, Abbas. *Iraqi Jews: A History of Mass Exodus*. London: Saqi Books, 2005.
- Shlaim, Avi. "The Debate about 1948." In *The Israel/Palestine Question*, ed. Ilan Pappé. London: Routledge, 1999.
- Shohat, Ella. "The Invention of the Mizrahim." *Journal of Palestine Studies* 29, 1 (Autumn 1999): 5–20.
- . "Sephardim in Israel: Zionism from the Standpoint of Its Jewish Victims." *Social Text*, nos. 19/20 (Autumn 1988): 1–35.
- . "Zionist Discourse and the Study of Arab Jews." *Social Text* 21, 2 (Summer 2003): 49–74.
- Shulevitz, Malka Hillel, ed., *The Forgotten Millions: The Modern Jewish Exodus from Arab Lands*. London: Cassell, 1999.
- Shumski, Adasia and Abraham. *A Bridge across the Jordan: The Friendship between a Jewish Carpenter and the King of Jordan*. New York: Arcade Publishing, 1997.
- Simon, Reeva Spector, Michael Menachem Laskier, and Sara Reguer, eds. *The Jews of the Middle East and North Africa in Modern Times*. New York: Columbia University Press, 2003.
- Steur nagel, Carl. "Der 'Adschlun" [Ajlun]. *Zeitschrift des Deutschen Palästina-Vereins* 48 (1925).
- Stillman, Norman. *The Jews of Arab Lands in Modern Times*. Philadelphia: Jewish Publication Society, 1991.
- Stevenson, Thomas B. "Capturing History: Listening to Oral Narratives in Yemen." *The World & I.com* (January 2002).
- Takkenberg, Lex. *The Status of Palestinian Refugees in International Law*. Oxford: Clarendon Press, 1998.
- Tamari, Salim. *Palestinian Refugee Negotiations: From Madrid to Oslo II*. Final Status Issues Papers. Washington, DC: Institute for Palestine Studies, 1996.

- Tessler, Mark, and Linda L. Hawkins. "The Political Culture of Jews in Tunisia and Morocco." *International Journal of Middle East Studies* 11, 1 (February 1980): 59–86.
- "Teytaud and Others v. France." *Human Rights Case Digest* 12, 1 (January 2001): 125–26.
- Vinen, Richard C. "The End of an Ideology? Right-Wing Antisemitism in France, 1944–1970." *Historical Journal* 37, 2 (1994): 365–88.
- Weitz, Yosef. *Ha-Ma'avak 'al ha-Adama* [The Struggle for the Land]. Tel Aviv: Hutsat Seferim N. Tevurski, 1950.
- . "Le-Hanhil Adama Hadasha" [Bequest of New Land]. *Molad* 2, 12 (March 1949): 323–31.
- . *The Struggle for the Land*. Tel Aviv: Lion the Printer, 1950.
- World Jewish Congress. *The Treatment of Jews in Egypt and Iraq*. New York: World Jewish Congress, 1948.
- Zinger [Yaron], Zvi. "State of Israel (1948–72)." *Immigration and Settlement*. Israel Pocket Library. Jerusalem: Keter Books, 1973.
- Zweig, Ronald W. *German Reparations and the Jewish World: A History of the Claims Conference*. 2d ed. London: Frank Cass, 2001.



- ‘Abbas, Mahmud, 187, 212, 259  
 ‘Abbasiyya, 41  
 ‘Abd al-Hadi, Ibrahim, 115  
 ‘Abd al-Nasir, Jamal (Gamal Abdel Nasser), 47, 178  
 Abdel Wahed, Joseph, 248  
 ‘Abd Rabbo, Yasir, 189  
 ‘Abdullah, Emir, 82  
 ‘Abdullah, al-Hajj, 49  
 Abram, Morris, 172, 173  
 Abraham, S. Daniel, 235  
 Abu ‘Ala’ (*see* Quray’, Ahmad)  
 Abu Jadid, Shlomo ben Avraham, 85  
 Abu Mazin (*see* ‘Abbas, Mahmud)  
 Aden (British Crown Colony and Aden Protectorate): Arab-Israeli wars (*see* Arab-Israeli Conflict); ‘Awdhali, 51; Bayhan, 51; Crater, 140; Habban, 50; al-Shaykh ‘Uthman, 140; Steamer Point, 140; Wahidi Sultanate, 50  
 —Jews: Aden Jewish Council, 51; airlift to Israel, 50–51 (*see also* American Jewish Joint Distribution Committee, 50–51); Arab attacks, 25, 51, 140; Commission of Enquiry into Disturbances in Aden in December 1947, 140; emigration, 50–51; property, 50–51 (*see also* claims from 1947 attacks, 140–41; property statistics, 51, 140–41)  
 Adenauer, Konrad, 100  
 Ades, Shafiq, 53  
 l’Agence de defense des biens et intérêts des rapatriés (ADBIR), 154  
 l’Agence Nationale d’Indemnisation des Français d’Outre Mer (ANIFOM), 157  
 Aharoni, Ada, 205  
 Ahmad, Husayn bin, 51  
*Abram, al-*, 42  
 Ain-Temouchent, 156  
 Air France, 96  
 ‘Ajlun, 81  
 ‘Al, al-, 37  
 Aleppo, 17, 30, 33–34; Aleppo Codex, 194–95; Jamaliyya Synagogue, 193; Jewish cemetery, 34, 193; religious artifacts, 194–95; Yo’av ben Tseruya (Yellow, or Great) Synagogue, 193, 194  
 Alexandria, 17, 44, 46, 48; Cecil Hotel, 177; Eliyahu ha-Navi Synagogue, 199; Jewish communal property, 198–99; Jewish Community Council, 206; Rabbinical court registers, 205, 206; Torah scrolls, 206

'Aley, 197

Alfassa, Shelomo, 245, 248

Algeria (*see also* Maghrib): Ain-Temouchent, 156; Algiers, 95, 155 (*see also* Great Synagogue, 156); Blida, 155; Bone, 156; Constantine, 95, 96, 155, 156; Crémieux Decree, 16; Évian Accords, 96, 154; French colonial rule, 19, 95–96; Front de la Libération Nationale (FLN), 154, 155; Ghardaia, 96, 156; Guelma, 156; Holocaust, 20; Laghouat, 157; Mascara, 156; Medea, 156; Miliiana, 155; Oran, 95, 155, 156 (*see also* Jewish cemetery, 214; Kanaoui Synagogue, 155, 156); Setif, 156; Sidi Bel Abbes, 156; Saoura Colomb-Bechar, 157; Tiaret, 156; Tlemcen, 156, 214 (*see also* Tomb of Rabbi Efraim Enkaoua, 214); War of Independence, 95–96

—FRENCH CITIZENS: *Pieds-noirs*, 96, 154, 155, 157

—Property, 154–58, 213–14. *See also* l'Agence de defense des biens et intérêts des rapatriés [ADBIR], 154; l'Agence Nationale d'Indemnisation des Français d'Outre Mer [ANIFOM], 157; *Biens vacants*, 96–97, 154; compensation, 97, 157, 213–14 (*see also* *Teytaud and Others v. France*, 157); Union de defense des intérêts des Français rapatriés d'Algérie et d'Outre mer (USDI-FRA), 157–58, 213, 214

—JEWS, 213; Association des Juifs originaires d'Algérie, 154, 155; emigration, 95–96; expatriates visit, 214; Federation of Jewish Communities, 155; Zlabia.com (a Web site), 214

—Property, 95, 96–97, 154–58. *See also* communal property, 155, 156–57; compensation, 97, 157, 213–14

—LEGISLATION: Decree No. 62–03 of October 23, 1962, Regulating the Transaction, Sale, Rental, Concession, Lease or Sublease of Moveable or Immoveable Property, 96; Decree No. 33–88 of March 18,

1963, Governing Vacant Properties, 96; Decree No. 63–168 of May 9, 1963, Concerning the Placement under State Protection of Moveable and Immoveable Property Whose Acquisition, Management, Development or Use Might Undermine Public Order or Social Peace, 96–97; Decree No. 63–388 of October 1, 1963, Declaring Farms Belonging to Certain Natural or Legal Persons State Property, 97; Opinion No. 16 Z.F. (1964), 97; Ordinance No. 62–020 of August 24, 1962, Concerning the Protection and Administration of Vacant Properties, 96

Algiers, 95, 155; Great Synagogue, 156

Al-Jazeera Network, 224

All Palestine Government, 118

Allen, Beth, 245

Alliance Israélite Universelle, 17, 31, 33, 37, 54

Allouf, Shimon Haj, 204

Alwaya, Semha, 248

Amar, Shlomo, 215

American Committee for the Rescue and Resettlement of Iraqi Jews, 220  
American Express Company, 45

American Jewish Committee (AJC):  
Committee on Near Eastern Affairs, 71; criticisms of Zionist groups, 92  
—JEWS AND JEWISH PROPERTY, 41;  
Egypt, 144 (*see also* Joint Committee [Central Registry of Jewish Losses in Egypt], 143, 144–52; Iraqi, 54–55, 63–64; Justice for Jews from Arab Countries (JJAC), 235; Libya, 71–73, 74–75, 164; “linkage,” 118; Morocco, 92; Syria, 33, 34

American Jewish Congress, 144

American Joint Jewish Distribution Committee (AJJDC):

—JEWISH PROPERTY: Algeria, 155; Egypt, 142–43, 144 (*see also* Joint Committee [Central Registry of Jewish Losses in Egypt], 143, 144–152); Iraq, 57; Libya, 69–70, 75; Morocco, 95

- YEMENI AND ADENI JEWISH EMIGRATION, 50–51
- American Libyan Jewish Association, 240
- American Sephardi Federation (ASF): ASF Sephardic Wing of the Center for Jewish History, 184; Jewish property registration, 181–85 (*see also* Jewish Refugees from Arab Countries campaign, 231, 234); Justice for Jews from Arab Countries (JJAC), 235, 248–249
- Amiel, John and Isaac, 41
- Amman, 179
- Anglo-Jewish Association, 140
- Anglo-Palestine Bank, 84, 86
- Anis, 51
- Annapolis, 254
- Annapolis Summit, 191, 226, 254, 258–59
- Anti-Defamation League, 164, 235
- Anti-Semitism (*see also* individual countries): Arab, 12–14, 22, 27, 237; European Christian, 13; Nazi, 20; Russian, 21
- Anton, Armand, 213–14
- Aqsa Intifada, al-, 185, 189, 191, 227
- Arab Chambers of Commerce, 119
- Arab Higher Committee: All Palestine Government, 118; estimate of value of Palestinian refugee property, 121; immigration of Jews from Arab countries to Israel, 119
- Arab-Israeli Conflict: —PEACE PROCESS: Geneva Peace Conference (1973), 129, 174, 175; Lausanne Peace Conference, 109; Paris Conference, 111, 127 —Israeli-Egyptian, 173, 174–77. *See also* Camp David Summit, 175; Peace treaty, 175; Sinai Interim Agreement, 174 —Israeli-Jordanian, 173. *See also* Peace treaty, 2, 173, 179–80 —Israeli-Palestinian, 182, 185. *See also* Annapolis Summit and resumption of negotiations, 191, 226, 254, 258–59; Camp David II Summit, 162, 177, 186–88, 226, 227, 239; “End of conflict” provisions, 186, 238–39; final status talks, 181; International fund idea, 186–88, 227, 234, 252, 255, 262; Oslo Accord, 179, 180; Taba Conference, 189–90, 226, 227, 231, 234, 237, 262 —Israeli-Syrian, 174, 195–96. *See also* Shepherdstown Conference, 195, 196 —Madrid Peace Conference, 179, 180, 188. *See also* multilateral talks, 188; Refugee Working Group, 188 —WARS: 1948 war, 3–4, 9, 26, 30, 39–40, 53, 67, 79, 82, 86, 87, 88, 97, 108–110, 114; 1956 war, 43, 87, 106, 141; 1967 war, 36, 51, 75, 76, 84, 86, 90, 128; 1973 war, 128, 174, 198; 1982 war, 196
- Arab League, 92; Council, 119; estimate of value of Palestinian refugee property, 121; headquarters, 40; Jews and Jewish property, 42–43, 111–12, 113–14, 118–20, 168, 255 (*see also* Law suit, 250–51); Legal Department, 32, 119; Political Committee, 119
- Arab Revolt (1936–1939), 87
- Arab Studies Society, 182
- Arab world: Arab nationalism, 20; support for Palestinians, 25, 53
- Arabic, 11, 52, 164–65
- ‘Arafat, Yasir, 186, 189
- Aramaic (*see* Targum)
- Arbib, Eliyahu (Lillo), 68, 75
- Argov, Shlomo, 159
- Armenians, 47
- Asad, Bashshar al-, 193
- Asad, Hafiz al-, 192
- As ‘ad, Kamil al-, 80
- Ashkenazic Jews (*see also* Jews from Arab Countries), 11, 21, 23, 79, 100, 139, 163, 165, 198, 258
- Association of Egyptian Immigrants in Israel, 138, 139, 175
- Association of French Jews Repatriated from Egypt, 153
- Association Internationale Nebi Daniel, 206
- Association of Jewish Victims of Egyptian Persecution, 48



- Association of the Jews of Libya: establishment, 77–78, 164; registration of property losses, 78–79
- Association des Juifs originaires d'Algérie, 154, 155
- Association of Syrian Immigrants in Israel, 35
- ‘Atarot, 84, 86, 109, 208, 209
- ‘Atiyya, Sami, 48
- Attias, Amram: biography, 183; International Committee of Jews from Arab Lands (ICJAL), 183–185; lawsuit against the Arab League, 250–51
- Attie, Joseph, 79
- Auschwitz, 207
- Auster, Daniel, 88
- Australia, 101
- Austria, 5
- Avizemer, Shim ‘on, 168
- Awkal, Muhammad, 196
- AXA, 222
- ‘Azm, Khalid al-, 30
- Baghdad, 52, 60, 61, 217; Battawin, 222; Chamber of Commerce, 61; College and Secondary School for Commerce, 61; Jewish cemeteries, 135; Jewish Community Center, 223; Khan al-Daftardar, 60
- JEWISH HOSPITALS: Dar al-Shifa’, 134; Me’ir Ilyas, 134; Rima Khadduri Eye Hospital, 134
- JEWISH SCHOOLS: Albert Sasson, 134; Frank ‘Ini, 134; Khadduri, 54; Mas‘uda Shemtov, 134; Me’ir Taweq, 134; Menashe Salih, 134
- SYNAGOGUES: Barukh Shammash, 135; Farha Somekh, 135; Hakham Heskell, 135; Ishaq Shalom, 135; Karrada, 135; Me’ir Avraham Taweq, 222; Me’ir Ilyas, 135; Me’ir Rufa’il, 135; Menashe Gurji, 135
- Waqf (Jewish), 133–34; Menahem Dani’el Family Endowment, 134; Sir Eli‘ezer Khadduri Endowment, 134
- Bakri, Jawda Salim al-, 87
- Balfour Declaration, 67
- Balkan Wars, 18
- Banc Suarès, 45
- Banco di Roma, 75
- Banin, S. M., 140
- Bank of Benghazi, 76
- Bank of England, 45
- Bank Le’umi le-Yisra’el, 84
- Bank of Libya, 76
- Baqura, al-, 82
- Barak, Ehud, 162, 185, 186
- Barakat, Daoud, 188
- Barbour, Walworth, 128, 166, 234
- Barce, 78
- Bar-Illan, David, 184–85
- Barkan, Elazar: *The Guilt of Nations: Restitution and Negotiating Historical Injustices*, 268–69
- Barkan, Nimrod, 232, 252
- Barnes, Jacques, 159
- Basra, 52, 55
- Bassam, Sadiq al-, 53
- Ba’th Party (*see* Iraq)
- Bayt Iksa, 84, 86
- Bayt Jala, 84
- Bayt Safafa, 84
- Bayt Yama, 37
- Baytima, 37
- Becker, Fritz, 74, 75
- Begin, Menachem, 159, 163, 174, 209; Camp David Summit, 175; compensation for Egyptian Jews, 175; compensation for Libyan Jews, 224
- Beilin, Yossi, 139, 162, 171
- Beirut, 79, 80; Jewish cemetery, 197; Magen Avraham Synagogue, 197; Talmud Torah School, 197; Wadi Abu Jamil, 197
- Beker, Avi: Conference on Jewish Material Claims Against Germany, 264; criticism of Israel, 253–54; Government Foundation for Restitution in the Czech Republic, 264; Slovak Fund on Jewish Property, 264
- JEWISH PROPERTY COMPENSATION: Iraqi Jews, 220; Jews from Arab countries, 236–37, 243, 264
- Beker, Yonatan, 250
- Belgium, 45, 101
- Ben Ali, Zine al-Abidine, 213

- Ben 'Ami, Shlomo, 189  
 Benatar, Hélèn Cazes, 69  
 Benayem, Nessim, 147  
 Benghazi, 67, 70, 73, 76, 78, 225  
 Ben Gurion, David, 57, 113, 135, 144;  
 definition of "refugee," 128, 166, 234;  
 "One Million Plan," 23; Palestinian  
 refugee property, 27; "Two Million  
 Plan," 23–24  
 —HOLOCAUST, 23; German repara-  
 tions, 101; Israeli registration of lost  
 assets, 101  
 Ben 'Ozer, 'Oved, 138, 186; biography,  
 161; compensation for Iraqi Jews,  
 221; World Organization of Jews  
 from Arab Countries (WOJAC),  
 161, 165, 252  
 Ben Porat, Mordechai, 163–64; ad-  
 dresses United Nations, 160; biog-  
 raphy, 158–59; cabinet minister, 209;  
 criticism of Israeli government, 251;  
 exchanging Iraqi Jews for Palestin-  
 ian refugees, 132–33; Jews from Arab  
 countries as "refugees," 167–68;  
 "Population exchange," 160–61;  
 World Organization of Jews from  
 Arab Countries (WOJAC), 158–60,  
 167, 208–209  
 —JEWISH PROPERTY: compensation  
 (*see* International fund idea, 227);  
 Iraq, 133, 135  
 Ben Shemesh, Shim'on, 212  
 Ben Zvi Institute, 195  
 Ben Zvi, Yitzhak, 195  
 Beni Mellal, 94  
 Bentwich, Norman, 140, 146  
 Berdugo, Georges, 95  
 Berger, Morroe, 71, 72  
 Berlin Wall, 228  
 Bern, Yona, 85  
 Bernadotte, Count Folke, 106, 108–109,  
 114  
 Bet ha-'Arava, 84, 109  
 Bet Yehuda Society, 36  
 Bethlehem, 86  
 Bhandun, 197  
 Bidu, 210  
 Bigio family, 2, 256; Josias Bigio, 178;  
 Refael Bigio, 177; Raphael Nessim  
 Bigio, 177  
 Bilboul, Roger, 206  
 Bi'r Nabala, 208  
 Bir Shaqum, 36–37  
 Bitar, Salah al-Din al-, 34  
 Bizerte, 90  
 Black Panthers (*see* Jews from Arab  
 Countries)  
 Blaustein, Jacob, 41  
 Blida, 155  
 B'nai B'rith, 48, 226  
 Bnei Yehuda, 37  
 Bnei Yehuda Society, 36  
 Board of Deputies of British Jews, 140  
 Bochgaard, K., 140–41  
 Bone, 156  
 Bourguiba, Habib, 90  
 Bouteflika, Abdelaziz, 214  
 Bremer, L. Paul, 219, 221  
 Britain (*see* United Kingdom)  
 Broglie, Jean de, 155  
 Bronfman, Edgar, 199  
 Brooklyn, 195  
 Brown, Bobby, 182, 184, 250  
 Bukaykis, Mas'ud 'Ali, 74  
 Bulgaria, 101  
 Burma, 134  
 Bush, George W., 219, 221, 259  
 Bustani, Emile, 80  
 Bustas, 37  
 Buwaydiyya, 37  
  
 CABI Olim, 70, 71, 73, 74  
 Cahaloun, Rami, 224  
 Cahill, Gordon, Zachry, and Reindel  
 (Cotton and Franklin), 83  
 Cairo, 18, 44, 152; 'Abbasiyya district,  
 199; Airport, 200; 'Attaba district,  
 199; Bassatin cemetery, 199, 203;  
 Ben 'Ezra Synagogue, 199, 204;  
 bombed by Israeli air force, 114;  
 Geniza, 204; Hayyim Capucci  
 Synagogue, 199; Heliopolis, 177; Is-  
 raeli Academic Center, 200; Jewish  
 communal property, 198–99; Jewish  
 Community Council, 199; Jewish  
 Quarter, 198, 199; Maimonides

- Cairo (*continued*)  
 Synagogue, 199; Musa Der'i Synagogue, 199; Sha'ar ha-Shamayim Synagogue, 199
- Cairo Bank, 45
- Calcutta, 134
- Camp David Summit (*see also* Arab-Israeli Conflict), 175
- Camp David II Summit (*see also* Arab-Israeli Conflict), 162, 177, 186–88, 226, 227, 239
- Canada, 101; Ottawa, 188
- Canadian Jewish Congress, 233
- Capitulations, 16–17
- Carter, Jimmy, 129, 175
- Casablanca, 94
- Cecil Hotel, 177
- Center for Jewish History, 184
- Center for Middle East Peace and Economic Cooperation, 235
- Central Archives for the History of the Jewish People, 205
- Central Registry of Jewish Losses in Egypt (*see* Joint Committee [Central Registry of Jewish Losses in Egypt])
- Chaldeans, 218
- Champion, Reginald S., 140
- China, 113
- Clapp Mission, 115, 234
- Clinton, Bill, 107, 186, 189, 227
- Coca-Cola Company, 2–3, 177–78
- Cohen, Eliyahu (Eli), 35
- Cohen, Mark, 12–14
- College Park, 217
- Commission of Enquiry into Disturbances in Aden in December 1947, 140
- Communists, 40, 53
- Conference of European Rabbis, 78
- Conference for Jewish Material Claims Against Germany, 5, 100–101, 144, 145, 237, 264
- Conference of Presidents of Major American Jewish Organizations: Jewish property claims, 251; Justice for Jews from Arab Countries (JJAC), 235; World Organization of Jews from Arab Countries (WOJAC), 169, 172
- Constantine, 95, 96, 155, 156
- Cotler, Irwin: Justice for Jews from Arab Countries (JJAC), 235, 255; Palestinian refugee exodus (*see* criticizes international community for paying excessive attention to, 244); “Population exchange,” 236; Tribunal Relating to Claims of Jews from Arab Lands (Goldberg Tribunal), 172–73; use of term “ethnically cleansing” in connection with Jews from Arab countries, 241–42
- Credit Bank, 54
- Crémieux Decree, 16
- Cuba, 264
- Cuban Americans, 264
- Cyrenaica, 67, 68, 70
- Czechoslovakia, 101
- Damascus, 19, 30, 31, 35: Franji Synagogue, al-, 193; Jewish cemetery, 193; Jewish Quarter, 31; Kitab ‘Atiyya Synagogue, 193
- Dangoor, Naim: biography, 161; Iraqi Jewish religious articles, 222; “linkage,” 161–62; World Organization of Jews from Arab Countries (WOJAC), 161–62
- Dana, Yusuf, 200
- Danin, ‘Ezra, 117
- Darwiche Family, 197
- Darwish, Shlomo, 136
- Dayan, Moshe, 175
- Dayr al-Balah, 87
- Dayr al-Qamar, 197
- Dead Sea, 83
- Dead Sea Scrolls, 194
- Dehaysha refugee camp, 86, 211
- Derna, 78
- Dhimmi*, 12, 15, 18
- Diamond, A. S., 140
- Dinstein, Yoram, 215
- Diwan, Isaac, 197
- Diwaniyya, Najj, 222
- Djerada, 91
- Djerba, 90; Ghariba Synagogue, al-, 213

- Dobkin, Eliyahu, 23  
 Dominitz, Yehuda, 123, 124  
 Dorra, Haim, 41  
 Dulles, John Foster, 144  
 Duvdevani, Barukh, 69
- East Germany (*see* Germany)  
 Easterman, Alex: Conference on Material Claims Against Germany, 144; criticism of Jewish groups, 92–93; Egyptian Jews, 144, 148–50, 151; Iraqi Jews, 57; Libyan Jews, 68, 73; “linkage,” 117–18; Moroccan Jews, 92, 93
- Eban, Abba, 130  
 Edward Aboodi Bank, 54  
 Efra'im, Naji, 133  
 Egoth Hotels, 177  
 Egypt, 6, 7; ‘Abbasiyya, 41; American government and Egyptian Jews, Jewish property, 41, 47, 205; Arab-Israeli Wars (*see* Arab-Israeli Conflict); Armenians, 47; British rule, 40; Communists, 40; compensation for oil pumped by Israel, 176; Damanhur, 199; French invasion of 1798, 18; Giza, 44; Greeks, 47; Isma‘iliyya, 44, 46, 163, 199; Italians, 47; Kufr al-Zayyat, 199; Mahalla al-Kubra, al-, 199; Mansura, 199; Mit Ghamr, 199; Muhammad ‘Ali, 17; Operation Susannah, 43; Peace process (*see* Arab-Israeli Conflict); Port Sa‘id, 44 (*see also* Port Sa‘id Synagogue, 199); Suez, 199; Suez Canal, 17, 40, 144, 198; Tanta, 199; Zaqaq, 199; Zifta, 199
- ALEXANDRIA, 17, 41, 44, 46, 48; Cecil Hotel, 177; Eliyahu ha-Navi Synagogue, 199; Jewish communal property, 198–99; Jewish Community Council, 206; Rabbinical court registers, 205, 206; Torah scrolls, 206
- CAIRO, 18, 44, 46, 152; ‘Abbasiyya district, 199; Airport, 200; ‘Attaba district, 199; Bassatin cemetery, 199, 203; Ben ‘Ezra Synagogue, 199, 204; bombed by Israeli air force in 1948, 114; Geniza, 204; Hayyim Capucci Synagogue, 199, 204; Heliopolis, 177; Israeli Academic Center, 200; Jewish communal property, 198–99; Jewish Community Council, 199; Jewish Quarter, 198, 199; Maimonides Synagogue, 199, 204; Musa Der‘i Synagogue, 199; Sha‘ar ha-Shamayim Synagogue, 199
- GOVERNMENT BODIES: Antiquities Department, 202, 204, 206; Court of Cassation, 177; Director General for Jewish Property in Gaza, 87; Director General of Sequestered Property, 41, 42; Egoth Hotels, 177; Foreign Ministry, 176; General Administration for Administration of the Property of Persons Detained or Under Surveillance, and Other Persons and Organizations, 44, 46; Ministry of Culture, 202
- JEWS, 18–19, 39–40; Ashkenazic, 199; Association of Egyptian Immigrants in Israel, 138, 139, 175; Association of French Jews Repatriated from Egypt, 153; Association Internationale Nebi Daniel, 206; Association of Jewish Victims of Egyptian Persecution, 48; emigration, 41–42; espionage on behalf of Israel, 43; exchanging Egyptian Jews for Palestinians, 115; expulsion in 1956, 44–47, 141; Historical Society of Jews from Egypt, 200–06; Karaites, 18, 40, 42, 199; United Nations High Commissioner for Refugees (UNHCR), 141–44; World Congress of Jews from Egypt, 205–06; Zionist movement, 40
- Property, 2–3, 7, 41–48, 139, 197–207, 227. *See also* Arab League plan to seize Jewish property, 112, 119; compensation (*see* legal efforts by former Egyptian Jews, 2, 177–79, 254; “linkage” [*see* Jews from Arab Countries]); Israeli registration

Property (*continued*)

- of losses, 102, 132, 133, 138–39, 176;
- Joint Committee (Central Registry of Jewish Losses in Egypt), 48, 138, 143, 144–52; property statistics, 41, 44–45, 47–48, 103, 133, 139, 146–49, 198; religious articles, 198, 199–202, 204–06 (*see also* smuggling out of Egypt, 200, 205)
- LEGISLATION: Decree Modifying Article 8 of the Decree of August 17, 1953, Relative to the Lists of Undesirable Persons (1958), 152; Military Proclamation No. 4, Establishing a Regime for the Administration of the Property of Persons Interned, Placed under Surveillance, and Other Such Persons (1956), 43–44, 46; Military Proclamation No. 5, Relative to Commerce with British and French Citizens and Measures Taken in Connection with Their Property (1956), 43–44; Order No. 4 (1948), 41; Order No. 6 (1948), 41; Order No. 7 (1948), 41; Order No. 19 (1948), 41; Order No. 25, The System for Administering the Property of Jews in the Areas Subject to the Egyptian Forces in Palestine (1948), 87; Order No. 170 (1956), 44; Proclamation No. 26, Establishing a Regime for the Administration of Property of Persons Interned or Placed Under Surveillance or Other Persons and Institutions (1948), 40–41, 43
- Eilts, Hermann, 66
- Eitan, Rafi, 257–58
- El Al Airlines, 50
- El-Baz, Osama, 198
- Eliashar, Eliahu, 57
- ‘En Gev, 37
- Engel, Irving, 144
- English, 99
- Enkaoua, Efraim, 214
- ‘En Tsurim, 84, 109
- Eskander, Saad, 218
- ‘Ets Hayyim waqf, 85
- European Court of Human Rights, 157
- European Jewish Congress, 232
- European Union, 227
- Évian Accords, 96, 154
- Eytan, Walter, 92, 127
- Ezekiel, Prophet, 218
- Faham, Mordekhai ben ‘Ezra ha-Kohen, 195
- Fahmy, Nabil, 204
- Farhud (*see* Iraq)
- Fellah, Raffaello: Association of the Jews of Libya, 77–78, 164, 225; biography, 164; compensation for Libyan Jews, 77–78, 165 (*see also* forms committee on compensation, 225, 226); First International Convention of Jews from Libya, 164; meets Mu‘ammar al-Qadhafi, 164–65; restoration of Tripoli’s Jewish Quarter, 164–65, 226; World Organization of Jews from Arab Countries (WOJAC), 164–65
- Ferdinand, King, 11
- Fez: Em ha-Banim school, 94; Jewish Community Council, 94; Old Melah (Jewish Quarter), 94
- Fezzan, 70
- First International Convention of Jews from Libya, 164
- Fischer, Maurice, 127
- Ford, Gerald, 129
- France, 101; Alsace-Lorraine, 177; Crémieux Decree, 16; expulsion of French citizens from Egypt, 44–47; Occupation of Germany, 100; United Nations Economic and Social Council, 113; Vichy regime, 20
- COLONIAL POSSESSIONS IN THE MIDDLE EAST AND NORTH AFRICA: Algeria, 19, 88 (*see also* *Pieds-noirs*, 96, 154, 155, 157); Mandates in Lebanon, Syria, 19, 30, 81; Morocco, 88; Tunisia, 88
- GOVERNMENT BODIES: l’Agence de défense des biens et intérêts des rapatriés (ADBIR), 154; l’Agence Nationale d’Indemnisation des Français d’Outre Mer (ANIFOM),

- 157; Conseil d'État, 157; Ministry of Foreign Affairs, 46, 148; Paris Administrative Court, 157; State Secretary for Social Affairs, 157
- Jews: Association of French Jews Repatriated from Egypt, 153; Association des Juifs originaires d'Algérie, 154, 155; Central Jewish Consistory, 154
- LEGISLATION: Law No. 61-1439 of December 26, 1961, 154; Law No. 70-632 of July 15, 1970, 157; Law No. 78-1 of January 2, 1978, 157; Law No. 82-4 of January 6, 1982, 157; Law No. 87-549 of July 16, 1987, 157; Ordinance No. 62-1106 of September 19, 1962, 154
- PROPERTY OF FRENCH CITIZENS, 32; abandoned in Algeria, 154-58; l'Agence de defense des biens et intérêts des rapatriés (ADBIR), 154; l'Agence Nationale d'Indemnisation des Français d'Outre Mer (ANIFOM), 157; compensation, 97, 157, 213-14 (see also *Teytaud and Others v. France*, 157); sequestered in Egypt, 43-46, 151-53; Union de defense des intérêts des Français rapatriés d'Algérie et d'Outre mer (USDI-FRA), 157-58, 213-14
- Frank, Emile, 37
- Frank, Tsvi Pesah, 42
- Frankfurt, 146
- Friedman, Yona, 85
- Friedmann, Daniel, 257
- Front de la Libération Nationale (FLN), 154, 155
- Gaillard, John P., 261-62
- Gaon, Nissim, 249
- Gaza Strip: All Palestine Government, 118; Dayr al-Balah, 87; Egyptian rule, 87; Hamas takes over, 191; Israeli rule, 87 (see also withdrawal of settlements, 191, 211, 212, 227); Kfar Darom, 87, 109, 207
- Jews:
- Property, 87, 108, 211-12: Israeli registration of losses, 102, 132, 133; property statistics, 133; Kfar Darom, 87, 109, 207
- Geneva, 71, 249
- Geneva Conference (1973), 174, 175
- Geneva Conference (1977), 129
- Gera, Y., 126
- Germany (see also Holocaust): Holocaust reparations payments to Jews, 5, 100-01, 120, 248, 257; Nazi anti-Semitism, 14
- Ghardaia, 9, 156
- Ghawr al-Rama, 83
- Ghawr al-Safi, 83
- Ghorbal, Ashraf, 163
- Giladi, Naeim, 136
- Giovannelli, Paolo, 225
- Giv'at Yo'av, 37
- Giza, 44
- Golan Heights, 36-37, 195-96
- Goldberg, Arthur J., 173
- Goldmann, Nahum, 71-72; attitude toward Middle Eastern and North African Jews, 150; autobiography, 150; German reparations, 100-01, 150; Egyptian Jews and Jewish property, 144, 149-50
- Goldstein, Israel, 144
- Government Foundation for Restitution in the Czech Republic, 264
- Gravitz, Shlomo, 195
- Great Britain (see United Kingdom)
- Greeks, 47
- Gross, Ernest A., 71
- Guelma, 156
- Guez, Mathilda, 167, 169
- Gush 'Etsiyon, 84, 109
- Ha'apala, 56
- Habban, 50
- Habib, Clemente, 77
- Habib, Jusef, 78
- Habib, Simone, 78
- Hacarmeli, Eliyahu, 24
- Hadas, Yossi, 171
- Hadawi, Sami, 121
- Haddad, Heskell, 170-71, 252; American Committee for the Rescue and

Haddad (*continued*)

Resettlement of Iraqi Jews, 220;  
 biography, 162; Justice for Jews  
 from Arab Countries (JJAC), 245-  
 47; meets Anwar Sadat, 163-64;  
 World Organization of Jews from  
 Arab Countries (WOJAC), 162-64,  
 245-47, 252-53  
 — JEWS FROM ARAB COUNTRIES: de-  
 fined as “refugees,” 168; “Population  
 exchange,” 246  
 — Property compensation, 246; Iraqi  
 Jews, 220-21, 246; “linkage,” 162-63,  
 245-46  
 Haddadin, Munther, 179  
 Hagana, 113  
 Haggiag-Liluf, Ya’akov, 79  
 Haifa, 113, 117, 205  
 Ha’iri, Kazim al-Husayni, al-, 219,  
 246-47  
 Hakitia, 11  
 Hamas, 191, 227  
 Hamburg, Doris, 217  
 Hammarskjöld, Dag, 144  
 Hamra’, Ibrahim al-, 192, 193  
 Har Homa, 210  
 Hariri, Rafiq, 197  
 Hasbani, Nessim, 192  
 Hashid, 50-51, 141  
 Hassan, Crown Prince, 180  
 Hassan II, King, 94  
 Hawran, 36, 37-39, 195  
 Haza, ‘Ofra, 215  
 Hebrew, 99  
 Hebrew University of Jerusalem, 84,  
 194; Jewish National and University  
 Library, 194, 195  
 Hebrew Immigrant Aid Society, 80, 221  
 Hebron, 84, 85, 86-87; Arab attacks on  
 Jews, 87  
 — JEWISH PROPERTY, 208, 210; Avra-  
 ham Avinu Synagogue, 86-87; Bet  
 Hadassah building, 87; Bet Romano  
 building, 87; Jewish cemetery, 85;  
 Jewish Quarter, 109  
 Hilla, al-, 52, 133-34  
 Hillel, Shlomo, 136, 183, 235; biography,  
 166; compensation for Egyptian

Jews, 175; Jews from Arab countries  
 as “refugees,” 166, 168, 242  
 Himnuta Company (*see* Jewish Na-  
 tional Fund)  
 Hindiyya, al-, 133-34  
 Hirschson, Avraham, 181, 227  
 Hirsch, Baron Maurice de, 38  
 Hirsh, S., 102  
 Histadrut, 24  
 Historical Society of Jews from Egypt,  
 200-206  
 Hizbullah, 191, 227  
 Hoenlein, Malcolm, 240, 251  
 Holbrooke, Richard, 235  
 Holocaust, 9, 23, 99; concentration and  
 death camps, 20; impact on Jews in  
 the Middle East and North Africa,  
 20, 23-24, 67; Riegner Telegram,  
 148-49; survivors called “refugees,”  
 234  
 — REPARATIONS, RESTITUTION, AND  
 COMPENSATION TO JEWS, 5, 100,  
 120, 139, 150, 185, 236, 250, 257-58,  
 263; Conference for Jewish Material  
 Claims Against Germany, 5, 100-  
 101, 144, 237, 264; slave laborers, 5;  
 United Restitution Office, 100, 140;  
 United Restitution Organization,  
 100, 146; World Jewish Congress,  
 5, 100; World Jewish Restitution  
 Organization, 5, 228, 237; 1952  
 agreement with West Germany, 257  
 Horesh, Shlomo, 208-209  
 Horowitz, David, 122, 234  
 Horowitz Committee, 123  
 Husayn, Salah bin, 51  
 Husayni, ‘Adnan, 84  
 Husniyya, al-, 37  
 Hussein, Saddam (*see* Saddam Hus-  
 sein)  
 Idris, King, 75, 76  
 India, 113, 241; Iraqi Jewish community  
 in Calcutta, 134  
 Institute for the Study of Libyan Jewry,  
 79  
 International Bank for Reconstruction  
 and Development (*see* World Bank)



- International Commission for Claims of Jews from Libya, 164
- International Committee of Jews from Arab Lands (ICJAL); ceases activity, 185; establishment, 182, 248; "linkage," 183; registers property losses, 183–85, 234, 249
- International Jewish Jurists, 78
- International Sephardic Leadership Council, 245, 248
- Iran: Israel registers Jewish claims against, 227; Qom, 219
- Iraq (*see also* Iraqi Jews): Basra, 52, 53, 55; Ba'ath Party, 65, 215, 216 (*see also* Revolutionary Command Council, 65); British rule, 53; Chaldeans, 218; Communists, 53; funds frozen in American banks in 1990, 219; Hilla, al-, 52, 133–34; Hindiyya, al-, 133–34; invasion of Kuwait and Gulf War, 173, 214, 219, 260; Iraqi Communist Party, 53; Iraqi National Congress, 217; Kifl, al-, 133–34 (*see also* Tomb of Prophet Ezekiel, 218); Mosul, 52, 218, 219 (*see also* Synagogue, 218); Qosh, al- (*see* Tomb of Prophet Nahum, 218); Turkmen (Iraqi Turkmen Front), 219
- AMERICAN INVASION, 1, 6, 7, 215; Iraqi Governing Council, 218
- Coalition Provisional Authority, 216, 217 (*see also* Regulation No. 12 of June 23, 2004, 215)
- BAGHDAD, 52, 60, 61, 217: Battawin, 222; Chamber of Commerce, 61; College and Secondary School for Commerce, 61; Jewish cemeteries, 135; Jewish Community Center, 223; Khan al-Daftardar, 60
- Jewish hospitals: Dar al-Shifa', 134; Me'ir Ilyas, 134; Rima Khadduri Eye Hospital, 134
- Jewish schools: Albert Sasson, 134; Frank 'Ini, 134; Khadduri School, 54; Mas'uda Shemtov, 134; Me'ir Taweq, 134; Menashe Salih, 134
- Synagogues: Barukh Shammash, 135; Farha Somekh, 135; Hakham Heskeli, 135; Ishaq Shalom, 135; Karrada, 135; Me'ir Avraham Taweq, 222; Me'ir Ilyas, 135; Me'ir Rufa'il, 135; Menashe Gurji, 135
- Waqf (Jewish), 133–34; Menahem Dani'el Family Endowment, 134; Sir Eli'ezer Khadduri Endowment, 134
- GOVERNMENT BODIES: Commission for the Resolution of Real Property Disputes, 216; Custodian General for the Control and Administration of the Property of Denationalized Persons, 58–59, 60–61, 65; General Intelligence Department, 65, 217; Iraq Property Claims Commission, 215; Iraqi Governing Council, 218; Land Registration Department, 65; Ministry of Awqaf, 223; Ministry of Culture, 217; Ministry of Education, 61; Ministry of Finance, 65; Ministry of Interior, 218
- KURDISTAN: Kurdish autonomous zone, 215, 219
- Jews, 52; buying land after American invasion, 219; expatriates visit, 215
- LEGISLATION: Annex to the Ordinance for the Cancellation of Iraqi Nationality (Law No. 62 of 1933) (1950), 55–56; Fourth Amendment Law No. 161 of 1963 to the Supplemental Law to the Law for the Control and Administration of Property of Jews Who Have Been Deprived of Iraqi Nationality No. 12 of 1951 (1963), 64; Law No. 1 (1950), 55; Law No. 5, Law for the Control and Administration of Property of Jews Who Have Forfeited Iraqi Nationality (1951), 57–58, 218; Law No. 10 (1968), 64–65; Law No. 11 (1960), 64; Law No. 12 of 1951, Supplement to Law No. 5 of 1951 (Control and Administration of Property of Jews Who Have Forfeited Iraqi Nationality) (1951), 59–61, 64, 65; Law No. 64 (1967), 64–65; Law No. 86 (1969), 65; Notification No. 4 (1951), 61;



Legislation (*continued*)

- Regulations for the Control and Administration of Property of Iraqi Who Have Been Deprived of Iraqi Nationality No. 3 (1951), 58–59, 61
- MUSEUMS AND ARCHIVES: American soldiers loot museum, 221; Iraq Museum, 218; National Library and Archive, 218
- Iraqi Jews (*see also* Iraq), 22–23; American Committee for the Rescue and Resettlement of Iraqi Jews, 220; Arab attack on, 25, 52; Bombay, 134; bombings of Jewish buildings, 56; emigration, 52–53, 55–59, 79 (*see also* evacuated by American army in 2003, 220); espionage on behalf of Israel, 54; Farhud, 25, 52; fines, 53; Kurdish, 215, 219; land in West Bank, 208–209; movement of Jews of Iraq and the East in Israel, 135; Operation ‘Ezra and Nehemya, 56, 172; Rangoon, 134; restoring citizenship, 218–19; Shemesh—Shalom ve Shilumim, 219, 256, 258; Union of Iraqi Immigrants, 159; Zionist movement, 52–54
- PROPERTY, 53–67, 139, 227; Arab League plan to seize Jewish property, 112, 119; buying land after American invasion, 218; communal property, 133–35, 222–23; documents captured after 2003 war, 216–18, 221; exchanging property with that of Palestinians, 115–17, 132; Israeli efforts to register, 66–67, 101–102, 132, 133, 135–38; Palestinian refugees settled in Jewish homes, 54, 113; Public Commission for the Registration of the Claims of Iraqi Immigrants, 67, 136, 230; property statistics, 53, 65–66, 103, 133–34, 136, 137; religious artifacts, 216–17, 222; Waqf, 133–34
- Compensation, 1, 215–16, 218–22, 246; Iraqi offers, 215, 216; Israeli concern about compensating Iraqi Jews, 116, 125, 132–33, 135; “linkage” (*see* Palestinian Refugees); paid by French insurance company, 222; Shemesh—Shilumim ve Shalom, 219, 256, 258
- Isaac, Elias Isaac Joseph, 261–62
- Isabella, Queen, 11
- Islam: and anti-Semitism, 13–14
- Isma‘iliyya, 44, 46, 163, 199
- Israel (*see also* Israel: Government bodies *and* Israel: Jerusalem): American-Israeli Working Paper on the Geneva Conference, 129, 175; Arab-Israeli wars (*see* Arab-Israeli Conflict); compensation to Egypt for oil pumped in Sinai, 176; Declaration of Independence, 9, 20–21; El Al Airlines, 50; Elat, 50; espionage in Arab countries, 35, 43, 54; Etsel, 86; Ha’apala, 56; Haifa, 158, 205; Holocaust reparations, 100–101, 257–58; Irgun Tsva’i Le’umi, 86; Labor Party, 158, 159; LEHI, 86; Likud Party, 158, 159; Lohamei Herut Yisra’el, 86; Peace process (*see* Arab-Israeli Conflict); Rishon Le’Tsiyon, 184; seeks Western help regarding Jewish property, 62; Stern Gang, 86; Tel Aviv, 158, 159, 163
- IMMIGRANT ASSOCIATIONS: Association of Egyptian Immigrants in Israel, 138, 139, 175; Association of Jewish Victims of Egyptian Persecution, 48; Association of Syrian Immigrants in Israel, 35; Institute for the Study of Libyan Jewry, 79; Movement of Jews of Iraq and the East in Israel, 135; Sephardic Association, 53; Union of Iraqi Immigrants, 159; Union of Moroccan Immigrants, 159; Union of Tunisian Immigrants, 159; World Organization of Libyan Jews, 224
- IMMIGRATION (*see also* individual countries), 99; amounts spent to settle Jews from Arab countries, 123–24; *Ma’abarot*, 135, 166; numbers of Jewish immigrants from Arab countries, 124, 164

- JEWISH PROPERTY: compensation (*see* compensating Jews from Arab countries itself, 116, 123, 125, 132, 135, 250); Department for the Rights of Jews from Arab Lands, 79, 139, 185, 227–31, 251–53, 254 (*see also* Project for the Expansion of Registration of the Losses of Jews Who Left Arab Countries, 229); documents captured in Iraq in 2003, 218, 221; efforts to register, 35, 66–67, 78, 87–88, 101–103, 132–33, 135–38, 139, 146, 176, 181–86, 227–31, 250–54 (*see also* “public body” to register losses, 135, 136, 138, 159, 184, 237); “End of conflict” provisions, 186, 238–39; inaction in pursuing claims, 184, 186, 220, 251–53; International fund idea, 186–89, 227, 234, 235, 252, 254, 262; “linkage” (*see* Jews from Arab Countries); Public Commission for the Registration of the Claims of Iraqi Immigrants, 67, 136, 231; 1948 war damages, 108–111; World Jewish Restitution Organization, 5, 228
- LEGISLATION: Absentees’ Property Law (1950), 28, 29, 118; Covenant Between the Government of Israel and the Zionist Executive also known as the Executive of the Jewish Agency for the Land of Israel (1954), 124; Emergency Regulations (Absentees’ Property) (1948), 28, 30, 32, 114; Land Acquisition (Validation of Acts and Compensation) Law (1953), 119; Law and Administration Ordinance (Amendment No. 11) Law (1967), 211; Law of Implementation of the Peace Treaty (1995), 180; Legal and Administrative Matters (Regulation) Law [Consolidated Version] (1970), 211; Military Order No. 59, Regarding State Property (1967), 210; Military Order No. 78, Order Concerning Property of Jews (1967), 207; World Zionist Organization–The Jewish Agency (Status) Law (1952), 123–24
- LIBYA: attitude toward Libyan independence, 71–72; secret talks, 223–25
- PALESTINIAN CITIZENS, 29, 33, 34–35, 72; exchanging for Libyan Jews, 117; exchanging property for that of Iraqi Jews, 116–17; seizes property, 29
- PALESTINIAN REFUGEES, 27–28; seizes property, 27–28; settles Jews in refugee homes, 113
- RELATIONSHIP WITH MIZRAHI/SEPHARDIC ORGANIZATIONS: International Committee of Jews from Arab Lands (ICJAL), 182, 184–85; Justice for Jews from Arab Countries (JJAC), 236–39, 243, 258; World Organization of Jews from Arab Countries (WOJAC), 159, 182
- Israel: Government bodies (*see also* Israel *and* Israel: Jerusalem): Arab Properties Department, 27; Committee for Abandoned Arab Property, 27; Committee to Examine the Issue of Compensation for Absentee Property, 122; Custodian of Abandoned Property, 28, 121; Custodian of Absentee Property, 28; Custodian General, 211; Development Authority, 28; Foreign Claims Registration Office, 35, 48, 52, 78, 81, 83, 87, 101, 130, 132; High Court of Justice, 176, 178, 209, 210, 219; Horowitz Committee, 123; Lif Committee, 111; Ministerial Committee for Abandoned Property, 27; Ministerial Committee on Global Jewish Restitution, 229; Ministry of Finance, 87; Ministry for Jerusalem, Social, and Diaspora Affairs, 228; Ministry of War Victims, 110; Mossad, 132–33, 158, 222; National Academy of Sciences and Humanities, 200; Prime Minister’s Office, 221; State Comptroller, 182; Supervisor of Arab Property in the Northern District, 27; Supervisor of Government Property, 208–10; Supreme Court, 219, 258; United Nations delegation, 160, 169; Weitz/Danin/Lifshits Committee, 121

- KNESSET, 123, 126; Committee on Jewish Property Restitution, 181; State Control Committee, 257-58
- MILITARY: Air force, 114; Army, 86; Military Appeals Board, 210; Military Order No. 59, Regarding State Property (1967), 210; Military Order No. 78, Order Concerning Property of Jews (1967), 207
- MINISTRY OF FOREIGN AFFAIRS, 38, 56, 65, 67, 101, 109, 117, 119, 131, 135, 169, 182, 215, 228, 252-53; Information Center, 166; Research Department, 32; World Jewish Affairs Bureau, 232
- MINISTRY OF JUSTICE, 121, 221, 228: Advisor for Legal Matters, 139, 228
- Department for the Rights of Jews from Arab Lands, 79, 228-31, 241, 253, 254; closure in 1999, 139, 228 (*see also* reestablishment in 2002, 139, 185, 227-28); establishment in 1969, 139, 227-28
- Israel: Jerusalem (*see also* *Israel and Israel: Government bodies*), 158; expulsion of Jews in 1948, 106-107; Jewish cemetery on the Mount of Olives, 86; Jewish Quarter, 86, 109, 211; Musrara, 211; Old City, 86, 211; Rav Yehuda ha-Hasid (Hurva) Synagogue, 86
- JEWISH PROPERTY, 84, 85, 108, 210-11; Israeli registration of losses, 102, 132, 133, 211; property statistics, 133; 1948 war damages, 109-110
- Waqf: Ashkenaz, 85; 'Ets Hayyim, 85; Hayy 'Olam, 85; Vilna, 85
- Israel, Ovadia, 41
- Israel Electric Corporation, 83
- Israeli Academic Center (Cairo), 200
- Istanbul, 221
- Italy, 101; Italians in Egypt, 47; colonial rule in Libya, 67 (*see also* Fascist racial laws, 20); Ministry of the Treasury, 78; Rome, 75, 77-78, 153
- ITALIAN CITIZENS' PROPERTY LOSSES: Egypt, 151-52; Libya, 78, 117
- Jews: Association of the Jews of Libya, 77-78; Union of Italian Jewish Communities, 152
- Jabès, André, 149
- Jacob, Prophet, 196
- Jacobs, Monty, 93
- Jacobson, Jerome, 142-43, 145, 149, 150
- Jaffa, 113
- Jalal al-Din, Salim, 197
- Janner, Barnett, 140
- Japan, 100
- Ja'uni, 'Abd al-Qadir al-, 84
- Jaza'iri, 'Abd al-Qadir al-, 36
- Jenin, 86, 88
- Jerusalem: Musrara, 211; Old City, 86, 211
- Jews: cemetery on the Mount of Olives, 86; expulsion in 1948, 106-107; Jewish Quarter, 86, 109, 211; Rav Yehuda ha-Hasid (Hurva) Synagogue, 86
- Property, 84, 85, 108, 210-11; Israeli registration of losses, 102, 132, 133, 211; property statistics, 133; 1948 war damages, 109-110; Waqf (*see*: Ashkenaz, 85; 'Ets Hayyim, 85; Hayy 'Olam, 85; Vilna, 85)
- Jerusalem Post*, 224 (*see also* *Jerusalem Post Magazine*, 235)
- Jewish Agency (JA): Aleppo Codex, 195; amounts spent financing immigration of Jews from Arab countries to Israel, 123-24; Covenant Between the Government of Israel and the Zionist Executive also known as the Executive of the Jewish Agency for the Land of Israel (1954), 124; Holocaust, 23, 100; Immigration Department, 42; World Zionist Organization-The Jewish Agency (Status) Law (1952), 123-24
- JEWS AND JEWISH PROPERTY: Egypt (*see also* Joint Committee [Central Registry of Jewish Losses in Egypt]), 143, 144-52; Libya, 69, 70; Iraq, 57, 221; Israeli Ministerial Committee on Global Jewish Res-

- titution, 229; Morocco, 92; North Africa, 89; registration, 181
- Jewish Colonization Association, 38
- Jewish Community Relations Council of Greater Washington, 243
- Jewish National Fund (JNF): "Blue box" donations box, 2, 207; buys Palestinian refugee land, 28; land in Gaza, 87; land in Jordan, 2, 83, 179, 207; land in Lebanon, 81; land in Syria, 37–39, 195–96; land in West Bank, 84, 86, 208, 211–12
- HIMNUTA COMPANY, 86; buys land in the West Bank and Gaza, 212; fraud, 212
- Jewish Refugees from Arab Countries campaign (*see* American Sephardi Federation)
- Jewish Restitution Successor Organization, 100
- Jewish Telegraphic Agency, 74
- Jews from Arab Countries (*see also* individual countries): Arab attacks on Jews, 24–25, 30, 51, 52, 67, 75, 87, 140, 194; Arab League plans to seize or tax Jewish property, 111–12, 113–14, 118–20, 255; Ashkenazic, 18, 30, 40, 79, 198; Berber Jews, 91; comparisons to Palestinians, 33, 34–35, 104–108; espionage on behalf of Israel, 35, 43, 54; Holocaust, 20; immigration to Israel (*see* Israel); Karaites, 18, 40, 42; Kurdish Jews, 52, 215, 219; languages, 11, 18–19, 52, 99; Musta'rab Jews, 18, 30, 40, 52, 67, 91, 198; "Population exchange", 160, 165–66, 172 (*see also* experience of Jews from Arab countries used to block Palestinian right of return, 160, 188, 191, 226, 231–34, 235–39); as "Refugees," 128, 129, 165–71, 229, 234–36, 237, 240–41, 253; Samaritans, 86; Sephardic, 18, 30, 39–40, 67, 79, 91, 194, 198; Tribunal Relating to Claims of Jews from Arab Lands (Goldberg Tribunal), 172–73; usage of "Sephardic" vs. "Mizrahi," 11
- ACTIVISM AND ACTIVISTS IN ISRAEL, 136, 158; Black Panthers, 158, 249; Mizrahi Democratic Rainbow, 247; Wadi Salib disturbances, 158
- EXODUS FROM ARAB COUNTRIES, 3–4, 9–10, 97; debates about what caused the exodus, 12–16, 165–71; reasons for the exodus, 16–27, 97, 106–07, 141, 165
- ORGANIZATIONS (*see* American Committee for the Rescue and Resettlement of Iraqi Jews; American Libyan Jewry Association; American Sephardi Federation; Association Internationale Nebi Daniel; Historical Society of Jews from Egypt; International Committee of Jews from Arab Countries; International Sephardic Leadership Council; Jews Indigenous to the Middle East and North Africa; Justice for Jews from Arab Countries; Mizrahi Democratic Rainbow; Welfare Committee of the Jews of Libya; World Congress of Jews from Egypt; World Organization of Jews from Arab Countries; World Organization of Libyan Jews; World Sephardi Federation)
- PROPERTY (*see also* Property: Compensation *and* Property: Registration of losses): bank accounts, 130–31; property statistics, 51, 53, 65–66, 83–84, 103, 130, 131, 132, 133–34, 136, 137, 139, 140–41, 146–49, 187; scale of losses compared to Palestinian losses, 187; theft of religious articles during immigration to Israel, 50
- PROPERTY (compensation), 1, 130, 215, 224–26, 236–40, 242, 256, 262–64
- Addressed outside of "linkage," 256 (*see also* Aden, 140–41; Algeria, 154–58; Egypt, 141–54, 176–79, 254; Iraq, 218–19, 224–25, 256; Libya, 165, 222–24, 239–40)
- Israeli concern about compensating Jews from Arab countries, 116, 123, 125, 132–33, 135, 136, 231, 249–50
- International fund idea, 186–89, 227, 234, 252, 255, 262

- “Linkage” of claims with those of Palestinian refugees, 5–6, 7, 61, 97, 102–03, 104–08, 111–32, 136–37, 172, 174, 176–77, 181, 184–85, 232, 237–39, 252, 254, 256, 261–65 (*see also* “de-linkage” after Taba Conference, 189–90; Mizrahi/Sephardic critics of “linkage,” 247–48)
- PROPERTY (REGISTRATION OF LOSSES), 227
- American Sephardi Federation, 181–85 (*see also* Jewish Refugees from Arab Countries campaign, 231, 234)
- International Committee of Jews from Arab Lands (ICJAL), 182–85, 231, 249
- Israeli government, 35, 66–67, 78, 87–88, 101–03, 132, 133, 135–38, 139, 146, 176, 181–86, 226–31, 249–52; Department for the Rights of Jews from Arab Countries, 79, 139, 185, 228–31, 250 (*see also* Project for the Expansion of Registration of the Losses of Jews Who Left Arab Countries, 229)
- Joint Committee (Central Registry of Jewish Property Losses in Egypt), 48, 138, 144–52
- Justice for Jews from Arab Countries (JJAC), 235–45
- Public Commission for the Registration of the Claims of Iraqi Immigrants, 17, 136, 230
- World Organization of Jews from Arab Countries (WOJAC), 173, 181, 186, 233, 244
- Jews Indigenous to the Middle East and North Africa (JIMENA), 14; Iraqi compensation, 220; Justice for Jews from Arab Countries (JJAC), 248–49
- Jib, al-, 208
- Jillin, 37
- Jirjis, 37
- Jisr al-Majami‘, 82
- Jizya tax, 18
- Joint Committee (Central Registry of Jewish Losses in Egypt), 138, 144–52; establishment, 144; statistics on Jewish property, 48, 146–49
- Jordan: ‘Ajlun, 81; Amman, 179; Arab-Israeli wars (*see* Arab-Israeli Conflict); Arab Legion, 86, 107–108; Baqura, al, 82; British rule, 82; citizens who lost property in Israel, 179–80; Dead Sea, 83; expulsion of West Bank Jews in 1948, 106–07; Ghawr al-Rama, 83; Ghawr al-Safi, 83; Jisr al-Majami‘, 82; legislation (*see* Trading with the Enemy Act (1939), 83, 84; Naharayim, 82; Sukhur al-Ghawr, 82; Wadi Hasa, 83; Zawr Kattar, 83
- GOVERNMENT BODIES: Department of Lands and Survey, 84, 85; Guardian of Enemy Property, 83, 84, 85–86, 207, 208–11
- JEWS, 81–82;
  - Property, 2, 81–84, 179–80, 207; Israeli registration of losses, 102, 132, 133; property statistics, 83–84, 103, 133
- Jordan River, 2, 82, 83
- Judayra, al-, 208
- Judeo-Aramaic (*see* Targum)
- Judezmo, 11
- Justice for Jews from Arab Countries (JJAC), 235–45; activities in advance of Annapolis Summit, 254–258; conferences, 242; establishment, 235; defers to Israel to seek redress for Jewish grievances, 236–39, 243; “End of conflict” provisions, 186, 238–39; International Advocacy Campaign, 242; International Rights and Redress Campaign, 242–44, 245, 254; Palestinian refugee exodus (*see* criticizes international community for paying excessive attention to, 243–44); “Population exchange,” 235, 256; relationship with World Organization of Jews from Arab Countries (WOJAC), 245–46
- JEWISH PROPERTY: compensation, 235–36, 240, 242, 256 (*see also* Libya,

- 239-40); International fund idea, 255, 262; "linkage," 256; registration, 242-43, 245-46
- JEWIS FROM ARAB COUNTRIES AS "REFUGEES," 237, 240-41 (see also *Jewish Refugees from Arab Countries: The Case for Rights and Redress* [2003], 237-38; *Jewish Refugees from Arab Countries: The Case for Rights and Redress* [2007], 255-57)
- Kabariti, Khadr, 194
- Kabir, Yusuf al-, 53
- Kahana, Shamay, 126, 132
- Kalash, Yosef, 35, 196
- Kaliya, 84, 109
- Kaplan, Eli'ezer, 117, 125
- Karaite Jews (see Jews from Arab Countries)
- Karameh, Rashid, 80
- Karif, Moshe, 247-48, 250, 258
- Karlikow, Abraham, 71
- Katib, Hasan, 84
- Katsav, Moshe, 185
- Kawkab al-Janubiyya, 37
- Kawkab al-Shamaliyya, 37
- Kfar Darom, 87, 109, 207
- Kfar 'Etsiyon, 84, 109, 210
- Khan al-Daftardar, 60
- Khan al-Shaykh, 37
- Khirbat Saquifiyya, 37
- Khirbat Yubla, 37
- Khoury, J., 121
- Kifl, al-, 133-34 (see also Tomb of Prophet Ezekiel, 218)
- Kissinger, Henry, 174
- Kohen-Tsidon, Shlomo, 139; Association of Egyptian Immigrants, 175; biography, 176; compensation for Egyptian Jews, 175, 187
- Kol, Moshe, 92
- Kollek, Teddy, 116
- Korin, 'Ezra, 136
- Kubursi, Atif, 121
- Kufr al-Nimr, 37
- Kufr al-Zayyat, 199
- Kurdish Credit Bank, 219
- Kurdistan (see also Iraq): Jews, 52, 215, 219 (see also expatriates visit, 215); Kurdish autonomous zone, 215
- Kuwait, 173, 264
- Labor Party, 158, 159, 166
- Ladino, 11
- Laghouat, 157
- Lambert, Phyllis, 199
- Landy, Keith, 233-34
- Lapid, Yosef (Tommy), 231-32, 252; Jews from Arab countries defined as "refugees," 232
- Lapides, Max, 51
- Lausanne Conference (1949), 109, 118
- Lavon Affair (see Operation Susannah)
- Leavitt, Moses A., 144, 151
- Lebanon: 'Aley, 197; Arab-Israeli wars (see Arab-Israeli Conflict); Bhamdun, 197; Dayr al-Qamar, 197; Druze, 19; government bodies (see Official of Civil Registration, 79); Lebanese land seized in Israel, 80; Maronite Catholics, 19; Mukhtara, 197
- BEIRUT, 79, 80; Jewish cemetery, 197; Jewish Community Council, 197; Magen Avraham Synagogue, 197; Talmud Torah School, 197; Wadi Abu Jamil, 197
- CIVIL WARS: 1859-1860, 19; 1958, 81; 1976-1990, 81
- JEWIS, 22; Arab attacks, 80, 81; emigration, 31, 79, 80, 81; Zionist movement, 79
- Property, 79, 80-81, 196-97; Israeli registration of losses, 102, 132, 133; property statistics, 81, 103, 133; religious articles, 197
- SIDON, 79, 80; Dekermane, 197; Jewish cemetery, 197; Tomb of Zevulun ben Ya'akov/Sidun bin Ya'qub, 196-97
- Leghali, 'Abd al-Rahman, 74
- Le Kef, 213
- Le Monde*, 214
- Lev, Ya'akov, 136
- Levin, Itamar, 79, 182, 185, 187, 251, 254, 263



- Levy, Leon, 182, 235; "linkage," 183
- Libya: Arab-Israeli wars (*see* Arab-Israeli Conflict); Barce, 78; Benghazi, 67, 70, 73, 76, 78 (*see also* Synagogue, 225); British military administration, 67, 68; Cyrenaica, 67, 68, 70; Derna, 78; emergence from pariah status, 6, 7, 223, 226; Fezzan, 70; Holocaust, 20; Italian colonial rule, 20, 67; Lockerbie bombing compensation, 223, 225; secret talks with Israel, 223, 225; Tobruk, 78; Tripolitania, 67, 68, 69, 70, 73, 78, 225
- GOVERNMENT BODIES: Council of Ministers, 73; General Institute for the Reclamation of Agricultural Land, 77; Guardian General for Sequestered Jewish Property, 73–74, 77; Ministry of Housing and Related Matters, 77; Office for the Boycott of Israel, 73; Popular Committee for Public Security and Justice, 224; Revolutionary Command Council, 76, 77
- JEWS: American Libyan Jewry Association, 240; Arab attacks, 25, 67, 75; Association of the Jews of Libya, 77–79; emigration, 68–69, 73, 75–76; exchanging Jews for Palestinians, 117; expatriates visit, 2, 225, 240; First International Convention of Jews from Libya, 164; Institute for the Study of Libyan Jewry, 79; Jewish Community Organization of Tripolitania, 73, 74; Welfare Committee of the Jews of Libya, 225; World Organization of Libyan Jews, 224
- Property, 2, 68–79; CABI Olim, 70, 71, 73, 74; communal, 225–26; compensation, 2, 164, 224–26, 239–40; International Commission for Claims of Jews from Libya, 164; Palestinian refugees settled in Jewish homes, 69, 118; property statistics, 78–79, 103
- LEGISLATION: Law Concerning the Restitution of Certain Assets to the State (1970), 77; Law No. 6 of 1961 Concerning the Sequestration of the Properties of Some Israelites, 73–74, 77; Law No. 57 (1970), 76, 77
- TRIPOLI, 67, 68, 75, 76, 78, 117; Bet El Synagogue, 78; Dar Bishi Synagogue, 226; Dar al-Sarusi Synagogue, 226; Jewish cemetery, 78, 225; Jewish Quarter, 165, 226; Sla'al-Kabira Synagogue, 225
- UNITED NATIONS: Commissioner in Libya, 70; Council for Libya, 70–71
- Liebkin, Pinhas, 86
- Lif (Lifshits), Zalman, 57, 122
- Lif Committee, 111
- Lifshits, Naftali, 27
- Likud Party, 158, 159
- Lindt, August R., 141–44, 149, 152, 241
- "Linkage" (*see* Jews from Arab Countries)
- Linton, Yosef, 117
- Livni, Tzipora (Tzipi), 251, 253, 259
- Lockerbie, 223, 226
- London, 215, 219, 221; Bevis Marks Synagogue, 223; Spanish and Portuguese Congregation, 222
- Low Countries, 101
- Luxembourg, 100
- Mack, Henry B., 57, 118
- Madrid Peace Conference, 179
- Maghrib (*see also* Algeria, Morocco, Spanish Morocco, Tangier, Tunisia); French colonialism, 88–89
- JEWS: emigration, 88; property, 88–90, 213 (*see also* property statistics, 89)
- Mahalla al-Kubra, al-, 199
- Makhnes, Gad, 27
- Mansur, Ahmad, 44
- Mansura, 199
- "March of the Living" Holocaust remembrance event, 2
- Marchino, Giacomo, 71
- Mardam, Jamil, 38
- Mar'i, Hasan, 44

- Marrekech, 184  
 Martin, Paul, 244  
 Mascara, 156  
 Masoretic Hebrew Bible, 194  
 Massu'ot Yitshak, 84, 109  
 Matas, David, 237, 255  
 Medea, 156  
 Meir, Golda, 128, 139  
 Meir-Glitzenstein, Esther, 54  
 Meital, Yoram, 199–200  
 Meridor, Sallai, 251  
 Meron, Ya'akov, 171; Camp David Summit, 175; *The "Complicating" Element of the Arab-Israeli Conflict*, 171; Department for the Rights of Jews from Arab Lands, 139, 166, 175; "Population exchange" thesis, 166  
 Metzger family, 177, 256  
 M'Hammedi, Driss, 92  
 Midelt, 183  
 Milan, 197  
 Miliana, 155  
 Miller, Tuvia, 87  
 Mishaan, Marc, 183  
 Mishory, Lebech, 175  
 Mit Ghamr, 199  
 Mizrahi Democratic Rainbow, 245  
 Mizrahi Jews, Mizrahi/Sephardic Jews (*see* Jews from Arab Countries)  
 Mizrahi Land Improvement Company, 84  
 Montréal, 233  
 Morocco (*see also* Maghrib): Beni Mellal, 94; Casablanca, 94; citizens' property in Egypt, 46; Djerada, 91; French colonial rule, 91; government bodies (*see* Ministry of the Interior, 94); Marrekech, 184; Midelt, 183; Oujda, 91, 94; Sefrou, 94; Tangier, 91, 94  
 — FEZ, 95; Em ha-Banim school, 94; Jewish Community Council, 94; Old Mellah (Jewish Quarter), 94  
 — JEWS: Arab attacks, 91; Conseil des Communautés du Maroc (Council of Jewish Communities of Morocco), 93, 95, 213; emigration, 91–93, 94; expatriates visit, 213; *Hiloula* celebrations, 213; property, 92–93, 95 (*see also* Habous, 94); Union of Moroccan Immigrants, 159; Zionism, 91  
 Mosul, 52, 218; Synagogue, 218, 219  
 Mossad (*see* Israel)  
 Mossad ha-'Aliyah, 56, 57  
 Mosseri, Joseph E., 204  
 Moustapha, Imad, 193  
 Movement of Jews of Iraq and the East in Israel, 135  
 Muasher, Marwan, 179–80  
 Mubarak, Husni, 198  
 Muhammad, Yahya, 49  
 Muhammad, Prophet, 13–14  
 Muhammad V, King, 92, 94  
 Muhammad 'Ali, 17  
 Muqarif, Muhammad al-, 77  
 Mussolini, Benito, 67  
 Musta'rab Jews (*see* Jews from Arab Countries)  
 Nablus, 85, 88, 208, 209; Jewish cemetery, 85, 88  
 Naddam, Mordochai, 147  
 Naharayim, 82  
 Nahhas, Mustafa, 42  
 Nahmani, Yosef, 37  
 Nahum, Aharon Sasson ben Elilyahu, 208  
 Nahum, Hayyim, 42  
 Nahum, Prophet, 218  
 Najaf, al-, 217  
 Najjar, Emile, 116  
 Nasif, Fu'ad, 58  
 Nasser, Gamal Abdel (*see* 'Abd al-Nasir, Jamal)  
 Natan, A., 126  
 Nawi, David, 219  
 Nazis (*see* Anti-Semitism; Holocaust)  
 Near East Air Transport: airlift of Iraqi Jews, 56; airlift of Yemeni Jews, 50  
 Netanyahu, Binyamin, 181, 184, 185, 250  
 Netherlands, 101  
 Neve Ya'akov, 84, 109  
 New York, 100



*New York Times*, 246

Niddam, Jean-Claude: biography, 181, 228; Department for the Rights of Jews from Arab Countries, 181, 228, 252, 254; Justice for Jews from Arab Countries (JJAC), 243, 253

—JEWISH PROPERTY: compensation, 241–42 (*see also* Iraq, 220; “linkage,” 252); registration, 181

Noah, Shlomo, 136

Novomeysky, A. Moshe, 83

Olmert, Ehud, 257, 258, 259

*Ophir*, 50

Oran, 95, 155, 156, 214; Jewish cemetery, 214; Kanaoui Synagogue, 155, 156

Orient House, 182

Oslo Accord (*see also* Arab-Israeli Conflict), 179, 180

Oujda, 91, 94

Operation Susannah, 43

Orleansville, 156

Ormsby-Gore, David, 148

Ottawa, 188

Ottoman Bank, 133

Ottoman Empire, 18

Palestine (*see also* Palestinians): partition plan of 1947, 26

Palestine Electric Corporation, 82–84, 85, 179

Palestine Jewish Colonization Association (PICA): establishment, 38; land in Lebanon, 81; land in Syria, 38–39; land in West Bank, 84

Palestine Land Development Company, 37, 208

Palestine Liberation Organization (PLO), 174, 186, 188, 262

Palestine Potash Company, 83–84, 109

Palestinian Authority, 186, 210, 211, 227; Inter-Ministerial Committee to investigate land claims, 212; Special Decree for the Areas Evacuated by the Israeli Army of 2005, 212

Palestinians (*see also* Palestinian refugees, Israel): Aqsa Intifada, al-, 185, 189, 191, 226; Anti-Jewish

disturbances of 1920, 1929, 24; Arab Revolt of 1936–1939, 24, 25; Druze, 29; fear of Zionism, 24

Palestinian refugees: comparisons with Jews, 34–35, 125; Dehaysha refugee camp, 86; exchanging Egyptian Jews for Palestinians, 115; exchanging Libyan Jews for Palestinians, 117; Exodus, 26, 105; Jewish losses to, 103, 133; “Population exchange” and “linkage” with Jews from Arab countries (*see* Jews from Arab Countries); Qalandiya refugee camp, 86; right of return, 110, 188, 191; settled in Iraq, Syria, Libyan Jewish homes, 69, 113, 118

—PROPERTY: bank accounts and safe deposit boxes, 28, 130–32, 143; exchanging property with that of Iraqi Jews, 115–16; International fund idea, 186–88, 233, 258; Jews settled in refugee homes, 113; Palestinians collecting data, 182; property losses in Israel, 4–5, 27–29, 179; property statistics, 120–22, 187; scale of losses compared to Jewish losses, 187

Palestinians in Israel (*see* Israel)

Pan American Airways, 223

Paris, 223

Paris Conference (1951), 111, 127

Paserman, Leone, 225

Peace process (*see* Arab-Israeli Conflict)

Pelt, Adrian, 70, 71

Peres, Shimon, 170–71, 180; Jews from Arab countries as “refugees,” 170

Perlzweig, Maurice: Egyptian Jews, 144; Libyan Jews, 70–71, 72, 73, 74–75

Persian, 11

Pessah, Joe, 248

Pessah, Remy, 248

Po‘el ha-Mizrachi, ha-, 87

Poland, 101; Auschwitz, 207; “March of the Living” Holocaust remembrance event, 2, 207

Port Sa‘id, 44; Port Sa‘id Synagogue, 199

Powell, Colin, 221

- Prince-Gibson, Eetta, 235  
 Prozor, Ron, 223  
 Public Commission for the Registration of the Claims of Iraqi Immigrants, 67, 136, 231
- Qadhdhafi, Mu‘ammar al-, 76, 223; compensation to former Libyan Jews, 2, 164–65, 223–25; renovates Libyan Jewish religious sites, 225–26
- Qadhdhafi, Sa‘adi, 225  
 Qadhdhafi, Sayf al-Din, 224  
 Qadri, Nazim al-, 80  
 Qahtan, Salim, 133  
 Qalandiya, 208  
 Qalandiya refugee camp, 86  
 Qalandiya Vocational Training Center, 86  
 Qamishli, 30, 34; Jewish Cemetery, 34, 193  
 Qasim, ‘Abd al-Karim, 64, 65  
 Qaysuni, ‘Abd al-Mun‘im, 46  
 Quigley, John, 241  
 Qom, 219  
 Qosh, al-: Tomb of Prophet Nahum, 218
- Qunaytra, 36  
 Qur‘an, 13  
 Quray‘, Ahmad, 189  
 Qutran, Sulayman, 117
- Rabbat Ashlag, 84, 109  
 Rafael, Gideon, 72, 123  
 Rafidain Bank, 60  
 Ra‘ida, 51  
 Ram, al-, 208  
 Ramon, Haim, 254  
 Ramthaniyya, 36–37  
 Rangoon, 134  
 Raphael, Yitzhak, 42  
 Raviv, Moshe, 171  
 Reagan, Ronald, 130  
 Rehovot, 87  
 Revadim, 84, 109  
 Rhodes, 83  
 Rif‘at, ‘Abd al-Hamid, 58, 61  
 Rif‘at, Wahid, 42  
 Riegner, Gerhart, 148
- Rishon Le‘Tsiyon, 184  
 Robinson, Nehemiah, 149  
 Rome, 75, 77–78, 153, 225  
 Roosevelt, Eleanor, 72–73  
 Roth, B., 89  
 Rothschild, Edmond de, 37, 38  
 Rothschild, James, 39  
 Roumani, Maurice, 13, 160; *The Case of the Jews from Arab Countries: A Neglected Issue*, 160  
 Rountree, William R., 144  
 Rubinstein, Elyakim, 176, 177, 186, 188  
 Rusk, Dean, 41  
 Russia (*see also* Soviet Union), 21  
 Russo, Emile, 199, 201  
 Rutenberg, Pinhas, 82  
 Ruwayfi, Sa‘id Kamal al-Din al-Muqaddis, al-, 218
- Sa‘ar, Gideon, 228  
 Sabbagh, Sam, 195  
 Sadat, Anwar, 129, 163–64; addresses Israeli Knesset, 174, 175; Camp David Summit, 175  
 Saddam Hussein, 1, 6, 65, 215, 217, 218  
 Safad, 36  
 Sahn al-Jawlani, 37  
 Sa‘id, Nuri al-, 115  
 Sakkal, Desire L.: biography, 200; Historical Society of Jews from Egypt, 200–01, 204, 205  
 Salih, Kamal, 42  
 Samaritans, 86  
 San‘a, 50  
 Saoura Colomb-Bechar, 157  
 Sarraj al-Din, Fu‘ad, 42  
 Sasson, Binyamin, 136  
 Sasson, Moshe, 35, 117, 199  
 Sasson, S. P., 53  
 Saudi Arabia: Arab League plan to seize Jewish property, 112; Israeli registration of Jewish losses, 102, 132, 133  
 Saunders, Harold, 129  
 Sayigh, Yusuf, 121  
 Schapiro, William J., 155  
 Schweitzer, Ora, 169

- Sefrou, 94  
 Sephardic Association, 53  
 Sephardic Jews (*see* Jews from Arab Countries)  
 Setif, 156  
 Sfax, 90  
 Shaath, Nabil, 189  
 Shabazi, Shalom ben Yosef, 214-15  
 Shadir, Joseph, 80  
 Shafir, Dov, 27  
 Shaghadra, 51  
 Shahal, Moshe, 174-75  
 Shalgham, 'Abd al-Rahman, 225  
 Shalgi, Ilan, 223  
 Shalom, Liliane Winn, 249  
 Shalom, Silvan, 223, 228  
 Shaltiel, David, 113  
 Shammash, Na'im Yitshak, 133  
 Shapir, Shim'on, 109  
 Sharabati, Isma'il al-, 58  
 Sharanski, Natan, 218, 221  
 Sharet (Shertok), Moshe, 56, 72, 108-09, 113, 143; exchanging Iraqi Jewish and Palestinian refugee property, 115-16; exchanging Libyan Jewish and Palestinian refugee property, 117; Holocaust reparations, 100, 120; "linkage," 114, 124-26, 130, 132  
 Sharon, Ariel, 189, 212, 223, 227, 253; reestablishes Department for the Rights of Jews from Arab Lands, 139, 228  
 Sha'sha', Ahmad Pasha, 37  
 Sheetrit, Meir, 257; biography, 231; Jewish property registration, 231, 252, 254; lawsuit against the Arab League, 250  
 Shekel, Marcel, 184  
 Shekhter, Ya'akov Yosef, 210  
 Shemesh—Shalom ve Shilumim, 219, 256, 258  
 Shenhav, Yehouda, 247, 270  
 Shepherdstown Conference, 195, 196  
 Sher, Gilead, 186, 239  
 Shetreet, Shimon, 173  
 Shitrit, Bekhor Shalom, 115, 125  
 Shohat, Ella Habiba, 14-15, 22, 24, 25  
 Shoval, Zalman, 181  
 Shragai, Shlomo Zalman, 92  
 Shu'ayb, 'Abdullah, 42  
 Shuqayri, Ahmad, 42  
 Shuster, Zachariah, 72, 118  
 Sidi Bel Abbes, 156  
 Sidon, 79, 80; Dekermane, 197; Jewish cemetery, 197; Tomb of Zevulun ben Ya'akov/Sidun bin Ya'qub, 196-97  
 Sidun bin Ya'qub, 196-97  
 Sistani, 'Ali al-, 246  
 Slawson, John, 92  
 Slovak Fund on Jewish Property, 264  
 Smaja, Vita, 147  
 Sneh, Efraim, 223  
 Socialist Party of America, 34  
 Société des Avances Commerciales, 41  
 Sofaer, Abraham, 221  
 Sofer, Na'im, 135  
 Sousse, 90  
 South Yemen (*see* Aden)  
 Soviet Union, 241; disintegration, 228; Occupation of Germany, 100  
 Spanish Morocco (*see also* Maghrib), 89  
 Special Committee for the Jews of Yemen, 51  
 Steinberg, Elan, 198, 221, 263-64  
 Sudan: Wad Medani, 249  
 Suez, 199  
 Suez Canal, 17, 40, 144, 198  
 Sukhur al-Ghawr, 82  
 Sulagh, Bayan, 215  
 Sulh, Taqi al-Din, 80  
 Susan, Salim, 196  
 Suwaydi, Tawfiq al-, 56, 57, 118  
 Switzerland: Geneva, 71, 129; Jewish Holocaust bank accounts, 5; management of property of Egyptian Jews, 46, 144; Zurich, 152  
 Syria (*see also* Syrian Jews): 'Al, al-, 37; American government and Syrian Jews, Jewish property, 32, 33-34; anti-Christian disturbances of 1860, 19; Arab-Israeli wars (*see* Arab-Israeli Conflict); Association of Syrian Immigrants in Israel, 35; Baytima, 37; Bayt Yama, 37; Bir Shaqum, 36-37; Bnei Yehuda, 37; Bustas, 37; Buwaydiyya, 37; 'En Gev, 37; French

- government asks about Jewish property, 32; Giv'at Yo'av, 37; Golan Heights, 36–37, 195–96; Hawran, 36, 37–39, 195; Husniyya, al-, 37; Jillin, 37, 38; Jirjis, 37; Kawkab al-Shamaliyya, 37; Kawkab al-Janubiyya, 37; Khan al-Shaykh, 37; Khirbat Saqufiyya, 37; Khirbat Yubla, 37; Kufr al-Nimr, 37; Qamishli, 30, 34 (*see also* Jewish cemetery, 34, 193); Qunaytra, 36; Ramthaniyya, 36–37; Sahm al-Jawlan, 37; Tall Amirun al-Suffa, Tall Amirun al-'Ulya, 37; Union of Arab Chambers of Commerce, 33
- ALEPPO, 17, 30, 33–34; Aleppo Codex, 194–95; Jamaliyya Synagogue, 193; Jewish cemetery, 34, 193; religious artifacts, 194–95; Yo'av ben Tseruya (Yellow, or Great) Synagogue, 193, 194
- DAMASCUS, 19, 30, 31, 35; Franji Synagogue, al-, 193; Jewish cemetery, 193; Jewish Quarter, 31; Kitab 'Atiyya Synagogue, 193
- GOVERNMENT BODIES: Administration of State Lands, 38; Army Intelligence, 36; Council of Palestinian Refugees, 192; General Intelligence, 192; Internal Security, 192; Ministry of Finance, 192; Ministry of Justice, 192; Office of the Jewish Community, 193; Office of the Missing Jews, 193; Palestine Arab Refugee Organization, 31; Palestinian Committee for the Management of Assets Belonging to Jews Who Fled, 31, 192
- LEGISLATION: Legislative Decree No. 189 (1952), 38; Legislative Decree No. 155 (1952), 38
- Syrian Jews: Arab attacks on Jews, 25, 30, 194; Association of Syrian Immigrants in Israel, 35; Eliyahu (Eli) Cohen, 35; emigration, 31, 33–34, 79, 192–94; expatriate community in the United States, 193, 195; Jewish Community Council, 194; population figures and types of communities, 30–31; Union of Syrian Immigrants, 159
- PROPERTY, 29–39, 114–15, 139, 227; Israeli registration of losses, 102, 132, 133; Palestinian refugees settled in Jewish homes, 31, 32, 113; property statistics, 35–36, 103, 133
- Religious artifacts, 194–95; Aleppo Codex (Keter Aram Tsova) scroll, 194–95; Crown of Damascus (Keter Aram) scroll, 194
- Taba, 189
- Taba Conference, 189, 226, 227, 231, 234, 237, 262
- Taft, Jr., Orray, 67–68
- Taha, Khaled Issa, 216, 221
- Ta'izz: Tomb of Rabbi Shalom ben Yosef Shabazi, 214–15
- Tal, David, 250
- Tall Amirun al-Suffa, 37
- Tall Amirun al-'Uliya, 37
- Tamman, Sir Leon, 159
- Tangier, 91, 94
- Tanta, 199
- Tanzimat, 18
- Targum, 52
- Tawil, Moshe, 194
- Tehran, 55
- Tel Aviv, 158, 159, 163
- Tesciuba, Shalom, 225, 226
- Texas, 217
- Teytaud and Others v. France*, 157
- Thomas, Norman, 34
- Tiaret, 156
- Tisch, James, 240
- Tlemcen, 156, 214; Tomb of Rabbi Efraim Enkaoua, 214
- Tobruk, 78
- Total, Salim, 192
- Tribunal Relating to Claims of Jews from Arab Lands (Goldberg Tribunal), 172–73
- Tripoli, 67, 68, 75, 76, 78, 117; Bet El Synagogue, 78; Dar Bishi Synagogue, 226; Dar al-Sarusi Synagogue, 226; Jewish cemetery, 78, 225; Jewish Quarter, 165, 226; Sla'al-Kabira Synagogue, 225
- Tripolitania, 67, 68, 69, 70, 73, 74, 78, 225

- Trusted, Harry, 140  
 Tsadok, Hayyim, 170  
 Tsukerman, Yo'av, 117  
 Tsuriehi, Y., 208  
 Tulkarm, 88, 208  
 Tunis, 90; Avenue de Lourdes Cemetery, 91  
 Tunisia (*see also* Maghrib): Arab-Israeli wars (*see* Arab-Israeli Conflict); Bizerte, 90; citizens' property in Egypt, 46; Djerba, 90 (*see also* Ghariba Synagogue, al-, 213); French colonial rule, 90; Hafsia, 90; Holocaust, 20, 90; Le Kef: Synagogue, 213; Nazi rule, 90; Sfax, 90; Sousse, 90; Tunis, 90 (*see also* Avenue de Lourdes Cemetery, 91)  
 —Jews: Arab attacks, 90; Communauté Juive de Tunisie, 213; emigration, 90; expatriates visit, 213; Jewish Community Council, 90, 213; Lag B'Omer, 213; property, 90–91, 213; Union of Tunisian Immigrants, 159; Zionist activities, 90  
 Turkmen, 219  
 Tusia-Kohen, Shlomo, 160
- Union de defense des intérêts des Français rapatriés d'Algérie et d'Outremer (USDIFRA), 157–58, 213, 214  
 Union of Iraqi Immigrants, 159  
 Union of Italian Jewish Communities, 152  
 Union of Moroccan Immigrants, 159  
 Union of Syrian Immigrants, 159  
 Union of Tunisian Immigrants, 159  
 United Arab Republic (*see also* Egypt; Syria), 35  
 United Kingdom, 101; citizens' property sequestered in Egypt, 43–46, 151, 153–54; expulsion of British citizens from Egypt, 44–47; Jewish property, 56–57, 68, 148; military administration in Libya, 67, 68; Occupation of Germany, 100; United Nations Economic and Social Council, 113  
 —GOVERNMENT BODIES: Eastern Department, 126; Foreign Compensation Commission, 154; Foreign Office, 45, 126, 148, 154; House of Lords, 244  
 —COLONIAL POSSESSIONS IN THE MIDDLE EAST, 19; Aden, 50–51; Egypt, 40; Iraq, 53; Palestine, 2; Transjordan, 82  
 —LEGISLATION: Foreign Compensation Act, 1950, 153–54; Foreign Compensation (Egypt) (Determination and Registration of Claims) Order, 1959, 153; Foreign Compensation (Egypt) (Determination and Registration of Claims) Order, 1962, 153–54; Foreign Compensation (Egypt) (Final Distribution) Order, 1963, 154  
 United Nations: Commissioner in Libya, 70; Council for Libya, 70–71; Economic and Social Council, 112–113 (*see also* Resolution E/1179 (1949), 112–13), 255; definition of “refugee,” 166, 170, 173; Human Rights Committee, 213–14; “linkage,” 115; Palestine question, 24, 26; Political Committee, 71; Security Council (*see* Resolution 242 [1967], 170, 173, 239–40; United Nations Refugee Executive Committee, 143–44; United Nations Refugee Fund, 142, 143, 144; United Nations Rehabilitation Fund, 127; United Nations Truce Supervision Organization (UNTSO) (*see* Lebanese-Israeli Military Advisory Commission, 79); United Nations High Commissioner for Refugees (UNHCR), 107, 241 (*see also* Egyptian Jews and Jewish property, 141–44, 241); United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 32, 86, 107, 233, 255  
 —GENERAL ASSEMBLY, 160, 169, 234, 244; Libyan independence, 70, 72; Rehabilitation Fund, 127; Resolution 181 (1947), 26, 30, 105, 140, 194;

- Resolution 194 (1948), 4, 106, 110, 129; Resolution 832 (IX) (1954), 144
- UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE (UNCCP), 4, 115, 261-62; Economic and Survey Mission (Clapp Mission), 115, 234; establishment, 106; estimates of Palestinian refugee losses, 121, 131; Lausanne Conference (1949), 109; “linkage,” 127; Paris Conference (1951), 111, 127; rejects Israel’s demand for 1948 war damages, 110; release of Palestinian refugee bank accounts from Israel, 130-31
- United Press International, 214
- United Restitution Office, 100, 140
- United Restitution Organization, 100, 146
- United States (*see also* United States: Government and public bodies): Alien Tort Claims Law, 2-3, 178; American-Israeli Working Paper on the Geneva Conference, 129, 175; attitudes toward treatment of Jews in Arab countries, 33, 41, 47, 67, 80, 198; defining Jews from Arab countries as “refugees,” 128, 129, 144, 234; Holocaust, 100; and Jewish property, 32, 33-34, 56-57, 59, 62-63, 66, 83, 101, 130 (*see also* attitudes toward “linkage,” 62-63, 107, 127-28, 130); lack of pressure on Arab countries to compensate Jews, 6, 264; legislation (*see* Alien Tort Claims Law, 2-3, 178); Occupation of Germany, 100; restores diplomatic relations with Libya, 223, 226
- UNITED NATIONS: Economic and Social Council, 113; General Assembly Resolution 194 (1948), 129
- United States (government and public bodies): Appeals Court for the Second District of New York, 178; Congressional Human Rights Caucus, 244; Federal Reserve Bank of New York, 219; National Archives and Records Administration (*see* Jewish documents captured in Iraq, 217-18); Senate, 226, 244; State Department, 166, 221, 244; Supreme Court, 2, 178; U.S. Commission on International Religious Freedom, 198
- DEFENSE DEPARTMENT, 216; assists Israel, Iraqi Jews, 221; Coalition Provisional Authority, 216, 217; Office for Reconstruction and Humanitarian Assistance, 216
- Army: loots Iraqi museum, 221; Mobile Exploration Team Alpha, 216-17, 218
- HOUSE OF REPRESENTATIVES, 244; Foreign Affairs Subcommittee on the Middle East and Central Asia, 129, 244; House Foreign Affairs Committee, 130
- Urman, Stanley: Jewish property (*see* compensation, 235, 238-39, 242-43); Justice for Jews from Arab Countries (JJAC), 235, 236, 239-40, 243, 255, 258, 259; Palestinian refugee exodus (*see* criticizes international community for paying excessive attention to, 243-44)
- USSR (*see* Soviet Union)
- Ustuwani, Ibrahim, 32, 115
- ‘Uthman, Mahmud, 218-19
- Vaena, Isaac, 41
- Varadi, Max, 69
- Veliotes, Nicholas A., 130
- Vienna, 224
- Viteles, Harry, 50
- Wad Medani, 249
- Wadi Hasa, 83
- Wadi Salib, 158
- Wahava, Yosef, 176
- Wahidi, Nasir bin ‘Abdullah bin Muh-sin, 51
- Wahidi Sultanate, 50
- Waldman, Regina, 248
- Warburg, Edward M. M., 144
- Washington, 245
- Washington Hebrew Congregation, 245
- Weidenfeld, George, 234

- Weill, Eugene, 33  
 Weinstein, Carmen, 199, 201-05, 206  
 Weinstein, Esther, 201, 204  
 Weitz, Yosef, 110, 117, 121, 123  
 Weitz/Danin/Lifshits Committee, 121  
 Weitzman, Ezer, 198  
 Weitzmann, Chaim, 100  
 Welfare Committee of the Jews of  
   Libya, 225  
 West Bank: 'Atarot, 84, 86, 109, 208, 209; Bayt Iksha, 84; Bayt Jala, 84; Bayt Safafa, 84; Bet ha-'Arava, 84; Bethlehem, 86; Bidu, 210; Bi'r Nabala, 208; 'En Tsurim, 84, 109; Gush 'Etsiyon, 84, 109; Hizma, 208; Jenin, 86, 88; Jib, al-, 208; Jordanian rule, 84; Judayra, al-, 208; land settlement operations, 85; Kaliya, 84, 109; Kfar 'Etsiyon, 84, 109; Massu'ot Yitshak, 84, 109; Nabi Samu'il, al-, 208; Nablus, 85, 88, 208, 209 (*see also* Jewish cemetery, 85, 86); Neve Ya'akov, 84, 109; Qalandiya, 208; Rabbat Ashlag, 84, 109; Ram, al-, 208; reoccupation by Israel in 2002, 191; Revadim, 84, 109; Silwan, 84; Tulkarm, 88, 208; withdrawal of some Israeli settlements, 191, 211  
 —HEBRON, 84, 85, 109, 208, 210; Avraham Avinu Synagogue, 86-87; Bet Hadassah building, 87; Bet Romano building, 87; Jewish cemetery, 85; Jewish Quarter, 109  
 —JEWS: Arab attacks, 87; expulsion in 1948, 106-07; land owned by Iraqi Jews, 208-09; settlements, 191, 209; Waqf, 85  
 —Property, 84-88, 108, 208-10, 211-12; Israeli registration of losses, 102, 132, 133, 208; property statistics, 87, 103, 110, 133; 1948 war damages, 109-10  
 —REFUGEE CAMPS: Dehaysha, 86, 211; Qalandiya, 86; Qalandiya Vocational Training Center, 86  
 West Germany (*see* Germany)  
 World Bank, 150  
 World Congress of Jews from Egypt, 205-206  
 World Jewish Congress (WJC): American Jewish Congress, 144; Canadian Jewish Congress, 233; conferences (*see* "The Forgotten Refugees—Jews from Arab Lands," 232-33); European Jewish Congress, 232; Geneva office, 148; Holocaust claims, 5, 100, 186, 263-64; Institute of Jewish Affairs, 93; Institute of the World Jewish Congress, 232; Paris office, 148  
 —JEWS FROM ARAB COUNTRIES AND JEWISH PROPERTY, 185; Algeria, 154-55; Arab League plan to seize Jewish property, 111-12; compensation, 235-36, 263-64; Egypt, 41, 45, 144 (*see also* Joint Committee [Central Registry of Jewish Losses in Egypt], 143, 144-52); Iraq, 1, 57, 220, 221; Libya, 70-71, 73, 74-75; Morocco, 92-94; "Population exchange," 232-34, 236; Works in conjunction with Israeli efforts, 219, 263-64  
 —"Linkage," 117; "Forgotten Exodus" campaign, 232-34; "*A Population and Transfer*": *The Forgotten Exodus of Jews from Arab Lands*, 232-33, 235  
 —REGISTERING LOSSES: International Committee of Jews from Arab Lands (ICJAL), 182, 183, 185; Jewish Refugees from Arab Countries campaign, 232; Justice for Jews from Arab Countries (JJAC), 235, 264  
 World Jewish Restitution Organization, 5, 237; establishment, 228  
 World Organization of Jews from Arab Countries (WOJAC), 13, 159-73, 166, 262; branches, 159; closes its offices, 182, 252 (*see also* reopens, 231); conferences, 159, 172; establishment, 158-59; Jews from Arab countries defined as "refugees," 165-71; "Population transfer," 165-66, 232, 234, 236; relationship with Jewish Agency, 159 (*see also* Department for the Rights of Jews from Arab Lands,



- 229); relationship with Justice for Jews from Arab Countries (JJAC), 235, 245-46; relationship with World Jewish Congress (WJC), 186; Tribunal Relating to Claims of Jews from Arab Lands (Goldberg Tribunal), 172-73
- PROPERTY:
- Egypt and Egyptian claims, 175; “linkage,” 159, 160
- Iraq and Iraqi claims, 1, 173, 220-21; Iraqi Jews who owned land in the West Bank, 208-09; lawsuit against Iraq, 220
- Registers Jewish losses, 173, 181, 186, 244; Jewish Refugees from Arab Countries campaign, 231; Justice for Jews from Arab Countries (JJAC), 235-36
- RELATIONSHIP WITH ISRAELI GOVERNMENT, 159, 168-69, 250-51; Department for the Rights of Jews from Arab Lands, 229; Israel ends financial support, 182
- World Organization of Libyan Jews, 224
- World Sephardi Federation, 221; American Sephardi Federation, 181, 182; Jews from Arab countries and their property, 182, 203, 249 (*see also* “linkage,” 249); lawsuit against the Arab League, 250
- World Wars: First World War, 18; Second World War, 14, 67, 100-101
- World Zionist Organization, 92, 123-24, 150; Covenant Between the Government of Israel and the Zionist Executive also known as the Executive of the Jewish Agency for the Land of Israel (1954), 124; Settlement Division, 212; World Zionist Organization—The Jewish Agency (Status) Law (1952), 123-24; Zionist Actions Committee, 144
- Ya’akov, Zevulun bin, 196
- Yahya, Ahmad bin, 49, 50
- Ya’qub, Sidun bin, 196
- Yarmuk River, 82
- Yemen: ‘Amran, 49; Anis, 51; Hashid, 50-51, 141; Ra’ida, 51; San’a’, 50; Shaghadra, 51; Ta’izz (*see* Tomb of Rabbi Shalom ben Yosef Shabazi, 214-15)
- JEWS, 21; airlift to Israel, 50, 172 (*see also* American Jewish Joint Distribution Committee, 50-51); emigration, 48-50; *Ophir*, 50; Special Committee for the Jews of Yemen, 51
- Property, 48-52, 139, 214-15, 228; Israeli registration of losses, 102, 132, 133; property statistics, 52, 103, 133; theft of religious articles, 50
- Yeshayahu, Yisra’el, 166, 167
- Yeshiva University archives: Jamie Lehman Collection, 205
- Yiddish, 11
- Yosef, ‘Ovadia, 206
- Yugoslavia, 101
- Yusuf, ‘Abd al-Rahman Pasha al-, 36
- Za’afarani, Shlomo, 195
- Zadok, Yosef, 50-51
- Za’im, Husni al-, 33
- Zaken, Moti, 215
- Zaqaziq, 199
- Zawr Kattar, 83
- Zevulun ben Ya’akov, 196-97
- Zifta, 199
- Zilkha Bank, 53
- Zilkha, Ezra, 220
- Zilkha & Sons, 220
- Zionism (*see also* individual countries), 10, 12-13; impact upon Middle Eastern and North African Jews, 20-26, 67, 97; Jewish immigration into Palestine, 22-24, 52, 56
- Zionist Actions Committee, 144
- Zlabia.com (a Web site), 214
- Zuckerman, Mortimer, 235; Jews from Arab countries as “refugees,” 236
- Zurich, 152