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REFUGEES, HUMAN RIGHTS AND REALPOLITIK

THE CLANDESTINE IMMIGRATION OF JEWISH REFUGEES FROM ITALY TO PALESTINE, 1945–1948

Daphna Sharfman

ROUTLEDGE

Refugees, Human Rights and Realpolitik

This book presents a multidimensional case study of international human rights in the immediate post-Second World War period, and the way in which complex refugee problems created by the war were often in direct competition with strategic interests and national sovereignty.

The case study is the clandestine immigration of Jewish refugees from Italy to Palestine in 1945–1948, which was part of a British–Zionist conflict over Palestine, involving strategic and humanitarian attitudes. The result was a clear subjection of human rights considerations to strategic and political interests.

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The Clandestine Immigration of Jewish Refugees from Italy to Palestine,1945–1948

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Introduction

This book presents a multidimensional case study of international human rights in the immediate post-Second World War period. My aim is to analyse the low level of importance accorded to the complex refugee problems created by the war, which were often in direct competition with strategic interests and national sovereignty.

The case study is the clandestine immigration of Jewish refugees from Italy to Palestine in 1945–1948, which was part of a British–Zionist conflict over Palestine, involving strategic and humanitarian attitudes.

My overall objective is to examine the case from four different points of view: British, American, Italian and that of the Zionist movement in Palestine and its affiliated global organizations, as well as to demonstrate that interests lying behind the scenes really determined the fate of thousands of Holocaust survivors. The book charts, mostly in chronological order, the fundamental positions of the main players immediately after the ending of the Second World War and follows the central developments in immigration until the establishment of the State of Israel on 15 May 1948.

My aim is to offer a concrete study showing key aspects of refugees' human rights, following the narrative of the 'human rights chain of contradictions'. This chain leads from sovereignty and strategic interests, all the way to the people whose rights have been denied in some cases. My initial focus will be on the interpretation of human rights emerging from the formal and somewhat Machiavellian diplomatic corridors in Britain and Italy regarding the refugees in the camps and those on board overcrowded ships taking the clandestine immigration routes. I will present the story of the crucial link which is sometimes lost sight of in conventional discussions of interests, legislation and international agreements.

The second focus will be on the role of the Jewish refugees as individuals: did they play an active role or were they passive participants while conflicts and decisions concerning them were debated over their heads? How did they face the challenge of regaining responsibility for their own futures and retrieving their human dignity?

The third focus will be on the political and normative tension between the individual refugee's human rights and his/her collective rights. Did the refugees aspire to become political players? Or were their hopes for new and better lives used as part of a wider political strategy, namely the Zionists' struggle over Palestine that was taking place at that time?

The post-war British Labour government sought to strengthen Britain's position in the Middle East and to find a politically viable solution to the Jewish–Arab conflict. The US involvement focused on key diplomatic events, such as the Anglo-American Committee in 1945–1946 and President Truman's pressure for the immigration of 100,000 Jews to Palestine, which was rejected by the British government. The United States developed separate strategic interests in the Middle East, which were sometimes promoted in a clandestine way, while ignoring British requests for support. Italy's attitude was more complex, taking into consideration its inferior status and economic dependence on the Allies, as well as its recent Fascist history. At that point Italy still did not enjoy full sovereignty but hoped to regain its place in the international arena and progress towards economic recovery. The Zionist policy centred on the struggle for the creation of a sovereign Jewish state in Palestine, combined with the mission to offer immediate assistance to survivors of the Holocaust and take them to Palestine. Their crucial aim was to

combat their opponents' claim that, following the Holocaust and the death of six million Jews, a Jewish state was not actually needed and that the survivors should return to their countries in Europe. The clash over the clandestine immigration of Jewish refugees was the focus of the British–Jewish struggle until the last days of the British Mandate of Palestine. The role of the Holocaust survivors – the potential illegal immigrants – was significant: the personal misery that they endured in the Nazi concentration camps and their individual and collective human rights were brought to the fore through their actions and suffering, as well as through their commitment to settling in Palestine. The conflict with the British took place in full view of the world press and public opinion. The events demonstrated the dependence of the refugees on policies drawn up by foreign powers and the disregard of their human rights. They also reflected the refugees' efforts to change their passive roles and to gain control over their own fates. (The Hebrew word for illegal immigrants during that period was *Ma'apilim* which means people who climb, or ascend, to Palestine.) The international attention paid to the clandestine immigration, specifically the La Spezia affair and later the *Exodus* affair, highlighted these efforts alongside the political and diplomatic dispute. The refugees found themselves at the centre of a political debate involving conflicting strategic interests and a major international human rights dilemma.

The rights of refugees in Europe in 1918–1945 were limited as a result of the conservative principles and policies adopted by the League of Nations during that period, and the reluctance of Western states to assume responsibility for the refugees. The 'non-intervention' principle prevented the application of significant pressure for more humanitarian policies and led to the abandonment of the refugees to their fates under repressive governments. Human rights violations and persecution exacerbated the situation of all refugees. During the post-war period of 1945–1948 the attitude of Western governments towards refugees underwent a dynamic change that included the establishment in November 1943 of the United Nations Relief and Rehabilitation Administration (UNRRA) and later the International Refugee Organization (IRO). The Western powers had to deal with millions of refugees and displaced persons while outlining their new status and rights.

During the war the Allied leaders issued several declarations: the 'four freedoms'; the Atlantic Charter; and the Declaration of the United Nations that led to the creation of the United Nations Charter. Was there a basic change or continuation of the pre-war nominal recognition of human rights? Crises such as the forced repatriation of refugees to the Soviet Union and the forced eviction of German ethnic groups that violated the rights of millions of people emphasized the continued preference of realpolitik over humanitarian considerations.

The Jewish refugees were housed in camps and many were not permitted to return to their former homelands. The Harrison Report led to the gradual acknowledgement of their special status. However, the issue had much broader implications as the diplomatic battle over the recognition of Jewish refugees and their right to self-determination evolved around the question of Palestine and strategic interests in the Middle East.

The main protagonists were Britain, the United States and the Zionists. In this book I will present the strategic interests and clashes concerning Palestine, focusing on the immigration question in the context of the Holocaust, the Anglo-American Committee and the new American role in the area. A central emphasis is on the apparently insoluble British–Zionist conflict over immigration and Palestine.

Foreign Secretary Ernest Bevin and the British Cabinet conducted an unrelenting battle against illegal Jewish immigration, including the use of methods of dubious legal validity, such as

boarding ships on the high seas or refoulement, as in the case of *Exodus*. However, it failed to gain the cooperation of Western and Eastern European governments, or even the support of the United States.

This case study concentrates on the clandestine immigration of Jewish refugees from Italy which involves political conflicts as well as human rights considerations. Post-war Italy fell under Allied military control following the armistice, while negotiations for the peace treaty continued among the Allies during the beginning of the Cold War. There was a gap between the British 'punitive peace' and the disbursement of American benevolent economic aid. The Italian government aspired to regain full sovereignty while struggling with severe economic problems and the pressure of foreign refugees and displaced persons.

Fascist Italy's racial laws led to the discrimination and persecution of Jews, yet a number of Italian officials, Catholic priests as well as ordinary people rescued Jews during the German occupation of Italy and the Holocaust. Italian military commanders and diplomats saved Jews in Yugoslavia, Greece and France. This book offers an analysis of the reasons and contradictions behind the Italian humanistic approach.

The Mossad for Clandestine Immigration (Mossad), which operated under the orders of the Jewish leadership in Palestine, organized a comprehensive operation designed to bring Jewish refugees to Italy on their way to sail to Palestine. The Italian cooperated with the Mossad operations, from the top policy makers to regular border policemen while facing substantial British pressure.

The British aim was to request Italian cooperation against the clandestine immigration of Jewish refugees to Palestine. This policy was contradictory to the Italian national interest to get rid of the refugees. The British pressure thus had limited success owing to political, normative and psychological reasons.

The Italian authorities cooperated with the Mossad in facilitating clandestine Jewish immigration. The most significant event that manifested this special connection was the La Spezia affair in April–May 1946 which drew the world's attention to the special role played by the refugees' struggles.

In Chapter 11 we take a closer look at the face-to-face struggle between the immigrants and the British, and cases of direct violent conflict are examined, as viewed by both sides. We discuss the refugees' role in the on-board resistance, the rules of engagement, the boarding process and the use of force. All of these were clearly significant in the special affair of the *Exodus,* the only case of forced refoulement.

The concluding chapter aims to summarize the policies of all the players involved and the particular role of the refugees in the comprehensive struggle over Palestine, their aspirations for a new life and for the recognition of their rights.

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Part 1
Historical background

1 Refugees in Europe 1920–1948

> The one form of international action which would have provided the most substantial relief for the refugees would have been a widespread lowering of immigration barriers. Most nations, however, were prepared to do no more than suggest this course of action for their neighbours.[1]

This chapter will examine the lack of commitment towards refugees that was one of the hallmarks of government policy during the 1920s and 1930s, and which had significant consequences for the post-Second World War era. Particular emphasis will be placed on the problematic lack of human rights considerations during the inter-war period when at times the refugees were all but abandoned by the leading democracies. The chapter will provide the basis for evaluating governmental post-war policies, especially those of the United States and Britain.

Refugees and their rights: background

The refugee problem became a recognized international issue during the inter-war period, and led to the establishment of the first international refugee regime.[2] According to Skran, a regime is based on several notions: principles, norms, rules and decision-making procedures. The first basic principle was sovereignty, followed by humanitarianism. The refugee problem may have arisen as a result of actions by states that violated humanitarian standards. However, human rights were not regarded as an international concern until after the Holocaust. A government's treatment of its citizens was regarded as a domestic affair.[3]

The three norms within the international refugee regime were asylum, assistance and burden-sharing. The asylum norm has had a long tradition in international law since the seventeenth century, and the right of a state to grant or deny asylum is now universally accepted. The Judeo-Christian norm of assistance recognized that such people were bereft of any government protection, and hence were more vulnerable than immigrants and illegal aliens. All members of the League of Nations, whether or not providing physical asylum, had an obligation to share the financial burden of sheltering refugees. The rules were formulated in legal documents adopted between 1922 and 1939, and were intended to enforce the principles and norms of the regime. Although involving all the independent states to some degree, they concentrated mainly on Europe.[4]

The general definition of a 'refugee' refers to a person who has left or who has been forced to leave his or her country for political reasons, is deprived of its diplomatic protection and is without nationality or the diplomatic protection of any other state. The term includes those who formally retain their nationality but lack the state's protection and also those whom the state deprives of their nationality, thus making them stateless. In practice the position of these two

groups is the same.[5] However, the international attitude towards the refugee issue, as manifested in the agreements and conventions drafted during the inter-war period, did not include a general individual connotation and the benefits were extended only to certain groups of refugees. Furthermore, even though the honouring of human rights has led to improvements in the way in which refugees are treated, the political, economic, and social difficulties prevailing in Europe during the 1920s and 1930s made it difficult to secure proper legal status and assistance for them. At the time, the largest group of political refugees comprised Russians departing in the aftermath of the Civil War. Most of them were destitute and stateless, and needed identification papers for travel. [6]

The League of Nations established a new approach to the recognition of the refugees' problems and the need to assist millions of post-war refugees. In 1921 the Council of the League appointed Dr Fridtjof Nansen of Norway as High Commissioner on behalf of the League in connection with the problem concerning Russian Refugees in Europe. He worked with the International Labour Organization and volunteers from the Red Cross and Red Crescent societies, among others. From 5 July 1922 they provided funds and distributed food and clothing, arranged medical services, housing, employment opportunities, helped to reunite families, and prepared legal documents, including the 'Nansen passport' for the estimated two million Russian refugees. The League intervened in government policies to secure the repatriation of individual refugees.[7] A separate agreement reached by the Greek and Turkish governments following the Greco-Turkish war was confirmed by the Lausanne Treaty of July 1923. It provided for the mandatory expulsion and repatriation of around one million Orthodox Greeks and 500,000 Muslims.[8] The Arrangements of May 1924 and May 1926 extended this provision to Armenian refugees and identity certificates were issued to them. By June 1928 the governments that had adopted these Arrangements also undertook an obligation on behalf of assimilated refugees (Assyrians, Assyro-Chaldeane, Syrians, Kurds and a small number of Turks). No responsibility was taken in regard to other refugees. The participants recommended improvements in the status of refugees and the appointment of representatives of the High Commissioner for Refugees in as many countries as possible.[9] In 1930 the League's Assembly decided to create an autonomous organization, the Nansen International Office for Refugees, whose mandate was to undertake humanitarian tasks while the Secretariat remained responsible for the judicial aspects regarding legal protection, civil rights and the status of refugees. The Nansen Office was to operate until 31 December 1938. The reality was that the growing economic depression worsened the situation of the refugees and their chance for legal employment; furthermore, they did not benefit from governmental measures of relief for the unemployed. Many refugees had to procure false papers or attempt to enter states illegally where they hoped to find better opportunities. The governments reacted with strict legal measures such as imprisonment and expulsion: 'The latter move confronted the refugees with a conflict between two sovereign wills, the one expelling them, the other forbidding their entry. There was no place to go and in many cases vagrancy or suicide were the only alternatives of the refugee.'[10]

In reaction to this difficult situation, the Inter-Governmental Conference was convened on 26–28 October 1933 in Geneva, attended by government representatives from fifteen states. Those from Britain, Germany and Lithuania were absent. The participating states accepted the Convention relating to the International Status of Refugees. It was the first binding international agreement to afford refugees legal protection and the first to articulate the principle that refugees

should not be returned involuntarily to their country of origin. However, the treaty never became globally applicable and it only protected those refugees already recognized in the previous Arrangements. It aimed to improve the status and the daily life of the refugees, but the eight states to acceed to the Convention did so with reservations which limited its value. Even though the governments were reluctant to draft the treaty, public pressure from former refugees, private voluntary organizations and international refugee advocates all contributed to the creation of the Convention.[11]

At that time, the British attitude towards the refugee problem was unsympathetic. Regarding the problem of the Jewish refugees from Germany, official recommendations from the Foreign Office were based on the legalistic interpretation that the problem exceeded the Nansen Office's authority. Foreign Secretary Sir John Simon's view was that any appeal to the League in this matter would be regarded in Germany as an act of unwarranted interference and therefore should be avoided. Following the Nazis' rise to power in Germany, the British Jewish community requested the government in July 1933 to raise the issue in the League Assembly's September meeting. However, the Foreign Office was adamantly against doing so, as were other related offices. The response given to the Jewish organizations was negative for the reason that stated that there was a much smaller number of refugees in Britain than in other European countries. On 11 October Allen Leeper, head of the League of Nations Department in the Foreign Office, informed the representative in Geneva, Ashley Clarke, that Britain would not participate in the Conference. During 1934 and 1935 the Home Office continued to resist accession to the Convention, as it expected to come under pressure concerning the German (Jewish) refugees.[12]

The Nazi persecution of Jews, liberals, socialists and other 'undesirables', which included loss of employment and annulment of German nationality, was carried out on a large scale and as a result about 150,000 Germans had left the country by 1938. However, the increasing power of Germany in the 1930s impaired the ability of the League of Nations to respond to the widening problem of refugees from that country. As the League operated on the basis of consensus, the German delegation could veto its policies so long as it remained a member of the organization (Nazi Germany withdrew from the League on 14 October 1933). In the years that followed the appeasement policy of Britain and France hindered the League's ability to deal with the refugee problem. Following the broadly supported Dutch proposal for League action on behalf of the Jewish refugees, the problem was discussed only by the League's Second Committee (Technical Organizations). The German government strongly objected to this and managed to reach a compromise arrangement that was drawn up by the French and British delegates.[13]

The American High Commissioner for Refugees (Jewish and Others) Coming from Germany, James G. McDonald, was appointed by the Council in October 1933. However, as a result of the political compromise, his office was set up as an autonomous organization reporting to its own Governing Body, and not to the Council of the League. In contrast to the Nansen International Office, its funds were provided by private organizations. The German refugees were not eligible to receive Nansen passports and were not included in the categories deemed suitable for international arrangements. The various states issued their own policies in regard to documents of identity and travel. Almost all governments recognized their validity but most of them required special visas to be issued for admission to their territory.[14]

Lord Robert Cecil, the British representative at the League and soon to be elected Chairman of the Governing Body, was instructed by his government to try to avoid any recommendations

‘likely to provoke resentment in Germany’, and not to consider any proposal for a financial contribution by Britain to assist the refugees. Additional instructions concerned the continuation of British control of immigration to Palestine according to the country’s economic capacity, as determined by Palestine’s High Commissioner.[15]

The passing of the Nuremberg Laws in September 1935 that deprived Jews and other non-Arians of their citizenships led McDonald and his Governing Body to officially call the attention of the governments to the new persecutions and to the increase in the number of refugees. The High Commissioner repeated his request that the British and American ambassadors in Berlin should be instructed to ask the German government to allow the refugees to transfer their property abroad, but the Foreign Office refused to intervene, fearing that the German government would ask Britain to take a number of Jewish refugees. The British ambassador in Berlin, Sir Eric Phipps, informed his government in October ‘of the net being drawn round the Jewish community’, and added in December that ‘the present Nazi policy threatens the Jewish population of the Reich with *extermination*’. Aiming to calm his government he pointed out, however, that there was no fear of a catastrophic exodus of Jews because no country except Palestine (to a limited extent) was willing to accept them without any capital; as a result they would have to remain in Germany.[16]

McDonald initially hoped to negotiate the Jewish refugee problem with the German government, but by November 1935 he realized that Germany was unlikely to cooperate. Furthermore, the French government believed that it had already fulfilled its obligations and the British government refused to contribute funds to the refugees’ relief and settlement. In view of this situation, McDonald decided to resign and used his letter of resignation to mobilize public opinion against Nazi policies and to induce the League to intervene on behalf of persecuted minorities within Germany. The letter, published upon his resignation on 27 December 1935, included an annex with documentary evidence of Nazi persecution of non-Aryans. He called on the League to appeal to the German government and hoped that the principle of state sovereignty would be set aside in favour of humanitarian imperatives. His letter drew the attention of the leading newspapers, especially in the English-speaking countries, who printed it in full. Skran notes that even if his attempts and those of other actors in the refugee regime, to expand its functions to include prevention and control of refugee movement’s failed, they were not completely in vain:

> With the benefit of hindsight it becomes evident that he was one of the first people to advocate international measures to protect human rights. He believed that the abuse of human rights concerned the entire international community, not just the government involved. Although his viewpoint gained widespread acceptance only after the Second World War, he should be credited for demanding the adherence to the norms now expressed in the United Nations Declaration of Human Rights.[17]

The Council of the League’s reaction was nevertheless very cautious. It resolved that the new High Commissioner would be officially appointed by the League but rejected any intervention by him into what were considered to be German internal affairs, and it limited his relationship with governments in order to exclude potential criticism of its refugee policies. The new Office allocated a minimal sum of £2,000 and was prohibited from receiving money from private organizations. The former British Major-General, Sir Neill Malcolm, appointed with the

approval of the British government, soon made it clear that he would not challenge the German government's domestic policy: 'that's not the affair of the League'.[18] The intergovernmental conference convened in Geneva on 2 July 1936 by High Commissioner Malcolm was attended by fifteen member states, including Britain, as well as observers from the United States and Finland. The participating countries were not ready at that time for the application of the 1933 Convention to the German refugees, especially Chapters IV–X concerning the right to work, public assistance, education, and so on. The subject of non-refoulement was crucial, namely the proposal that no genuine refugee should be sent back to Germany. The Provisional Arrangement Concerning the Status of Refugees coming from Germany was signed on 4 July 1936. It provided for the issuance of identity certificates for refugees from Germany who lacked these papers and sought to protect the refugees from arbitrary expulsion and repatriation.

The British policy was still tentative: on 14 October Britain signed an Instrument of Accession to the 1933 Convention. Britain offered reservations to five articles. It aimed to limit the category of protected refugees to 'stateless' people only. Britain also did not assume any obligation in respect to any of its colonies, overseas territories or mandated territories. Britain was the only one of the acceding states to reject Article 3(2), which provided for the non-refoulement of refugees. The decision was probably based on a mistranslation of the French language, interpreting the term as 'not to refuse entry' to refugees, when the term meant not 'to send back' refugees who were already in the country.[19] Beck remarks that British foreign policy sought to exclude non-governmental organizations from deliberations concerning the creation of state duties. Britain's position was defined in territorial terms and as result

> Britain had no interest in refugees beyond its borders. Nor had it any positive legal duty towards them, whether to protect them or to advocate their protection by other sovereign states … Not until after World War II would such views come regularly to be challenged in Britain and beyond. Even so State sovereignty notions and policies have proven remarkably durable.[20]

The Provisional Arrangement concerning the Status of Refugees arriving from Germany was followed by the adoption of the Convention concerning the Status of Refugees coming from Germany, signed in Geneva on 10 February 1938. The Convention protected stateless persons who were not covered by previous conventions or agreements. However, reservations concerning the reciprocity clause and Article 9 concerning the right to work weakened the significance of the Convention. It was signed by seven countries but was ratified by only three: Belgium and the United Kingdom in September 1938, and France in March 1945. Two further problems were created by the growing numbers of Spanish refugees and the incorporation (*Anschluss*) of Austria into Germany on 12 March 1938. The intensifying restrictions of European countries on refugees disregarded their dire needs:

> Restrictions on the migration of Austrian refugees were imposed from inside as well as from outside. The German Government tried to prevent emigration even though destitution and persecution were faced; countries like Czechoslovakia and others closed their frontiers to those who escaped. Switzerland allowed only the transit of refugees. France, Holland and Belgium tightened their laws against the admission of immigrants. England complicated their entry by administrative difficulties and refusing the permit to

> work. Nonetheless, many fled from the country and large numbers awaited only the opportunity to do so under more favorable conditions.[21]

The *Anschluss* of Austria by Germany soon led to the implementation of the planned measures to be taken against the country's 180,000 Jews. It was gradually introduced in Germany over a period of five years, but was executed in Austria in the space of a few months. The result was the introduction of even harsher border controls and more rigorous visa requirements by Western European countries, in the face of the League's deteriorating status and inability to deal with the humanitarian crisis.[22]

The Evian Conference

US President Roosevelt took the initiative and invited twenty-nine governments to a special conference in Evian, France, to deal with the worsening refugee crisis. The British government was somewhat taken by surprise and Foreign Secretary Lord Halifax pointed out the potential problems in a personal letter he sent to Colonial Secretary Malcolm MacDonald. He was concerned that the meeting in Evian would be a prelude to an international negotiation concerning the future of the Jewish population in Central Europe. The problem would require extensive international action in which Britain would have to participate, and all aspects of British policy would be under consideration, including that involving Palestine.[23]

The Inter-Governmental Conference took place in Evian from 6–15 July 1938, and was attended by thirty-two countries. In addition, thirty-nine individual refugee organizations were registered at the conference. The United States' objectives were to offer assistance to the refugees from Germany and Austria and to create a permanent international organization to help all actual or potential refugees. The British government, however, was concerned about the mounting pressure to allow refugees to migrate to Palestine and requested the United States in advance that the conference be restricted to representatives of those governments prepared to accept immigrants and that the agenda should deal with all refugees and not only the Jewish refugees in Germany. The other request was that *the subject of Palestine would not be discussed*.[24] The Dominican Republic was the only government that was ready to receive 100,000 Jews, provided that they were respectable and willing to work the land.[25] The conference participants suggested that British and American commissions should carry out surveys of British Guiana, which was found to be inadequate for the purpose. Another suggestion was to settle Jews in Northern Rhodesia but this plan was met with resistance by the local authorities backed by public opinion. A territory twice the size of Great Britain, it offered to take just 150 new settlers.[26]

The US president of the conference, Myron C. Taylor, estimated that the newly established Intergovernmental Committee on Refugees (IGCR) should expect an exodus of 600,000 refugees from Germany within the next five years. The organization was to cooperate with the League's existing refugee organizations.[27] Wasserstein harshly criticizes the conference deliberations and achievements:

> The birth of the committee was, indeed, the only notable product of the conference,

> which, organized primarily in order to find places of refuge for fugitives from the Reich, in fact proved to be the occasion for a dismal series of speeches by the delegate of country after country, each of whom demonstrated the inability of his nation, notwithstanding the deepest sympathy and generosity towards refugees, to absorb further significant number of immigrants.[28]

Sir John Hope Simpson, a highly regarded British civil servant, observed that the German government was creating a dilemma for the rest of the world's governments. If they were not prepared to receive hundreds of thousands of poverty-stricken Jews, non-Aryans and political refugees, they would share the responsibility with the German government for the way in which these people were treated in Germany. He noted that by 1933 immigration to Palestine, which was seen to be the solution for refugees, had been scaled down for political reasons. The Nazi persecution was further complicated by increasing anti-Semitism in various European countries including Britain and the United States. It bolstered the Nazi propaganda and increased the support of Nazism, thus making it very difficult to find countries that would agree to accept Jewish refugees. Hope Simpson blamed Zionism, in that despite its numerous achievements in Palestine, it had also created the impression that the Jews were a separate people and had thus detached the Palestinian Jews from their local loyalties. His pessimistic appraisal of the obstacles for future Jewish immigration to Palestine and its outcome proved, just a few years later, to be horribly correct: 'There must be hundreds of thousands, perhaps millions, of hearts today which are beating with the hope that they will go to Palestine; and of them a very small minority will ever beat in Palestine.'[29]

The Munich Conference, attended by Germany, France, Britain and Italy, was held on 29 September 1938 and concluded with the agreement which led to German occupation of the Sudetenland area of Czechoslovakia on 1 October. However, the issue of potential refugees was not part of the negotiations and the situation continued to decline. As Sherman critically observes:

> [T]he plight of thousands trapped behind the new German frontiers – anti-Nazi Czechs and Sudetenland Germans, Jews, and refugees from Germany and Austria – was simply not raised by the French and British representatives throughout the course of negotiations, and could hardly have concerned Hitler or Mussolini themselves.[30]

The British government's partial recognition of its responsibility for the new refugee situation, backed by public support, led to the transferring of an advance of £10 million to the Czech government for refugee relief and settlement (this was later to become a loan), and an allocation of 350 special visas for urgent cases.[31]

The organized pogrom known as *Kristallnacht* took place in Germany on the nights of 9 and 10 November 1938, following the murder of Ernst vom Rath, a diplomat at the German embassy in Paris, by a young Jew named Herschel Grynszpan, in protest against the forced deportation of his family from Germany to the Polish border. More anti-Jewish legislation designed to bring the Jews down to a bare survival level was issued on 12 November and 3 December, adding to a collective fine of one billion Reichmarks (about £84 million). The desperate Jews crossed the frontiers of the countries bordering Germany which shipped them indiscriminately back to Germany, where many were immediately arrested and sent to concentration camps.[32] There also

were sympathetic manifestations of public opinion, including the collection of funds for the refugees, such as the Lord Baldwin Fund for Refugees. Parliamentary debates were accompanied by what was described as an obsessive search for places of asylum and 'no corner of the globe was too outlandish for consideration'. In the meantime, destitute refugees from the Reich poured into Shanghai, the only port in the world where no visas or other papers were required of the refugees. By the time war had broken out their number reached 20,000. Yet this mass entry seemed to undermine the European position in the city. In early 1939 the British and American embassies in Berlin pleaded with the German government to bring a halt to the direct traffic to Shanghai via German shipping lines, but were unsuccessful.[33]

The deteriorating situation following the German invasion of Czechoslovakia on 15 March 1939 was exacerbated by British plans for a new White Paper on Palestine which would severely limit immigration. It was officially announced on 17 May 1939.

> For the refugees from the Reich, the crucial events marking the end of the first quarter of 1939 were the invasion of Czechoslovakia and the failure in London of the Round Table Conference on Palestine. The first event swelled the number of refugees; the second foreshadowed the virtual closing of one of the last avenues of escape.[34]

On 30 September 1938 Sir Herbert Emerson was appointed High Commissioner for all refugees. Once again this appointment was convenient for the League and for Britain, which was opposed to the appointment of Sir John Hope Simpson, owing to his criticism of British immigration policy and in particular his support for increased Jewish immigration to Britain.[35]

In January 1939 Emerson was both director of the IGCR and the High Commissioner for Refugees. The IGCR drew up several plans for financing Jewish immigration from Germany to various international destinations, but until the outbreak of war very little was achieved. Proudfoot sums up the paltry pre-war efforts to help the refugees:

> The one form of international action which would have provided the most substantial relief for the refugees would have been a widespread lowering of immigration barriers. Most nations, however, were prepared to do no more than suggest this course of action for their neighbours.[36]

Historical analysis provides several reasons for the League's inter-war refugee policy. Skran reviews the inter-war refugee regime record as positive, stating that the states belonging to the international refugee regime generally fulfilled their obligations to assist refugees, but most members of the regime did not consistently abide by its humanitarian ideals, especially regarding Jewish and non-Jewish refugees fleeing Nazi Germany. She observes that the 'often unrealistic' efforts of the IGCR to find refugee havens outside Europe were destined to fail. There were several reasons for this:

1 The immigration policies of the United States favored Western and Northern European ethnic groups and the Commonwealth countries wanted migrants from Britain.
2 Lack of funds. Most of the funding had to come from private sources.
3 Most importantly, there was opposition from local populations, encouraged by nationalist movements and anti-colonial norms. The regime also started to have an impact on

immigration laws as governments began to distinguish between refugees and economic migrants.[37]

Skran's insight into the inter-war period is that as might be expected, all the members of the refugee regime attempted to balance humanitarian motivation against other political objectives such as protection of national sovereignty, promotion of foreign policy goals, or encouragement of economic growth, and as a result none of them lived up to their declared humanitarian principles. This contradiction was mitigated to an extent; first, by non-state actors who emphasized humanitarian principles and the need to extend assistance to refugees universally. They also brought some external scrutiny to governmental decision-making about refugees. The second influence was attributed to the leadership provided primarily by the refugee agencies of the League and individuals who helped to convince governments that they could benefit from helping refugees.[38]

In the 1930s the League's Nansen Office did not respond vigorously to the growing policy of expulsion of refugees especially by France and Germany. Instead it concentrated on rule-making rather than confronting such governments. The League's Secretary-General, Joseph Avenol, sympathized with the right-wing policies in his native France and as a pro-appeasement man he did his best not to offend Germany. As a result, the Nansen Office declined to recommend government intervention.[39]

Caestecker and Moore observe that additional determinants of policy include anti-Bolshevism and (fear of) anti-Semitism. By 1935 most European countries treated political refugees more favourably than Jewish refugees. However, this different treatment was challenged by the increasing Nazi persecution of Jews after the *Anschluss*, when it became evident that the refugees might be in put in mortal danger if they returned to Germany. Countries were afraid to take any steps to assist them for fear of being out of step with their neighbours or perceived as being too generous towards them. This triggered pre-emptive actions and produced an upward spiral of restriction. In an attempt to limit potential public criticism, the authorities preferred to introduce external controls at country borders that were largely invisible to the public and were of an administrative nature:

> This brutal immigration policy, including deportation of refugees, was enacted through instructions issued to government agencies, local border officials and civil servants, rather than through new legislation … they strove to keep their actions away from any public scrutiny. However, when challenged, they were quite prepared to legitimise their stance by denying that Jews fleeing Germany were refugees.[40]

The justification that Jews left Germany with the agreement of the government became even more problematic following the *Kristallnacht* pogrom of 9–10 November. Nevertheless, Switzerland, Luxemburg and Denmark continued the routine exclusionary practice at the border and in the countries themselves. In the Netherlands, refugees were accommodated in camps, following the French model. In Belgium, an assertive humanitarian lobby opposed to the policy of realpolitik, and brought the refugee issue to the political arena rather allowing it to remain a matter of technical migration control.[41]

Sherman claims that in comparison with other Western countries Britain's record in terms of the number of refugees it accepted was not unimpressive: approximately 50,000 refugees from

the German Reich and 6,000 from Czechoslovakia entered the country between 1933 and October 1939. During the same period 136,000 refugees from both the Reich and Spain found refuge in the United States; 40,000 refugees from the Reich were admitted to France; 23,000 to the Netherlands; 25,000 to Belgium and 10,000 to Switzerland.[42] He lists the policy imperatives and contradictions of the British government, such as the humanitarian issue, and the tradition of giving asylum to political refugees, but weighing against them was the domestic problems of a high level of unemployment, anti-refugee representations of certain organized professions and associations, and the resentment engendered by proposals to assist non-British migrants with government funds. In the international arena, the government was still confronted by the dilemma of Palestine and the likelihood that showing greater generosity towards refugees from the Reich might encourage the Polish and Romanian governments who were already threatening to follow German policy.[43]

London criticizes Britain's sceptical approach to international agencies for refugees, mainly the IGCR, claiming that national priorities made Britain hostile to the agencies' goal of effectively engaging in humanitarian work. The government never envisaged the mass settlement of refugees within the empire, despite the fact that British Guiana, Kenya and Northern Rhodesia had been 'put forward publicly by ministers as possible places of settlement'. Thus, the policy was based on calculations and a defensive attitude and also failed to receive American support:

> Over the next few years, British policy-makers launched several unilateral initiatives in the hope of giving the Americans a 'lead' … But the US government repeatedly failed to follow British leads in every area of refugee policy. On the eve of war, the British government was dragging its heels on the inter-governmental scene and refusing to act under international direction. It offered little in the way of refuge and nothing in the way of settlement schemes or finance.[44]

The wartime rescue of refugees is outside the scope of this book. However, it is essential to mention the Bermuda conference because the analysis of its policy reveals links both to the pre-war Evian Conference and the post-war British and American policies concerning refugees.

The Bermuda Conference

The Declaration regarding the Holocaust was read out in the British House of Commons on 17 December 1942. It was issued by eleven Allied governments and the French National Committee, and was presented by Foreign Secretary Anthony Eden. The Declaration officially informed the public for the first time of the systematic annihilation of Jews in Nazi-occupied Europe. Nevertheless, in the following month no plan of action was proposed until the Bermuda Conference was convened by Britain and the United States. Viewed as an effort to placate public opinion and the media, the international conference was held from 19–30 April 1943 in Hamilton, Bermuda. The official objective of the conference was to discuss the issue of Jewish refugees liberated by Allied forces and those who were still trapped in Nazi-occupied Europe. However, during the preparations for the conference, Britain and the United States agreed to a status quo: the limited immigration quota for Palestine would remain, as would the rigid American immigration policy.[45] The only obvious agreement reached was that the war against

the Nazis must be won. The outcome of the conference was strongly criticized, because no plans were drawn up for the rescue of the refugees or to provide assistance to them. The discontent of influential American Jews, combined with the outcome of the Bermuda Conference and the IGCR's lack of funds and executive authority, encouraged President Roosevelt to establish the United States War Refugee Board (WRB) on 22 January 1944. The Board, which consisted of the Secretaries of State, Treasury, and War, provided funds and official status to the agencies and individuals engaged in rescuing Jewish refugees. Through their efforts they managed to save tens of thousands of Jews from deportation to Poland and similar numbers were helped to escape to one of the refugee havens: Switzerland, Sweden, Palestine, Britain and the United States. The Board was abolished by executive order on 15 September 1945.[46] The establishment of the WRB was resented by the British Foreign Office, which viewed it as a political publicity stunt; furthermore, British officials realized that its establishment would bring to an end the formal Anglo-American consensus on a policy of inaction and put pressure on the British government.[47] The Refugee Department of the Foreign Office perceived the WRB as a rival organization and tried to limit British cooperation with it. However, as the previously marginal issue of the rescue of refugees gained new importance in Anglo-American relations, the British government 'had finally acquired political motives for playing a part in rescue'.[48] The new situation also put pressure on the British government to contribute money to the rescue efforts. It was agreed that the British and American governments would each allocate approximately $2,000,000 to the IGCR. In addition, the US government allotted $1,150,000 to the WRB, but almost half of this sum was returned at the end of the war. In comparison, in 1944 alone the WRB received $20,000,000 from Jewish sources, of which nearly all came from the American Joint Distribution Committee (JDC).[49]

Post-war refugees in 1945–1948

According to Leffler, 'There is a situation in the world which threatens the very foundation, the whole fabric of world organization which we have known in our lifetime and which our fathers and grandfathers knew'.[50]

The post-war development of the refugee and displaced persons (DPs) problem can be viewed as being divided into 'two distinct chronological sequences, one logistical and one more markedly political'.[51] The Allies also had to confront the question of whether human rights should be accorded to all people, regardless of their political status. One of the main features of the post-war human rights agenda was the decrease of state sovereignty in favour of the rights of individuals. The DP problem in Europe put to the test the question of human rights and its principles. This included the rights which were under discussion at the same time by the United Nations (UN), especially by the Human Rights Committee working on the Universal Declaration of Human Rights, which was adopted on 10 December 1948.[52]

The UN Relief and Rehabilitation Administration (UNRRA) was established to offer relief to the distressed people of occupied Europe. The agency was launched at the White House in Washington, DC, on 9 November 1943, when the representatives of forty-four countries signed the UNRRA agreement. Herbert H. Lehman, a four-time governor of New York State, was elected Director-General.[53]

In contrast to the arrangements made by the League of Nations to provide assistance to refugees via private charitable organizations, the relief and rehabilitation of Europe's DPs was to become a coordinated international operation.[54] The intention was to export some characteristics of the New Deal policy to Europe and to promote 'active' welfare over 'passive' charity. Contrary to the post-First World War period, the relief operations (in Germany) had distinct social, political and national features, functioning as an alternative welfare state for stateless people. However, some observers criticized the UNRRA camp system as being a 'paternal administration' which made all the day-to-day decisions for the refugees who lived there for many years.[55]

In 1944 the military Refugee, Displaced Persons and Welfare Branch of Supreme Headquarters Allied Expeditionary Force (SHAEF), headed by General Dwight D. Eisenhower, made a distinction between people who were displaced within their own country (refugees), and those who were outside their country (DPs). According to SHAEF,

> 'Refugees' are civilians not outside the national boundaries of their country, who desire to return to their homes but require assistance to do so, who are: (1) temporarily homeless because of military operations; (2) at some distance from their homes for reasons related to the war. 'Displaced Persons' are civilians outside the national boundaries of their country by reasons of war, who (1) desire to but are unable to return to their home or find homes without assistance; (2) cannot be returned to enemy or ex-enemy territory. British and American estimations in 1944 were that there are over ten million refugees and displaced persons in Europe, the majority (7,961,000) were displaced persons, most of them in Germany and France.[56]

When SHAEF was terminated on 13 July 1945, Western Germany was divided up under the command of three military zonal authorities: Britain, the United States and France. Each zone was free to enact its own policies regarding DPs. The Soviet Union did not invite UNRRA to operate in the Soviet-occupied zone in Germany.[57]

By September 1945 there were about 1,888,000 DPs in Europe, three-quarters of whom were located in Germany, Austria and Italy, which were now occupied by the Western Allies. Over 90 per cent of the DPs were Eastern Europeans. Most of these people embodied a long-term problem, as there were difficulties concerning their repatriation or resettlement. Woodbridge describes the difference between the Soviet and Western attitude towards the DPs. The Soviet test of a 'good' individual' who should be helped was whether he or she wanted to return quickly to their homeland, while those who did not want to return were judged to be 'bad' individuals and therefore not eligible for help:

> The Western Allies, for their part, divided the DPs into three categories: 'good' who accepted repatriation; 'good' who did not want to return for legitimate reasons; and 'bad', such as 'collaborators and criminals'.[58]

People who fell into the category of 'persecutees' – i.e. those who had been persecuted owing to their race, religion or activities in support of the United Nations – were eligible for unrestricted assistance from UNRRA but were subjected to the military cut-off dates. 'Post-hostility refugees' were eligible if they were Jewish, all others had to give concrete evidence of internal

displacement resulting from ‘discriminatory Nazi legislation’.[59]

UNRRA’s various fields of activity included the provision of food to DPs and other supplies such as blankets and clothes. The DPs, men and women, were encouraged to work. The majority worked in the agency centres, others as warehouse guards, waiters or as cleaners. UNRRA provided welfare services in the centres from December 1945 to June 1947.[60]

Proudfoot points out the organizational problems experienced by UNRRA and its employees and notes that the real achievement of UNRRA was the rehabilitation work carried out by its workers in the centres:

> This kind of work is not susceptible to statistical analysis. No report could be drawn up showing so many people in this, that, or the other centre restored to normal life, and ready to make a new start as happy well-adjusted human beings. Yet, there can be no doubt that this was UNRRA’s real contribution.[61]

The refugees and the UN

The UN General Assembly resolution of 12 February 1946 emphasized the urgency of taking steps in accordance with the decision made by the UNRRA Council to complete the necessary organizational work in Europe by 31 December 1946 and by March 1947 in the Far East. The General Assembly resolution on the Question of Refugees was accepted in the reports of the Third Committee. It recommended to the Economic and Social Council (ECOSOC) to deal with this using several principles:

1 The refugee problem is international, in scope and nature.
2 A refugee or displaced person who expresses valid objection to be returned to their country of origin, *shall not be compelled to return*. The future of such a person shall become the concern of whatever international body may be established, except in cases where the government of the country where the persons are established is willing to take the responsibility for their maintenance and protection.
3 The main task concerning displaced persons is to encourage and assist their early return to their countries of origin.
4 No action taken as a result of this resolution shall interfere with the surrender and punishment of war criminals, quislings and traitors.
5 Germans transferred to Germany from other States or who fled to other states from Allied troops, do not fall under the action of the declaration.[62]

In its third session (11 September to 10 December 1946) ECOSOC endorsed UNRRA’s Council recommendation from August 1946 that the General Assembly of the UN should establish a new agency. ECOSOC’s recommendation to the General Assembly was to take action as soon as possible, due to the urgency of the problem in certain countries.[63]

The ECOSOC resolution on 3 October (E161/Rev. 2) recommended the establishment of a Preparatory Commission and reviewed the draft constitution for the International Refugee Organization (IRO).[64] The Soviet bloc withdrew from the IRO, thus widening the gap between East and West over the meaning and enforcement of human rights, which were denounced by the

Soviet bloc as ‘bourgeois rights’.[65]

The IRO sought to provide legal and political protection, to guarantee international and national recognition of human rights relevant to the refugees, particularly the right of asylum, and the right to hold a nationality, the right of immigration and to ensure the economic and social rights in their country of residence. The right of asylum covers at least temporary admission and safeguards the refugees against forcible repatriation to the country from which they fled, as recognized in the above-mentioned UN General Assembly resolution on 12 February 1946. The resolution reflected the differences between Western and Soviet definitions of wartime treason and collaboration. It was the first recognition of the right to asylum in the post-war era and it clearly promoted human rights in contrast to the vague wording of Article 55 of the UN Charter.[66]

The IRO sent a detailed memorandum to the Commission on Human Rights in December 1947. Its representatives emphasized the unique vulnerability of the refugees and recommended that there should be only a minimal delay between the absence of citizenship and its recovery. In contrast to the limitations of the offer by the League of Nations, the IRO called on the UN to assume responsibility universally to protect all persons having no state willing to give them protection. The British and American governments were opposed to granting the refugees asylum, concerned that the provision would reduce a state’s power to control its own immigration policy: ‘British and American delegates at the United Nations were under instructions not to portray the right of international protection for stateless people as a fundamental human right’.[67]

The Constitution of the International Refugee Organization, adopted by the UN General Assembly on 15 December 1946 specified the agency’s field of operation.[68]

The Allied High Commission ensured the IRO’s right to have access to new political refugees and to provide them with documents, employment and ration cards. For example, refugees who entered Italy were apprehended by the police and taken to collection centres administered by the Italian authorities where they awaited the IRO decisions. Given that Italy was overpopulated and had a high level of unemployment, the country was not inclined to give refugees a right to permanent residence. The majority of the refugees were in the country illegally and were in danger of being interned, so the role of the IRO was to legalize their stay in Italy.[69]

The 1930s economic considerations of the refugee status were introduced again when the IRO made a sharp distinction between economic refugees and victims of persecution.[70] This marked a decisive change from the inter-war period when the League of Nations’ operatives, including the High Commission for Refugees, did not differentiate between the categories. As mentioned earlier, this changed in the mid-1930s when the growing economic depression and the refugee exodus from Nazi Germany led to a call for the limiting of economic refugees. Even the German Refugee Convention on 10 February 1938 denied international protection for people who left Germany ‘for reasons of purely personal convenience’ (Chapter 1, Article 1.2).

An important positive change after the Second World War, concerning the loss of citizenship, was viewed as a direct consequence of political and racial persecution: ‘Whereas the prewar “stateless” was negatively defined as an individual deprived of citizenship, the postwar “political refugee” was positively branded as a victim of human rights violations entitled to international protection’.[71]

Nevertheless, when granting political asylum countries did not treat post-war DPs only as

individuals but they gave significant consideration to which ethnic group he or she belonged. Thus, Jews, Poles, Estonians, Latvians, Lithuanians and Ukrainians were collectively recognized during the Cold War era as persecuted or threatened groups.

Summary: the changing status of refugees, the long and difficult path to recognition and human rights

Part 1: 1920–1945

1 The principle of non-intervention in internal affairs precluded any chance of protest against human rights violations by a government.
2 The appeasement policy prevalent in the 1930s also hindered the ability to deal internationally with the refugees' predicament.
3 The policy of providing minimal governmental finance for refugees increased the burden on private funds and lowered the scope for aid for the refugees.
4 There were contradictions between the principles proclaimed in the Conventions and the actual refoulement of refugees, especially when the situation deteriorated in 1938–1939.
5 There was fear of a generous policy – as the refugee problem worsened, the policy became even stricter.
6 The Evian and Bermuda Conferences: the political deal to continue the status quo. The policy of disinterest and limited involvement in refugees' affairs.
7 The double-edged sword of democratic politics and public opinion: the growing economic problems and resistance to refugees, and on the other hand humanitarian lobby groups and support for refugees.
8 The fruitless efforts for settlement or resettlement in unsuitable countries.
9 The WRB and a new American commitment to rescue operations.

Part 2: 1945–1948

1 UNRRA, a coordinated international operation: activities and achievements.
2 The problem of long-term refugees, causes and international reaction.
3 From UNRAA to the IRO, refugees in the shadow of the Cold War.
4 The UN and the initial recognition of refugees' rights.
5 The Declaration of Human Rights, the recognition of rights of refugees as victims of human rights violations.
6 The IRO and reintroduction of the economic criteria.

Notes

1 M. J. Proudfoot (1957) *European Refugees: 1939–52*. London: Faber and Faber, 1957, p. 31.
2 Robert Beck (1999) 'Britain and the 1933 Refugee Convention: National or State Sovereignty'. *International Journal of Refugee Law*, vol. 11, no. 4, pp. 597–624.

3 Claudena Skran (1995) *Refugees in Inter-War Europe*. Oxford: Clarendon Press, pp. 8, 67–68.
4 Ibid., pp. 69–78.
5 Louise Holborn (1938) 'The Legal Status of Political Refugees, 1920–1938'. *American Journal of International Law*, vol. 32, no. 4, pp. 680–703.
6 Ibid.
7 Paul Gordon Loren (2003) *The Evolution of International Human Rights* (2nd edn). Philadelphia: University of Pennsylvania Press, pp. 117–119.
8 Charles King (2014) *Midnight at the Pera Palace*. London and New York: W. W. Norton & Co, pp. 120–122.
9 Gilbert Jaeger (2001) 'On the History of the International Protection of Refugees'. *IRRC*, vol. 83, no. 843, pp. 727–737. Skran describes the debate in the Council of the League of Nations on restricting the groups of refugees reported by Nansen to be entitled to assistance. Skran, *Refugees in Inter-War Europe*, pp. 113–116. The participants recommended improvements in the status of refugees and the appointment of representatives of the High Commissioner for Refugees in as many countries as possible.
10 Holborn, 'The Legal Status of Political Refugees, 1920–1938', cited on p. 689.
11 Beck, 'Britain and the 1933 Refugee Convention'. The Advisory Committee of Voluntary Organizations was created by Fridtjof Nansen in 1922. Ibid. Text of the Convention in League of Nations Treaty Series, vol. CLIX, no. 3663.
12 Ibid.
13 Skran, *Refugees in Inter-War Europe*, pp. 194–205. She points out that the majority of German refugees (excluding those from the Saar region) were not entitled to aid from the League's Nansen Office and had to rely on assistance from Jewish private organizations. The Jewish Agency for Palestine organized the emigration of refugees and their settlement there. By the end of 1937 approximately 42,000 people, nearly 30 per cent of the total number of refugees, had settled in Palestine.
14 Holborn, 'The Legal Status of Political Refugees, 1920–1938'.
15 A. J. Sherman (1994) *Island Refuge: Britain and Refugees from the Third Reich 1933–1939* (2nd edn). Portland, OR: Frank Cass, pp. 42–43.
16 Ibid., pp. 61–63, my emphasis. The Haavara Agreement (in English, 'transfer agreement') was signed on 7 August 1933 by the Zionist Federation of Germany, the Anglo-Palestine Bank (under the directive of the Jewish Agency) and the economic authorities of Nazi Germany. The agreement was designed to help to facilitate the emigration of German Jews to Palestine. The potential immigrants had to temporarily relinquish their properties in Germany before departing and a percentage of the capital realized therefrom was then transferred to them in Palestine. The German policy of encouraging Jewish immigration to Palestine continued even after the outbreak of the war. Francis R. Nicosia (1985) *The Third Reich and the Palestine Question*. London: I. B. Tauris & Co., pp. 41–53, 126–144.
17 Skran, *Refugees in Inter-War Europe*, pp. 257–258.
18 Sherman quotes Lord Cranborne, Parliamentary Under-Secretary at the Foreign Office, whose minutes record a request by a Jewish representative, Professor Lewis B. Namier, on 22 April 1936 for assistance to the Jews in Germany: 'We cannot say often enough to Jews of this type that people do not become refugees until they leave their country of origin. While they are still there, their treatment is a question of internal policy, and however much the League may disapprove, there are no legitimate grounds on which it can interfere in the internal affairs of a sovereign state'. Sherman, *Island Refuge*, p. 70.
19 The above incorrect translation was not changed. UN Archives in Geneva, official text.
20 Beck, 'Britain and the 1933 Refugee Convention', cited on p. 624.
21 Holborn, 'The Legal Status of Political Refugees, 1920–1938', p. 698. Text of the Convention in League of Nations Treaty Series, vol. CXCII, no. 4461. See also in Frank Caestecker and Bob Moore (eds) (2010) *Refugees from Nazi Germany and the Liberal European States*. New York and Oxford: Berghahn Books, pp. 291–294, on the deportation and internment of refugees. An Additional Protocol of 14 September 1939 extended the Convention to include refugees from Austria.
22 Caestecker and Moore (eds) *Refugees from Nazi Germany and the Liberal European States*, pp. 282–287. Skran, *Refugees in Inter-War Europe*, pp. 205–214. See also in Sherman, *Island Refuge.* He presents the details of the circular visa instructions to Consuls and Passport Control Officers issued by the Foreign Office on 27 April 1938. The officials had to question 'those who appear to be of Jewish or partly Jewish origin, or have non-Aryan affiliations', pp. 90–91. By 31 May the Consul General in Vienna, Donald Gainer, had informed the Ambassador in Berlin, Sir Neville Henderson, that it was clear that it was almost impossible for any Jew to obtain a British visa because all Jews who requested a passport to leave Austria had to sign an undertaking never to return and to hand over all their property to the state, thus rendering them both destitute and de facto stateless. Mass arrests were still taking place and when finally released, the prisoners had to sign a declaration that they would leave Austria within four to six weeks. The Consul called for international pressure to be applied to the German government to regulate the Jewish problem, or 'it is impossible to predict the horrors which may come about'. Sherman, *Island Refuge,* pp. 98–99.
23 Sherman, *Island Refuge,* p. 105. The detailed instructions to the British delegation included a warning that Eastern European governments in Poland, Romania and Hungary were hoping to dispose of their Jewish population and that the result of the conference should not encourage them to increase the pressure on their Jewish minorities. The delegation should avoid all references to the possibility of immigration to Palestine; no government financial assistance would be provided. Ibid., pp. 108–110.
24 There were three conditions on which the invitations to the conference had been extended: participating countries would not

be asked to modify their existing legislation; finance for new settlement schemes should remain the concern of private organizations; and the work of existing refugee agencies would continue without interference. Ibid., p. 122, my emphasis.

25 The actual contribution was much more limited: by December 1938 the Dominican Republic had imposed an 'entrance tax' of $500 for all immigrants. By 1942 only 472 Jews had been admitted for settlement at a cost of $3,000 each, paid by the American Jewish Joint Distribution Committee. Bernard Wasserstein (2012) *On the Eve*. New York: Simon and Schuster, pp. 369–371.

26 Christopher Sykes (1973) *Crossroads to Israel 1917–1948*. Bloomington: Indiana University Press, pp. 184–188. Sherman, *Island Refuge*, pp. 112–119.

27 Holborn, 'The Legal Status of Political Refugees, 1920–1938'.

28 Bernard Wasserstein (1988) *Britain and the Jews of Europe 1939–1945*. Oxford: Oxford University Press, p. 9.

29 John Hope Simpson (1938) 'The Refugee Problem'. *International Affairs*, vol. 17, no. 5 (Sept.–Oct.), pp. 607–628, cited on pp. 619–620. The address was given at a meeting at Chatham House on 28 June 1938. The speaker was author of (1938) *Preliminary Report on Refugees*. Oxford: Oxford University Press, and (1939) *Refugees: A Review of the Situation since September 1938.* Oxford: Oxford University Press. Simpson chaired an official British commission on Palestine that published the *Report on Immigration, Land Settlement and Development* in October 1930, which recommended limiting Jewish immigration to Palestine owing to the economic absorption capacity of the country.

30 Sherman, *Island Refuge*, p. 138. The Czech Republic, afraid of further German territorial demands, sent back thousands of anti-Nazi Sudetenland German refugees, thus exposing them to Nazi reprisals. Ibid., p. 139.

31 Ibid., pp. 140–155.

32 Ibid., pp. 166–169.

33 Ibid., pp. 205–210. The British Passport Control Officer in Berlin, Frank Foley, wrote to the Foreign Office on 17 January about the tragic situation: 'it might be considered human on our part not to intervene officially to prevent the Jews from choosing their own graveyards. They would rather die as free men in Shanghai than as slaves in Dachau'. Cited on p. 210. Foley was posthumously accorded the status of a Righteous Among the Nations by Israel's Yad Vashem in October 1999 for helping thousands of Jews to escape from Nazi Germany.

34 Ibid., p. 222. According to the British government's new policy on Palestine dated 17 May 1939, known as the 1939 White Paper, Jewish immigration to Palestine was limited to 75,000 people, including 25,000 refugees, to be admitted until 31 March 1944, subject to 'economic absorption capacity'. Thereafter immigration was to cease, unless approved by the Palestinian Arabs. Palestine was to achieve independence as a unitary state within ten years. (G.B., PP, 1938–39, Cmd. 6019.)

35 Skran, *Refugees in Inter-War Europe*, pp. 230–40; Sherman, *Island Refuge*, pp. 127–128.

36 Proudfoot, *European Refugees*, p. 31.

37 Skran, *Refugees in Inter-War Europe*, pp. 223–225. See also Caestecker and Moore, *Refugees from Nazi Germany and the Liberal European States*, pp. 313–320.

38 Skran, *Refugees in Inter-War Europe*, pp. 292–293. 'The participation of both state and non-state actors in the regime facilitate the development of coalitions on behalf of different refugee groups which could advocate their cause in diverse forums', p. 293.

39 Ibid., pp. 140–142.

40 Caestecker and Moore, *Refugees from Nazi Germany and the Liberal European States*, pp. 313–320, cited on p. 319. A British report published in 1945 on the protection of minorities under the auspices of the League of Nations indicated that there was no evidence that oppressive actions had ceased. However, it states that the only two cases of serious minority oppression both concerned minorities outside of the League system: the Jews of Germany and the German-Austrians under Italian rule in the South Tirol. Research Department, Foreign Office, 26 April 1945, FO 371/50843.

41 Ibid., pp. 320–321.

42 Sherman, *Island Refuge*, pp. 264–265. He points out that the United States' 'record in relation to capacity was far less generous than that of many, including Great Britain'. In his view one reason that the quota was not widened was the negative attitude of the American Jewish community to a larger influx of refugees into the country.

43 Ibid., pp. 266–267. London, however, claims that by the 1930s the humanitarian tradition in Britain had been largely superseded and there was no legal obligation to admit refugees. An alien refugee needed to qualify for entry under existing immigration law. Louise London (2000) *Whitehall and the Jews, 1933–1948*. Cambridge: Cambridge University Press, p. 8. She also updated the number of refugees to 90,000 of which 85–90 per cent were Jewish. The number of Jewish applicants was estimated at between 500,000 and 600,000 families and individual cases. Ibid., pp. 11–12.

44 Ibid., pp. 94–96, cited on p. 96.

45 A comprehensive memorandum on the British position on the refugee issue was published on 20 January 1943 by the British embassy in Washington, DC. It warned the American State Department that Germany might change its extermination policy to extrusion, in order to embarrass other countries 'by flooding them with alien immigrants'. Wasserstein, *Britain and the Jews of Europe 1939–1945*, p. 184, see also a detailed analysis of the conference on pp. 187–224, and in London, *Whitehall and the Jews, 1933–1948*, pp. 212–220. A report on the conference by Foreign Secretary Anthony Eden to the British Cabinet concluded that 'difficulties of supply render it impracticable for Palestine to accept any further temporary refugees in addition to the permanent settlers in contemplation'. 4 May 1943, WP (43) 193, CAB 66/36/43.

46 Proudfoot, *European Refugees: 1939–52*, pp. 32–75, on wartime refugee movements, rescue operations and havens for refugees. He summed up the data on movements and escape throughout the world: 799,651 refugees managed to escape from German control, or fled to the Soviet Union and were later permitted to leave that country.

47 London, *Whitehall and the Jews, 1933–1948*, pp. 230–231.

48 Ibid., on British-WRB cooperation see pp. 231–240, 246–251, cited on p. 247.

49 Ibid.

50 Melvyn Paul Leffler (1986) 'Adherence to Agreements: Yalta and the Experience of the Early Cold War'. *International Security*, vol. 11, no.1, pp. 88–123, cited on p. 118, from the speech of Assistant Secretary of State Dean Acheson to the Senate Committee of Banking and Currency, July 1945.

51 Gerard Daniel Cohen (2001) 'The "Human Rights Revolution" at Work, Displaced Persons in Postwar Europe'. Stefan-Ludwig Hoffmann (ed.) *Human Rights in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 45–61, p. 46.

52 Ibid., pp. 47–48, 50. Hannah Arendt's view was that the growing concern for human rights in the 1940s was partly due to the inter-war emergence of a new category of people, including those who did not possess citizenship and the new millions of DPs. In her observation, the DPs propelled human rights to the centre of post-war international politics. Ibid., p. 47.

53 Proudfoot, *European Refugees: 1939–52*, p. 100. On UNRRA policies and plans concerning welfare, DPs, food and industry rehabilitation, see pp. 99–106. Cohen points out that in contrast with the pre-war principle of collective eligibility introduced by the League of Nations (see above), from 1945 onwards, and especially under the IRO (1947–1952), DPs were screened for eligibility on an individual basis. Only Holocaust survivors, and later Communist dissidents, were not subjected to an individual process. Cohen, 'The "Human Rights Revolution" at Work', pp. 53–54. Fiorello H. La Guardia, a long-time Mayor of New York, replaced Lehman in April 1946.

54 Gerard Daniel Cohen (2012) *In War's Wake*. New York: Oxford University Press, p. 10. As early as 20 August 1940 Churchill promised in his House of Commons speech to the people of Europe, including Germany and Austria, that food, freedom and peace would be granted after the Nazi's downfall. Such announcements were an integral part of the Allies' war propaganda, which equated liberation with relief. Johannes-Dieter Steinert (2008) 'British Humanitarian Assistance: Wartime Planning and Postwar Realities'. *Journal of Contemporary History*, vol. 43, no. 3, pp. 421–435, 422.

55 Gerard Daniel Cohen (2008) 'Between Relief and Politics: Refugee Humanitarianism in Occupied Germany 1945–1946'. *Journal of Contemporary History*, vol. 43, no. 3, pp. 437–449. See also Jessica Reinisch (2008) '"We Shall Rebuild Anew a Powerful Nation": UNRRA, Internationalism and National Reconstruction in Poland'. *Journal of Contemporary History*, vol. 43, no. 3, pp. 451–476.

56 Proudfoot, *European Refugees: 1939–52*, pp. 115–116. The author adds that DPs were sub-classified as evacuees, war or political fugitives, political prisoners, forced or voluntary workers, Todt workers, and former members of forces under German command, deportees, intruded persons, extruded persons, civilian internees, ex-prisoners of war, and stateless persons.

57 Ibid., pp. 230–237; see Table 13 for a description of the division of responsibility, 1 October 1945 to 30 June 1947. See also Louise Holborn (1956) *The International Refugee Organization*. London: Oxford University Press, pp. 20–21.

58 Cohen, 'Between Relief and Politics'. Cohen quotes from George Woodbridge (1950) *UNRRA: The History of the United Nations Relief and Rehabilitation Administration*. New York: Columbia University Press, vol. 2, p. 486. See also Gerard Daniel Cohen (2006) 'The Politics of Recognition: Jewish Refugees in Relief Policies and Human Rights Debate, 1945–1950'. *Immigrants & Minorities*, vol. 24, no. 2, pp. 125–143. For more on the British view of Soviet and Western disagreements concerning the character and responsibilities of UNRRA, see in a memorandum of the British embassy to the Department of State, 13 May 1946, FRUS, Europe 1946, V05.i0014, pp. 158–163. University of Wisconsin Digital Collections.

59 Proudfoot, *European Refugees: 1939–52*, pp. 237–248; see Table 15 for eligibility criteria, pp. 243–247. Among the non-eligible, in addition to war criminals, enemy nationals (except for persecutees), impostors, ethnic Germans (unless they were persecutees), there also were nationals of neutral countries (excluding persecutees) and of a list of Latin American, Middle Eastern and Asian countries.

60 Ibid., pp. 250–274. Table 18 shows DPs by nationality, p. 259; Table 21 presents a summary of operations carried out by the Central Tracing Bureau for April 1946, pp. 272–273. It demonstrates the difficulty of locating relatives, both dead and alive: 1,263 enquiries for child tracing were received, 515 were sent out, but only forty-five people were located. Out of 6,182 cases of attempted tracing, only 121 people were located. Out of 20,936 applications searching for missing persons, 2,104 were located alive. By March 1946 UNRRA employees were caring for 863,000 DPs, about 90 per cent of the total in the centres. The majority of persons receiving assistance were Polish and Jews. A special effort was made to assist 12,843 unaccompanied children and adolescents in Germany. By June 1947 UNRRA was operating in 416 centres in the American zone in Germany (a small increase from 400 in December 1946), 272 in the British zone (down from 443 centres in December 1946), and forty-five centres in the French zone (seventy-eight in December 1946). The tracing of missing persons was conducted by UNRRA's Central Tracing Bureau. The Bureau operated in Germany, Austria, Italy, and in more than twenty national tracing centres.

61 Ibid., p. 302.

62 The 30th plenary meeting of the General Assembly, 12 February 1946. Resolution A/res/8(1), see http://research.un.org (accessed 7 March 2015), my emphasis. Cohen described the resolution as 'the first human rights resolution ever adopted by

the UN General Assembly'; Cohen, *In War's Wake*, p. 82.

63 UN ECOSOC,E/245/Rev.1, 3 October 1946. Resolutions adopted by ECOSOC, 11 September to 10 December 1946, p. 7. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/NR0/752/39/IMG/NR075239.pdf (accessed 7 March 2015).

64 Cohen, *In War's Wake*, pp. 29–47. The Agreement entered into force on 31 December 1946. The IRO was a specialized agency of the UN and took over many of the functions of UNRRA. In 1952 it was replaced by the Office of the United Nations High Commissioner for Refugees (UNHCR).

65 Ibid., pp. 30–31.

66 Ibid., pp. 26–27. The resolution was accepted unanimously.

67 Ibid., pp. 96–99, cited on p. 98.

68 Holborn, *The International Refugee Organization*, p. 569. The IRO only worked in the occupied Western zones. Twenty-six states became members of the IRO. Its first Director-General was William Hallam Tuck. Eighteen governments participated in the financing of the IRO, and the members' total contribution for its four-and-a-half years of operation stood at around $400 million. It rehabilitated around 1.5 million people.

69 Ibid., pp. 311–318. The IRO reached an agreement with the Italian government in December 1948, whereby it would issue identity cards to all refugees within its mandate. Stamped by the authorities, they were considered residence permits, valid for four months and renewable.

70 Cohen, *In War's Wake*, p. 52.

71 Ibid., p. 83. Hersch Lauterpacht's view on the change was definite: 'The individual has acquired a status and a stature which have transformed him from an object of international compassion into an object of international right'. Ibid., p. 95.

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2 Human rights

A ‘window of opportunity’?

> If so, the *droits de l'homme* that powered early modern revolution and nineteenth-century politics need to be rigorously distinguished from the ‘human rights’ coined in the 1940s that have grown so appealing in the last few decades, the one implied a politics of citizenship at home, the other a politics of suffering abroad.[1]

The purpose of this chapter is to review the adverse situation of the refugees and the crucial issues that were on the international agenda concerning their rights and human rights in general during the significant 1945–1948 period. Viewed as the continuation of declarations and policies initiated earlier in the war, this period has been described as a ‘window of opportunity’ for human rights.[2] There is a contrast between the declared aim of the democracies, primarily the United States and Britain, to establish a new human rights regime and their sceptical attitude and unsteady determination to complete it. This can assist us in the evaluation of their *actual* policies, measuring the distance between human rights and realpolitik.

The issues involved in post-war policies and the definition of human rights can be grouped into the following themes:

1 The League of Nations’ policies and failures, especially in the 1930s, which form the background to a comprehensive policy change from largely private initiatives to international public (government) responsibility for refugees.
2 Wartime declarations: the ‘four freedoms’, the Atlantic Charter, the Declaration of the United Nations, the political background and their human rights definitions and effectiveness.
3 Human rights and diplomatic negotiations – business as usual? The Dumbarton Oaks discussions and the realpolitik considerations of the participants. The UN Charter and the tensions between rights and national sovereignty and its significance, especially the tradition of non-intervention in states’ internal affairs.
4 The Holocaust and the Nuremberg trials and their consequences for the future of human rights.
5 Refugees and international politics, forced repatriations and evictions, the calculated interests and the Cold War.

The League of Nations’ policies and failures

During this period the refugees’ human rights were very different from those of ‘ordinary citizens’. Moyn analyses the deteriorating status of refugees in comparison to the traditional

perception of citizenship. This was harshly defined by the ‘politics of suffering abroad’.[3] The refugee was treated as a person who had left or who had been forced to leave his or her country for political reasons, and was deprived of diplomatic protection and nationality. The refugee in general was not recognized as an individual and benefits were extended only to certain groups of refugees.[4] The rising power of Germany in the 1930s and the appeasement policy of Britain and France impaired the ability of the League of Nations to protect current and potential refugees.[5]

Wartime declarations

In his Annual Message to Congress on 6 January 1941 President Roosevelt declared what he called ‘four essential human freedoms worldwide: freedom of speech, freedom of worship, freedom from want, and freedom from fear’. In the months that followed he indicated that he wanted to use these ‘four freedoms’ to advance the principles of international law and of moral and human decency in both US and world public opinion. The Atlantic Charter of 14 August 1941, signed by Roosevelt and British Prime Minister Winston Churchill, recognized the individual as a legitimate object of international concern. It was the first official statement to describe the war’s aims and the shape of the post-war world to come. The Declaration of the United Nations was approved at the Arcadia Conference on 1 January 1942 by twenty-six nations, which were later joined by twenty-one other states. They affirmed the Atlantic Charter, promising to ‘preserve human right and justice in their own lands as well as in other lands’. The Atlantic Charter and the Declaration of the United Nations offered new definitions of human rights, including traditional political rights; the ‘four freedoms’ references to economic justice; the inclusion of individuals as potential beneficiaries of these rights; and discussion of the domestic as well as the international relevance of these matters.[6] Moyn states that ‘as a public relations exercise, however, the Atlantic Charter failed in its main goal of moving Americans further toward engagement’ – in the end it was the attack on Pearl Harbour that drove the United States to war.[7] Lauterpacht writes that in the Atlantic Charter the principle of the freedom of each state to determine its own system of government was proclaimed alongside the expression of the ‘four freedoms’ and its purpose was to calm the suspicions of actual and potential allies. The solution expressed in the Atlantic Charter could well have been legitimate in the circumstances, and there was also the hope that the economic and social system of Soviet Russia could become reconciled with a full recognition of human rights.[8]

The Dumbarton Oaks Conference (21 August to 7 October 1944)

The conference was the first meeting convened to plan the post-war maintenance of collective security, and was attended by representatives of the United States, Britain, the Soviet Union and China (known as the Big Four). At the same time, outside criticism was voiced concerning the gap between the rhetoric of democracy and the reality which was the ongoing arrogance of power. The Soviet and British representatives, objecting to interference in their national sovereignty, rejected an American proposal that the UN General Assembly should be able to recommend the promotion of human rights. They also resisted a revised draft of the proposals,

stating the responsibility of each state to respect its citizens' human rights, and arguing that the domestic policies of states were not the organization's concern. Following pressure from Roosevelt, they agreed to a watered-down version of the agreement stating that the new organization would promote respect for human rights.[9] The non-binding character of the Dumbarton Oaks proposals is emphasized by Lauterpacht who states that the Assembly appeared to lack any executive powers to protect human rights.[10] Loren criticizes the position that the Great Powers took at the conference, stating that they seemed to have little appreciation of the power of human rights that was generated during the Second World War. Their attitude resulted in widespread disapproval, as the spirit of the human rights crusade during wartime would not easily disappear.[11]

The Great Powers came under mounting pressure in the following months and agreed to submit a new package of amendments regarding human rights, non-discrimination, and international economic and social cooperation, but refused to mention the matter of the colonies or to include any enforcement of provisions for human rights. The UN Charter was signed on 26 June 1945, and did, however, present a new approach on human rights, as evidenced in the opening sentence: 'We the peoples of the United Nations determined'. This statement emphasized the people rather than the traditional language concerning nation-states. Article 1 continues in this vein with broad support for human rights that should include equal rights, self-determination, social and economic issues, and 'promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion'.[12] The General Assembly was authorized to discuss any matter relating to human rights and to make recommendations. The main problem was the enforcement of these recommendations, given that the Great Powers were opposed to any provisions for practical means of enforcing human rights. They, along with most of the smaller countries, faced human rights violations inside their borders; examples include the treatment of black people in the United States, the British Empire, the Stalin dictatorship in the Soviet Union, or the treatment of black people in South Africa. The solution was the inclusion of Article 2(7) ensuring that nothing contained in the Charter can promote intervention in domestic jurisdiction of any state.[13] The idealistic approach was in contrast to the realistic view that 'the idealism of the advocates for human rights was somewhat at odds with the views of professional diplomats, who appreciated that war and international conflict was rarely generated by national enthusiasm for the protection of human rights, or resolved by such enthusiasm'.[14]

The Holocaust and the Nuremberg trials

The trials opened in November 1945 and continued until October 1946. The Nazi officials on trial were accused of three capital crimes: conspiracy to commit 'crimes against peace'; 'crimes against humanity'; and 'traditional war crimes'. With the exception of war crimes, the accusations demonstrate new legal principles. The Nuremberg Charter authorized the court to punish only the crimes of the defeated enemy, not aggression or war crimes in general. The Americans were aware of the problem of selective justice, as none of the Allies' war records were beyond reproach, especially, but not only, the Soviet Union.[15] Kochavi claims that the punishment of war criminals was not a prime concern for the American and the British leaders,

attributing it also to the fact that their own people were not exposed directly to the horrors of German occupation, and the officials themselves were insensitive to the suffering endured by people in occupied Europe: 'For these bureaucrats, the war crimes problem was merely one more aspect of the war, and certainly not among the most important'[16] Later on, when the trials were taking place, both Britain and the United States chose not to view as a war crime any massacre of Axis nationals. The later decision to include crimes against Axis nationals in US policy was the result of political calculation, as American Secretary of War Henry Stimson realized that the earlier policy would meet the resistance of Jewish organizations and the millions of people in general who accepted as truth the reports of the Nazi's mass extermination.[17] Although the UN Charter did not relate directly to the Holocaust, the evidence produced in the course of the Nuremberg trials 'brought the Holocaust to a closer proximity with the human rights project'.[18] It was the first international effort, outside of Jewish circles, to understand the significance of the Holocaust.[19] The trials were a step forward in the effort to balance national sovereignty with international law, individual responsibility and international enforcement under this law and left a crack in the shell of state sovereignty.[20]

Refugees and international politics

The post-war DP problem in Europe and elsewhere put to test the language of human rights and its principles. This included the rights that were being discussed simultaneously by the UN, especially by the Human Rights Committee, which debated the Universal Declaration of Human Rights; this was accepted on 10 December 1948. Several of the Articles in the Declaration sought directly to provide the DPs with important rights, for example the right 'to leave any country' (Article 13), 'asylum from persecutions' (Article 14), and 'the right to a nationality' (Article 15).[21] The right to asylum, tragically unfulfilled in the inter-war era, was first recognized, as noted, in the newly founded UN General Assembly resolution on 12 February 1946.[22] Yet the British and American governments were opposed to granting asylum to the refugees, concerned that this would reduce the power of the state to control its immigration policy. The right was thus weakened in the Declaration; Article 14(1) stated: 'Everyone has the right to seek and to enjoy in other countries asylum from persecution'. Article (2) added: 'This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.'[23]

As the real value of human rights policies depends on their actual implementation, we turn now to one of the first major failures of the new human rights commitment: the forced repatriation of millions of Soviet citizens to the Soviet Union as part of the Yalta Agreement of February 1945.[24]

The policy of forced repatriation was not unknown to the international community in earlier times. However, the post-war policy is of interest at this point as it can provide insight into the decision-making process of the Western Allies and the value of human rights when set against actual or perceived interests and threats.

The coerced or contracted population transfers that took place in the 1920s and 1930s were to continue on a large scale during and immediately after the war.[25] The British Foreign Office's approach to the future repatriation of Soviet nationals in June 1944, especially those caught

wearing German uniform, foreshadowed future events. Legal advisor Patrick Dean exempted his country from any moral responsibility: 'This is purely a question for the Soviet authorities and does not concern His Majesty's government. In due course all those with whom the Soviet authorities desire to deal must be handed over to them and *we are not concerned with the fact that they may be shot or otherwise more harshly dealt with* than they might be under English law.'[26]

As early as 4 September 1944, British Foreign Secretary Anthony Eden promoted the policy of forced repatriation by proposing it to the Cabinet, overcoming Prime Minister Churchill's initial reluctance. Eden asked the government to disregard the tradition of asylum, even though he was fully aware of Stalin's methods of suppression that condemned millions to death or incarceration in the prison camps.[27]

This policy was soon adopted by the United States but the Americans decided to repatriate only 'claimants to Soviet nationality' and soldiers captured wearing German uniform were accepted as German citizens unless they said differently.[28] The negotiations on repatriation took place in Yalta, during the political summit attended by Churchill, Roosevelt and Stalin. Agreements on repatriation were signed on 11 February 1945 by Britain, the Soviet Union and the United States, and covered reciprocal procedures to be followed for the liberation of prisoners of war and civilians. Article 1 of the American agreement stated that 'all Soviet citizens … and all United States citizens … will, without delay … be separated from enemy prisoners of war and maintained separately … until they have been handed over'. Elliott notes that the last six words were critical in the subsequent debate over the agreement's interpretation. The army's position was that although the Yalta Agreement did not contain a statement on forced repatriation, it was interpreted so by the Joint Chiefs of Staff. The negotiations in Yalta were conducted by SHAEF rather than by the US State Department. The SHAEF negotiators were apparently unaware until after the signing of the agreement that coercion would be necessary. The military was concerned with the proper treatment of American prisoners of war (POWs) in Soviet custody and there was the logistical consideration of the effort to reduce the number of refugees under their responsibility. However, the agreement they signed was problematic: 'But the solution of these problems should not have entailed an utter disregard for the plight of millions of hapless Soviet refugees'.[29] In Proudfoot's view, the agreement benefited the Soviets, and he adds that 'it is difficult to deny that the United Kingdom and the United States were persuaded to pay a high price, so that some 200,000 of their own men should receive proper care and speedy repatriation'.[30] The transfer of 2,034,000 Soviet nationals from Western-controlled areas to Soviet centres took about five months, i.e. from 22 May to 30 September 1945. An additional 238,000 Soviet nationals were repatriated from Western European countries, mainly France. The attitude of the Soviet Repatriation Officers, tasked with conducting a manhunt for their nationals, was greatly resented and in practice the Soviet claims were ignored and anyone who did not claim Soviet nationality was not transferred to Soviet-controlled centres.[31]

The policy was eventually revised in December 1945 but by then most of the Soviet citizens had already been repatriated. Elliott continues to weigh up the interests involved and stresses that the humanitarian aspects of the situation were never seriously considered by either the Soviet or American authorities He concludes that 'the sad truth is that both the Soviet Union and the United States managed repatriation in *glaring disregard* of what today would be called

fundamental human rights'.[32]

As early as late 1942 it was clear that American policy was being influenced by the British precedent of forcibly returning Soviet citizens. 'On the eve of Yalta … British Foreign Secretary Eden reiterated his conviction that compulsory return was "the only real solution"'.[33] Allied pro-Soviet propaganda and the ensuing positive public opinion towards 'Uncle Joe' made it easier to sign a repatriation agreement requiring the use of force. This naïve view was manufactured by the media and was not shared by the military. Generals Eisenhower, Dean, and Marshall, for example, agreed to forced repatriation, including that of civilians, because they knew of the real nature of the Soviet regime and feared for the safe return of the American POWs.[34]

General Eisenhower responded on 4 September to the increased resistance and subordination in the military concerning forced repatriation and requested that the State Department re-examine the policy. In the meantime, the soldiers were not to use force. Opposition was also growing within the State Department. Under-Secretary of State Dean Acheson cabled Secretary James Byrnes arguing that the Yalta Agreement obligated the Allied countries to 'facilitate' but not to force repatriation. The British government still opposed any change in the policy. British Foreign Secretary Bevin wrote to his American counterpart Byrnes insisting that the Americans continue to use force.[35] Still, the new American policy was already in process. On 5 October Eisenhower ordered the discontinuation of the use of force, unless the American government ruled otherwise. The new American repatriation policy was officially announced on 20 December 1945. The McNarney-Clark directive (named after the US generals based in Germany and Austria who issued it) adopted the principle of voluntary return, especially for civilians, but specified the cases in which coercion still applied, particularly concerning Soviet nationals who were captured wearing German uniforms, deserters from the Soviet army, and those who had voluntarily assisted the Germans (if it could be proved that they had done so by the Soviet government). In the British army the most notable opposition to the policy came from Field Marshal Sir Harold Alexander, supreme Allied commander in Italy and a veteran of anti-Bolshevik fighting in the Russian Civil War. He evaded the orders and wrote to the War Office in August 1945 warning that forced repatriation, in the knowledge that people were being sent to an almost certain death, was not compatible with the tradition of democracy and justice. General Richard McCreery, Commander of the British forces in Austria, also sent a telegram to the Foreign Office on 16 December explaining his objection to British policy. He claimed that a high percent of the DPs were women and children, 'against whom the use of force by British soldiers would be contrary to normal British practice'. Furthermore, he believed that forced repatriation would lead to desertion by Soviet citizens who would become bandits. Thomas Brimelow, Permanent Under-Secretary to the Foreign Office, was not convinced by these arguments. The use of force against women and children was approved as 'the situation which gave rise to the Yalta Agreement without precedent in British history'. In consequence, the Foreign Office, still hoping erroneously to discourage Stalin from violating the Yalta Agreement, decreed that the job must be done.[36]

The British Cabinet approved Bevin's recommendation of 29 May 1946 to set aside the Eden policy of 1944 and to adopt the American policy instead. He noted that the text of the Agreement signed in Yalta on 11 February 1945 'contains no provision laying down what degree of coercion is to be used to secure the repatriation'.[37] He added that by bringing the policy in line with that of the Americans, Britain would also conform to the resolution on refugees and DPs adopted by

the General Assembly on 12 February 1946, 'under which the compulsory repatriation of refugees and displaced persons other than war criminals, quislings and traitors is prohibited'.[38]

Forced repatriation of Russian soldiers who had been captured wearing German uniform still continued. One of the grimmest operations to take place, but by no means the only one like it, was described in a report by Parker W. Buhrman, a member of the staff of the United States Political Advisor to Germany, to his director Robert Murphy, and transmitted to Secretary of State Byrnes. This may be worth presenting in detail. The incident occurred at the Dachau Assembly Centre on 19 January 1946, when 399 Russians were about to board a train for repatriation to the Soviet Union:

> All of these men refused to entrain. They begged to be shot … Tear gas forced them out of the building into the snow where those who had cut and stabbed themselves fell exhausted and bleeding in the snow. Nine men hanged themselves and one had stabbed himself to death and one other who had stabbed himself subsequently died; while 20 others are still in the hospital from self-inflicted wounds … The story of this group … is that after their capture they were given the option by the Germans of starvation or joining labour battalions. They joined labour battalions and were subsequently transferred as a group into the German army without their having any choice in the matter. This story conforms to the claims which were made by former Russian soldiers who were captured in German uniform and who were imprisoned in the United States. All of these men apparently firmly believe that they will be executed on their return to Russia … The incident was shocking. There is considerable dissatisfaction on the part of the American officers and men that they are being required by the American Government to repatriate these Russians.[39]

The Allied professional high-ranking officers were more prepared to abide by the rules than their British and American soldiers, who were gradually exposed to the truth about Stalin's genocidal regime. The soldiers' complaints and indirect disobedience in some cases reached the ears of the high command and led to a change in policy. As to the cold, dispassionate attitude of the diplomats, Bethell offers a comprehensive analysis that describes their attitude well:

> Perhaps the kindest thing one can say about the diplomats is that they were out of their depth. Accustomed to handling matters of state and regarding it as their duty to bring nations together by negotiations, they were confused by problems which involved life or death of actual human beings and they were aghast at the idea of breaking a solemn treaty in order to protect individuals.[40]

The second massive violation of human rights to take place involved the forced expulsion of ethnic Germans, mainly from Eastern Europe. The decision to enforce the expulsions was formalized by the Big Three in Article XIII of the Potsdam Agreement in August 1945, and signed by Truman, Stalin and Attlee. The expulsions began before the commencement of the Potsdam Conference and accelerated afterwards, with Soviet approval. The Soviets deemed the expulsions necessary to strengthen their ultimate domination of Eastern Europe, but they were also a result of anti-German sentiment following the Nazi occupation and settlement policies. Neither the British nor the American governments wanted to confront the Soviets over this issue

and thus agreed to formalize this action. The hope of the Western Allies that the expulsions would be conducted in an orderly manner was not realized. The press reported that there were eight million homeless people, that there was not enough food and that refugees died of starvation, illness and exhaustion. Marrus mentions the punitive values that dominated the deporting government, in this case Czechoslovakia. When Eleanor Roosevelt protested against the expulsions in the UN General Assembly in February 1946, the Czechoslovak representative claimed 'that we in Europe have a right to look at things in our own way. We have suffered more than many delegates in this room can imagine'.[41] Approximately thirteen million ethnic Germans were expelled from Denmark, Poland, Czechoslovakia, Hungary and Yugoslavia, owing to Soviet pressure and support, and a considerable number, estimated at two million, died during these years.[42]

The political decisions reached by the Americans and the British regarding these issues, which had severe human rights implications, helps to shed light on the two governments' *genuine* approach to the human rights of refugees or minorities. The following chapters will look closely at the opinions of the decision makers and officials, their policies, the degree thereby demonstrated of their commitment to human rights, and the conclusions that can be drawn from this period.

Notes

1 Samuel Moyn (2010) *The Last Utopia: Human Rights in History*. Cambridge, MA: Belknap Press of Harvard University Press, p. 12.
2 Mary Ann Glendon (2001) *A World Made New*. New York: Random House, p. XIX.
3 Moyne, *The Last Utopia*, p. 12.
4 Louise Holborn (1938) 'The Legal Status of Political Refugees, 1920–1938'. *American Journal of International Law*, vol. 32, no. 4, pp. 680–703.
5 Claudena Skran (1995) *Refugees in Inter-War Europe*. Oxford: Clarendon Press, pp. 194–205.
6 Elizabeth Borgwardt (2005) *A New Deal for the World*. Cambridge, MA: Belknap Press of Harvard University Press, pp. 20–56. She points out that the term 'human rights' was absent from the draft of the Declaration, and was probably added following a suggestion by Roosevelt's aide Harry Hopkins. The President also added a reference to religious freedom (p. 55). See also Paul Gordon Loren (2003) *The Evolution of International Human Rights* (2nd edn). Philadelphia: University of Pennsylvania Press, pp. 138–140, 144–145. Still, in February 1942 President Roosevelt authorized the detention of more than 100,000 US citizens of Japanese origin and their parents. For the British-American negotiations on these documents see A. W. B. Simpson (2004) *Human Rights and the End of Empire*. Oxford: Oxford University Press, pp. 174–185. Within the Foreign Office there was no official responsible for human rights matters until 1946. Ibid., p. 208.
7 Moyn, *The Last Utopia*, p. 48.
8 Hersch Lauterpacht ([1945] 2013) *An International Bill of the Rights of Man*. Oxford: Oxford University Press, pp. 14–15.
9 Borgwardt, *A New Deal for the World*, pp. 148, 166–167, 170–175. See also a US government memorandum on the criticism of the conference proposals in Kirsten Sellars (2002) *The Rise and Rise of Human Rights*. Stroud: Sutton Publishing, p. 4. Jones observes that experience of the war led many delegates at the San Francisco Conference to see the proposals simply as a starting point for change. D. V. Jones (2002) *Toward a Just World*. Chicago: University of Chicago Press, pp. 215–217. Mark Mazower (2004) 'The Strange Triumph of Human Rights, 1933–1950'. *Historical Journal*, vol. 47, no. 2, pp. 379–398. The British were particularly worried about colonial issues, which were not discussed at the Dumbarton Oaks Conference, and wished to prevent any outside intervention. See Simpson, *Human Rights and the End of Empire*, pp. 239–254.
10 Lauterpacht, *An International Bill of the Rights of Man*, p. 214.
11 Loren, *The Evolution of International Human Rights*, pp. 161–165.
12 Ibid., pp. 185–193, cited on 188. He criticizes the Charter for being 'generous but vague' without discussing the meaning of human rights. Ibid., p. 191. Sellars disapproves of the cynical and misleading approach of the British and American delegations to human rights, such as the 'masterstroke' of the State Department, inviting a group of American NGO consultants to San Francisco only to be used as cheerleaders who shut their eyes to the realities of power politics. Sellars,

The Rise and Rise of Human Rights, pp. 6–10. A detailed analysis and commentary can be found in Bruno Simma (ed.) (1994) *The Charter of the United Nations a Commentary*. Oxford: Oxford University Press.

13 Ibid., p. 193.

14 Simpson, *Human Rights and the End of Empire*, p. 261.

15 Sellars, 'The Rise and Rise of Human Rights', pp. 25–38, see also Borgwardt, *A New Deal for the World*, pp. 212–213, 228, 236–247.

16 Arieh Kochavi (1998) *Prelude to Nuremberg: Allied War Crime Policy and the Question of Punishment*. Chapel Hill: University of North Carolina Press, cited on p. 231. He writes that President Roosevelt never gave the topic careful consideration and his statements concerning the punishment of war crimes were aimed at governments-in exile, encouraging the people under Nazi occupation and mollifying Jewish organizations in the United States. Ibid., pp. 235–236.

17 Ibid.

18 Gerard Daniel Cohen (2012) 'The Holocaust and the "Human Rights Revolution": A Reassessment'. A. Iriye, P. Goedde and W. I. Hitchcock (eds) (2012) *The Human Rights Revolution*. Oxford: Oxford University Press, pp. 53–71, cited on p. 57.

19 Ibid.

20 Jones, *Toward a Just World*, pp. 196–207.

21 Gerard Daniel Cohen (2011) 'The 'Human Rights Revolution' at Work, Displaced Persons in Postwar Europe'. Stefan-Ludwig Hoffmann (ed.) *Human Rights in the Twentieth Century*. Cambridge: Cambridge University Press, pp. 45–61, 46–48, 50.

22 The 30th plenary meeting of the General Assembly, 12 February 1946. Resolution A/res/8(1). Available at http://research.un.org (accessed 7 March 2015).

23 Gerard Daniel Cohen (2012) *In War's Wake*. New York: Oxford University Press, pp. 96–99, cited on p. 98.

24 Michael Marrus (1985) *The Unwanted*. New York, Oxford: Oxford University Press, pp. 313–317.

25 On the historical perspective of population transfers in Europe, see Alfred Rieber (2000) 'Repressive Population Transfers in Central, Eastern and South-Eastern Europe: A Historical Overview'. *Journal of Communist Studies and Transition Politics*, vol. 16, nos 1–2, pp. 1–27.

26 Written on 24 June 1944 and quoted in Nicholas Bethell (1976) *The Last Secret*. London: Futura Publications, pp. 22–23, cited on p. 23, my emphasis. On the role of the Special Operations Executive (SOE) in the forced repatriations between humanitarian concerns and wartime expediency, see Christopher J. Murphy (2001) 'SOE and Repatriation'. *Journal of Contemporary History*, vol. 36, no. 309, pp. 309–323.

27 Annex 1, Extract from War Cabinet Conclusions 115(44), 4 September 1944, Prisoners of War: Disposal of Russians Captured in Normandy, C.P. (46) 210, 29 May 1946, CAB/129/10. Cabinet approval was given 'after a short discussion'.

28 Bethell, *The Last Secret*, pp. 30–33, 47–51, he notes that the reason for the American policy was that there were many non-citizens fighting in the American forces and the government wished to ensure their protection as POWs. However, the policy was changed under Soviet pressure to include all Soviet citizens.

29 Mark Elliott (1982) *Pawns of Yalta*. Urbana: University of Illinois Press, pp. 243–247, cited on p. 247.

30 M. J. Proudfoot (1957) *European Refugees: 1939–52*. London: Faber and Faber, p. 155. He analyses the advantages given to the Soviets, including a legitimization of the direct access to POW camps and DP assembly centres, thus applying pressure to them to repatriate. Elliott also criticizes the terms of the agreement: 'The West's humanitarian concern appears, in retrospect, to have been restricted to Westerners'. Elliott, 'The United States Forced Repatriation of Soviet Citizens, 1944–47', p. 265.

31 Proudfoot, *European Refugees: 1939–52*, pp. 207–218 (see Tables 211–212). Approximately 5.2 million Soviet nationals were returned to the Soviet Union, among them civilian repatriates numbering at least two million. Elliott, *Pawns of Yalta*, p. 96.

32 Elliott, 'The United States Forced Repatriation of Soviet Citizens, 1944–47'. *Political Science Quarterly*, vol. 88, no. 2, pp. 253–275, cited on pp. 250–251, my emphasis.

33 Elliott, *Pawns of Yalta*, p. 43.

34 Ibid., pp. 45–49. Elliott notes that top officials such as Secretary of War Stimson, Attorney-General Biddle and various segments of government bureaucracies and commands also objected to forced repatriation. Roosevelt was not aware of all the implications and was influenced by the supporters of the agreement who were with him in Yalta. This unawareness was still prevalent among the regular soldiers, who suspected that the Russians were deserters but could not understand their real reasons for refusing to return.

35 The Foreign Office submitted a memorandum to the new Foreign Secretary, Ernest Bevin, which emphasized the legal situation without paying much attention to the developing circumstances. The Foreign Office took the view that the British tradition of granting political asylum did not apply to people who were in British hands as a result of military operations. Such people were not political refugees since they had not fled from the Soviet Union but had been moved westwards by the Germans. On 14 August 1945 Bevin agreed to continue the forced repatriations. Bethell, *The Last Secret*, p. 234.

36 Ibid., pp. 242–245.

37 Repatriation of Soviet Citizens: Memorandum by the Secretary of State for Foreign Affairs, C.P. (46) 210, 29 May 1946, CAB/129/10.

38 Ibid.

39 The United States Political Adviser for Germany (Murphy) to the Secretary of State, Berlin, 14 February 1946, No. 1957. FRUS, Europe 1946, V05.i0014, pp. 141–142. University of Wisconsin Digital Collections.

40 Bethell, *The Last Secret*, pp. 267–270, cited on 270. It is estimated that out of 5.2 million repatriates, Soviet screening commissions dispatched 2.5 million to prisons and forced labour camps, approximately 1.1 million into the military ranks, and 1.3 million to their homes or into exile. The remainder, some 300,000 persons, were apparently executed under Stalin's orders on the grounds of having served in enemy ranks or just for being captured alive by the Germans. Elliott, *Pawns of Yalta*, p. 202.

41 Marrus, *The Unwanted* pp. 327–331, cited on 329. Eight million were absorbed in West Germany.

42 Simpson, *Human Rights and the End of Empire*, p. 321.

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3 Jewish refugees

The long journey from the camps to Palestine

> The originators and leaders of Brichah, and behind them the leaders of the Zionist movement, were duty-bound to help their brethren, fleeing panic-stricken from Eastern Europe. What they did was to channel this flow intelligently into a reservoir that would turn the very misery of the people into a powerful weapon that would lead them to a new and better life, and thus achieve a basic humanitarian aim by political and national means.[1]

As Bauer points out the Jews were in a unique situation which simultaneously marked a crucial turning point in Jewish history. The Jewish refugees in post-war Europe were part of the huge stream of nations and people in motion, all of whom were struggling to rebuild their lives and return to their homelands. Yet the greatest noticeable difference between the Jews and the other refugees was that in most cases Jewish people did not have homes to return to, either physically or emotionally. They spent years in UNRRA camps waiting for their new lives to begin in the United States, Palestine or other countries, where they would be accepted as fully legitimate citizens again.

The majority of the Jews in Europe who survived the war were found by the Allied forces in concentration camps. In Italy, almost all the survivors had been concealed by individuals, mostly priests. About 40 per cent of the Jewish DPs in Germany died within a few weeks after liberation, many still wearing their striped concentration camp clothing. Unlike other refugees and DPs who were mostly in groups with their family or neighbours, the Jews were usually on their own, having lost all their family members. The military SHAEF assumed that all Jews of enemy and ex-enemy nationality had been persecuted and were entitled to preferential treatment. Even so, the survivors' morale was low, and they were despondent because their situation was not improving:

> The survivors showed increasing social and psychological isolation from the world around them. They were suspicious of all outsiders, even if Jewish. Disillusioned and irritable, they bitterly resented that their agonies have been ignored and their persecution had not received due recognition.[2]

Richard Crossman, a British Member of Parliament and part of the Anglo-American Commission who toured the camps in early 1946, wrote that he was overwhelmed by the deep dislike of the DPs towards any non-Jew and the impossibility of maintaining contact even with the British and American Allies: 'Crossman explained that policies which seemed sane enough in the White House or in Downing Street struck these wretched people as sadistic brutality.

Measures which made sense to them appeared to bust British and American politicians as downright unreasonable'.[3]

By July 1945 SHAEF's responsibility for the DP centres had been taken over by the British, French and Americans in their respective zones, while Russia did not acknowledge that a DP problem existed in the territory it occupied. The DP centres in Italy remained under joint Allied jurisdiction. The failure of UNRRA to take over in May 1945 as was planned, forced the military to assume responsibility for the DPs but it lacked the necessary qualified people for the task. The soldiers did not understand the DPs' background nor their lack of discipline, and in some cases reacted with harsh disciplinary measures when facing what they viewed as disobedience.[4] Some soldiers protested against these measures, accusing their officers of callous behaviour and disregard for human decency. A letter signed by fifty American servicemen was sent to every member of the American Congress and to the press, claiming that these incidents were occurring throughout the American zone. This attitude was no doubt influenced by the enormous burden imposed by the flow of hundreds of thousands of refugees that the army was not logistically prepared to deal with. Although some army groups, such as the Seventh Army in northern Germany, tried act humanely towards the DPs , the Third Army in southern Germany, under the command of General George S. Patton, treated the detainees as if they were prisoners.[5]

Chaim Weizmann, President of the Zionist Organization, complained to British Prime Minister Churchill that the position of the Jews in liberated countries was desperate. Meanwhile, Jewish citizens and US government officials alike were enraged by the continued mistreatment of Jewish DPs in the assembly centres and felt a responsibility to try to save the remnants of the European Jewry. Henry Morgenthau, Jr, Secretary of the Treasury, asked President Truman to appoint a cabinet-level committee to deal with the problems posed by the DPs. When Truman rejected the proposal, Morgenthau recommended that the State Department should appoint Earl G. Harrison, formerly US Commissioner of Immigration, Dean of the University of Pennsylvania Law School and the American representative of the Intergovernmental Committee on Refugees (IGC), to conduct an inquiry on the treatment of Jewish DPs. President Truman appointed Harrison in June 1945, for political and humanitarian reasons. The committee included Dr Joseph Schwartz of the American Jewish Distribution Committee (JDC), Patrick Malin, Vice-Director of the IGC, and Herbert Katzski of the War Refugee Board. Their mission was 'to ascertain the facts in regard to displaced persons, particularly Jews'. The committee spent several weeks in Europe, visited about thirty DP camps and presented its final report to the President on 24 August 1945.[6] The report was to have a far-reaching political influence in the immediate period and during the struggle over Palestine in the following three years:

> The Harrison Report hit the leaders at the highest level in Washington like a bombshell … At the outset no one would have believed that the findings of the investigators would be as devastating as they turned out … none of the responsible political and military officials who read about them failed to implement changes. Ultimately, the Harrison report affected American diplomatic relations with Great Britain and led to the movement for ameliorative legislation by Congress. Its immediate impact, though, resulted in the reorganization of the assembly centres, the appointment of a special adviser for the Jewish DPs, and a renewed plea by President Truman for the British to open the gates of Palestine to the survivors.[7]

Part 1 of the report[8] described the actual conditions in Austria and Germany. The report emphasized the unsanitary and grim conditions experienced by the DPs, Jews and other refugees, possibly non-repatriable persons, who were living behind barbed-wire fences in guarded camps, including some of the most notorious former concentration camps such as Bergen-Belsen. While there was a marked improvement in the health of the survivors, the death rate continued to be high. There was little change in their treatment after liberation, beyond knowing that they were no longer in danger of torture or being killed. There was no real effort to reunite families; their diet principally comprised bread and coffee; and many of the buildings they were housed in were unfit for winter. The report estimated the number of Jews in Germany at no more than 100,000 and called for recognition of their status as Jews. The recommendation was to change the general practice of following only nationality criteria, since the Jews were more severely victimized than the non-Jewish members of the same or other nationalities. The report then turned to the question of the DPs' choice of future destinations, stating their urgent desire to leave Germany for reasons that are obvious. The survivors were impatient about the delay to repatriate them, and wanted to be evacuated to Palestine immediately, in the same way that other national groups were being repatriated to their homelands.[9] Some wished to return, even temporarily, to their countries of origin, mostly those from Hungary and Romania, but very few from Poland or the Baltic states desired to be repatriated there. The report recommended that Jews who wished to return to their own countries should be helped to do so without further delay, and with energy and determination. Otherwise, the report stated, the substantial unofficial and unauthorized transition of people was to be expected, which could be prevented only with the use of considerable force. Not unsurprisingly, the DPs had almost reached the end of their patience and the report warned against possible future criminal behaviour: 'It cannot be overemphasized that many of these people are now desperate, that they have become accustomed under German rule to employ every possible means to reach their end and that the fear of death does not restrain them'.[10]

The report raised the issue of Palestine once again, urging the modification of the British White Paper of 1939, due to the fact that by the end of August there would be insufficient certificates for immigration to Palestine. It was emphasized that the recommendation was made on a purely humanitarian basis with no reference to political or ideological considerations. The question of Palestine was of paramount importance to the Jews in Germany, Austria and other previously Nazi-occupied countries. Harrison was also critical of the preferential conditions enjoyed by Germans living in rural areas. These privileged conditions stood in stark contrast to the Allies' policy of perceiving the Germans as being responsible for their own defeat, while at the same time so many persecuted DPs were forced to live in rough conditions in overcrowded camps. Harrison's strong and most often quoted criticism of the treatment of the Jewish DPs stressed that there was almost no improvement in their situation:

> As matters now stand we appear to be treating the Jews as the Nazis treated them except that we do not exterminate them. They are in concentration camps in large numbers under our military guard instead of S.S. troops. One is led to wonder whether the German people, seeing this, are not supposing that we are following or at least condoning Nazi policy.[11]

Harrison recommended that separate camps be set aside for Jews, to facilitate better care for them as required by justice and humanity. He advocated that the camps should be turned over to

UNRRA, and officers whose background made them suitable for dealing with the DPs should be brought in. In conclusion, he emphasized that the main and possibly the only solution to the problem lay in the swift evacuation of all the DPs who wished to immigrate to Palestine. He believed that this task could be carried out by the army, and that the civilized world owed it to the survivors of the Nazi regime.[12]

President Truman forwarded the report to General Eisenhower, commander of SHAEF, at the end of August, and then released the report to the press, accompanied by his personal endorsement. As a result, the American military authorities enacted an immediate change of policy, whereby the Jewish DPs were accorded a special status above that of the ordinary UN DPs. Proudfoot points out that Truman's intention was to pressurize Britain into changing its restrictive policy and to permit large-scale Jewish immigration to Palestine. However, Proudfoot also criticizes Harrison's report for being inaccurate, 'filled with misleading innuendo and truths out of context',[13] depicting him as a civilian out of his element in devastated Europe, writing what Proudfoot describes as 'an indictment of the military and of SHAEF policy'.[14] By June 1945 there were about 20,000 Jews in Western Germany and another 7,000 in Western Austria. The army acted swiftly. By September a series of orders had brought about the establishment of special centres with Jewish administration for all Jews without nationality, or those who did not wish to return to their country of origin. The JDC was put in charge of the camps in the American zone. Better rations were provided by the military government and by the provision of Red Cross parcels. The situation was somewhat different in the French and British zones where the Jews were segregated into separate centres and given special assistance by Jewish relief agencies and UNRRA, but the policy denied them special privileges and, as a result, those who could moved to the American zone. General Eisenhower, who visited some of the camps on 17 September, issued an order on 20 September regarding the major policies concerning the care of the DPs. He demanded frequent inspections by US commanders and the instant dismissal of incompetent personnel. In a letter dated 8 October to President Truman, Eisenhower described the severe housing shortage in Germany and explained that one of the reasons that the army was limited in its ability to remove the DPs from their temporary accommodation in the assembly centres was banditry; for example more than 2,000 people were killed as a result of consuming poisoned liquor, and many others died as a result of violence. In conclusion, he remarked that the Harrison report did not take into consideration the problems facing the military nor its success in saving thousands of lives and in repatriating those who could and wished to be repatriated.[15]

Bauer comments that the bad press that the US army received caused a chain reaction in Germany, where officers were removed from their posts and disciplined, and it became usual 'to handle displaced person matters with kid gloves'.[16] He added that the army chiefs were sincere in their efforts to improve the conditions of the DPs, and that they were influenced by 'a vague feeling of guilt at not having been able to prevent the horrors that led to the creation of the displaced person problem'.[17] All this contributed to the removal of obstacles to the commencement of the Brichah, the underground movement, both organized and spontaneous, of Jewish Holocaust survivors fleeing Eastern Europe for the British Mandate of Palestine. Not all the would-be refugees were so fortunate. Bauer describes an incident of forced repatriation of 650 Jews. Aided by the Brichah, the refugees were attempting to reach the American zone by crossing the German boundary near Pilsen in Czechoslovakia. Under General Paton's orders, they were evicted on 24 August 1945 and forced back beyond the Russian boundary. The reason

given was that there was no room for more refugees in Germany. When the group responded with passive resistance, the army used force and 'blows were dealt and heads bloodied'. Although the refugees were shipped beyond the Russian line, ultimately they managed to steal back into Germany. Criticism in the press, however, resulted in a change of orders. This was the last time that the US authorities in Germany tried to use force against Jews to prevent them from entering the American zone.[18]

Jewish migration from Poland increased. The refugees infiltrated Germany and Austria via four main routes, primarily into the American zone. Proudfoot explains the reasons behind this migration with a sympathetic note:

> Little imagination is required to understand the sentiments which prompted the post-war migration of the Polish Jews. On all sides the 80,000 survivors were confronted with the wreckage of their lives and evidence of the millions who had died. Prevailing political unrest and economic devastation offered a prospect of great hardship; and the Polish population evidenced a threatening resurgence of anti-Semitism.[19]

The clandestine organization facilitating Jewish migration, the Brichah, had a definite view of the justification for carrying out these activities which was shared by the clandestine immigration movements in general:

> Brichah generally … saw it as the supreme moral right of the Jews, after what had happened to them in the war, to move toward Palestine or, at any rate, out of the lands of their oppression. Military regulations by foreign armies were not binding upon them … The moral right of the non-Jew to tell the Jews what to do and where to go or stay had lapsed, and it was in this light that all problems of legality were approached.[20]

The Brichah movement started in eastern Poland in late 1944, soon after the area was liberated by the Red Army. It was organized by Jewish partisans, men and women, who had fought against the Nazis in the forests and in the ghettoes. Many had been active in Zionist youth movements before the war. Their goal was to move Jewish survivors of the Holocaust to Romania. Here they would embark from Romania's Black Sea ports onto boats destined for Palestine. They were assisted by Jewish parachutists from Palestine. During the next stage the refugees were linked up with soldiers belonging to the Jewish Brigade in the British Army. By May 1945 they had reached northern Italy and the frontiers of Austria and Yugoslavia, where they were joined by the shattered survivors of the concentration camps. The Brigade soldiers testified that for them it was a sacred mission to bring these survivors home to Palestine. With help from Italian Zionists and activists recruited from among the refugees, the soldiers escorted Jews from Hungary, Yugoslavia, Austria and Germany to Italy and provided them with temporary shelter, until their clandestine voyage to Palestine. The Brichah operated mainly from the Jewish DP camps in the American and British zones of Germany and Austria. Many of the Brichah members held administrative positions in the camps.[21] Initially the Brigade soldiers were disappointed that according to a poll carried out in Dachau in early May 1945 among 2,190 survivors, the majority wanted to return to their home countries. However, they decided to fight this trend and increased the Zionist influence on the DPs with a view to assembling 20,000 refugees. Within a month, the Brigade's operations covered most of Europe. In Gelber's view the

Brigade's work caused a radical shift in political orientation that was manifested in the tour of the Anglo-American Commission of the camps in early 1946:

> During the Commission's visit, numerous survivors gave expression to their political will by demanding to go to Eretz Israel – and nowhere else. And even though it is quite possible that many of the survivors did not sincerely want to settle in Eretz Israel but in America, the demand for Eretz Israel became the perceived political desire of *She'erit Hapletah* [the survivors].[22]

Each group of people leaving the camps via Brichah transport was replaced by refugees who the Brichah had helped to enter Germany and Austria from Eastern Europe. A British intelligence report mentions the Brigade's assistance to Jewish refugees in Italy, observing that the Jewish Agency's immigration operation created an intentional confusion of the illegal activity with the legitimate UNRRA, which was interested in serving political rather than humanitarian goals. The participation of soldiers and UNRRA personnel led the Italians to believe that the British and the Allies were conniving at the evasion of control of the refugees and the immigration to Palestine.[23] By September 1945 the direct supervision of Brichah operations in Europe had been taken over by the Mossad L'Aliya Bet ('clandestine immigration'),[24] and its head, Shaul Meirov (Avigur), organized the Brichah as a well-disciplined army: emissaries came to Europe from Palestine to take over the command of Brichah activities in Austria, Germany and Poland. They all reported to the commander who ran the entire operation from his headquarters in Paris. Over 1,000 men and women worked for the Brichah, about twenty were killed, many were arrested, and others disappeared without trace. Most of them were young Holocaust survivors who possessed the necessary skills to conduct the operation: truck drivers, printers and engravers trained in the art of forging or altering documents, and escorts for the clandestine trips across borders. For many of them the Brichah replaced the family they had lost. The challenges the Brichah faced increased when the Allies were established in their sectors in Germany and Austria, and the British military intelligence was stationed at various borders to detect and report on the movement of Jewish refugees who the British correctly assumed were on their way to Palestine. The Brichah's mode of operation was to move the refugees for part of the journey by conventional means of transportation: refugees with documents or facsimiles produced by the Brichah were put on special trains provided by governments or by UNRRA, and transferred from Poland to Austria or Germany. When the refugees arrived at their destination their Brichah escort would turn them over to other Brichah workers who would guide them to the next stage of the journey. Sometimes Brichah would put refugees bound for Italy on board regular trains, have them get off at a station close to the Austro-Italian border and then lead them across the border on foot. For the purpose of travel in the Western zone, Brichah would use American military permits and a collective visa issued for a single passport bearing the names of hundreds of refugees. For most of the Brichah transports that were not 'legal' or even 'semi-legal', the refugees were driven by truck. In 1945 the Brichah was still able to use the trucks belonging to the Palestinian-Jewish units in the British army:

> Jewish 'Tommies' returning to Italy from legitimate army business in Austria could be depended upon to fill their trucks with refugees whom Brichah men in Italy would then escort to Mediterranean seaports. Although military vehicles with British markings were

> rarely stopped and checked, Brichah at times, for the sake of added safety, would supply the refugees on the trucks with Allied uniforms and soldiers' paybooks.[25]

Assistance from Brichah was free. Dekel writes that no refugee was ever asked to make any payment to Brichah and offers of money were refused. To prepare for the journey, each refugee was given a number and all the necessary documents and instructions concerning the amount of luggage he or she was permitted to take. No one was allowed to take more than two small suitcases, but the refugees found it difficult to part with any of their few remaining possessions. A crucial part of the operation was the use of forged documents, as was the case during the war years, when 'letters of protection' were forged to save lives. The Brichah documents were made to look 'official' with seals and stamps so that they could get past the border patrols. Names and birthplaces were also changed according to individual requirements. Brichah refugees were sometimes given papers identifying them as Greek repatriates with names in Hebrew, which were naturally unfamiliar to the border guards. The organizers had to prepare lists of transports from Eastern Europe to the American zones of Austria and Germany without knowing the names of the travellers. They had to make them up by using their imagination, and often drew on the names of heroes of novels, or by trawling through telephone directories of little-known towns. The Brichah did not permit the refugees to carry their own Russian or Polish documents, military papers or even jewellery, in order not to raise the suspicions of the border guards if their transports were stopped and examined.[26] The Brichah's operations in the American zone of Germany were tolerated by the military authorities, who sometimes stopped Brichah transports and made arrests, but for the most part American officials appreciated the presence of Brichah in the DP camps as a positive force that kept up morale, prevented outbreaks of disorders and enforced camp regulations more efficiently than did the military. The British attitude was radically negative and Dekel describes it as a 'war on Brichah' that took place all over Europe, in addition to their extensive operations in Italy and France. The British even appealed directly to the refugees not to try to migrate to Palestine. High-ranking government officials visited the DP camps in Germany and Austria to advise the Jews that Palestine was in danger of being overrun by the Arabs and that it lay in their best interests to remain in Europe and help to rebuild their native countries, or to apply for visas to travel to the United States. They blamed the Brichah and Aliya Bet of endangering the lives of the innocent refugees by smuggling them across guarded borders and allowing them to cross the Mediterranean in unseaworthy 'hell ships'.[27]

The migration was guided and financially assisted by Jewish welfare agents who arrived in Poland during the summer of 1945. Similar operations were also taking place in Hungary, Romania and Bulgaria. The British soon saw the migration as a part of a well-organized Zionist plot to lift the restrictions on Jewish immigration to Palestine. On 5 December 1945 the further movement of Jews into or through the British zone via Berlin was prohibited and those who had already infiltrated the zone were also denied the right to be admitted to the DP centres and receive assistance. The American military did not stop the Jewish infiltration and decided in the same month to accommodate the Jews in special centres. It was not surprising, therefore, by 1946 the American zone had become the main objective for the Jewish migrants.[28] The military came to the conclusion that the Jewish exodus was organized and the head of UNRRA in Germany, British Lieutenant General Sir Fredrick E. Morgan, called a press conference on 2 January 1946 to present the problem of the DPs in Germany. During the conference the General

described his personal impression that the Jews in Berlin were well dressed, well fed and had 'pockets bulging with money',[29] while UNRRA representatives could not find evidence of a single pogrom in Poland. He stated that all the signs pointed to the existence of an organization behind the Jewish migration, whose goal was to lead a Jewish exodus out of Europe. Morgan's statements created a storm and there were calls for his resignation. However, Morgan denied that he was anti-Semitic, claimed that he was misquoted, and refused to resign. He then appealed to UNRRA's head Governor Herbert Lehman to hear his side of the story. He met with Lehman on 26 and 27 of January and on 28 January published a letter in the *New York Times*, which stated that he would fulfil his duties impartially but there was no retraction of what he said or an explanation of his declarations to the press.[30] George Woodbridge, UNRRA's historian, observes that the organization had a pro-Jewish policy and in December 1945 UNRRA created the concept of 'internal displacement' to extend care for Jewish refugees who arrived in Germany after the end of the conflict, as it was accepted that they had all been displaced by the war.[31] A British policy paper on refugees written by George Randall sought to define the status of the refugees and DPs. The author warned British representatives against regarding the refugee problem mainly in the light of the Palestine problem, as 'obviously many of the Jewish refugees concerned will try to give it a turn in this direction'.[32] The Foreign Office sent a long letter to at least forty embassies concerning the refugee issue, requesting them to collect information about the situation in their countries. The Foreign Office reminded its representatives that many refugees and DPs were being loosely classified as 'stateless' when this term did not apply. For example, in the question of the validity of Nazi legislation depriving German and Austrian Jews, it was stressed that British policy 'does not recognize Jews as possessing a separate nationality as such, though there had been a strong tendency to classify them separately'.[33]

By 30 September 1947 the Preparatory Commission of the International Refugee Organization had assisted 167,522 Jews, mostly from Poland (122,313), the majority (93 per cent, 113,962) were in the American zone in Germany, 22,638 in Austria, and 19,417 in Italy. The departure from Poland was accelerated by the pogrom at Kielce on 4 July 1946, in which forty-one Jews were killed and sixty injured. There were thirty-three further killings of this kind.[34] As the number of escapes from Poland accelerated (about 44,000 people left in the following three months), the American government appealed to the Jewish leadership to stop the movement, mistakenly assuming that it was in its power to do so. In early August 1946 the British government, backed by public opinion, approached the governments of Russia, Czechoslovakia, Poland and Italy, in an effort to halt Jewish movement and illegal immigration. The main effort was directed at the Americans and on 6 August General Joseph McNarney, Commanding General of the US Forces in the European Theater and Commander in Chief of US Forces of Occupation in Europe, yielded to British pressure and made a public declaration that 'all organized movement of Jewish refugees will be turned back from the American Zones of Germany and Austria in the future'.[35] However, the unorganized movement of genuine refugees was to continue as before. Three days later, on 9 August, the British Air Marshal Sholto Douglas, commander of the British Occupation Zone in Germany, declared the British zone closed to all Jewish refugees coming from Eastern Europe. In addition, he deprived about 5,000 Jewish refugees already in the British zone of DP rations and threatened any new refugees with a similar withdrawal of DP privileges. [36] The Minister of State to the Foreign Office, Philip Noel-Baker, telephoned the Foreign Office from Geneva (where he was attending an UNRRA conference)

saying that reports had reached him that Jews were being persecuted in Poland and Hungary and were moving into the British zone in Germany. In his opinion, they had the right to asylum 'and should not be treated by the British military authorities or by UNRRA other than as genuine displaced persons'.[37] The Minister of State added that he did not therefore agree with Douglas's statement and asked the Refugee Department to look into the matter.[38] The Foreign Office's response was that Douglas was not presenting a new policy, but was merely stating that present regulations should be tightened up. Furthermore, it added, there was no evidence that the Jews were being persecuted, 'they have arrived supplied with funds and in good condition and are not (repeat not) entitled to be treated as genuine displaced persons'.[39] The migration was not spontaneous but organized and therefore should be 'firmly discouraged'.[40] In a telegram sent to Geneva, the Foreign Office responded to the Minister of State's query following his meeting with UNRRA's chief La Guardia, who said that the British policy statement on Palestine published that day blamed UNRRA in giving aid to Jewish migrants who were attempting to enter Palestine illegally. The response quoted the British reference concerning the activities of UNRRA: 'food, clothing, medical supplies and transport provided by UNRRA and other agencies for the relief of the suffering in Europe are diverted to the maintenance of what is openly described as the underground railway to Palestine'.[41] The purpose of this was to open the eyes of UNRRA officials to the fact that they were helping people for whom UNRRA's help was never intended and who were not DPs, according to UNRRA's terms of reference. It was also pointed out that the Hachsharah camps in Italy managed by the JDC under UNRRA sponsorship had been used as a stepping stone to Palestine.[42] The British ambassador in Warsaw, Victor Cavendish Bentinck, continued to report to the Foreign Office on the efforts to prevent Jewish immigration from Poland, pointing out to his Polish counterpart, the head of the English-American Department in the Polish Foreign Ministry, Jozef Olszewski (the ambassador mentioned that the latter was at least of Jewish extraction) that prevention of illegal emigration would stop unfortunate Jews being made to suffer great hardship in the interests of certain Jewish political groups. The Polish position was that the government's aim was to discourage Jews from leaving. However, the Kielce pogrom caused widespread panic among the Jews and several thousand fled clandestinely. In the ambassador's opinion, the Polish government was unable to prevent the emigration and whether it was making an effort or secretly aiding the emigration depended on the wishes of the Soviet government.[43]

Following a comprehensive campaign by Jewish and Zionist organizations in the United States, the American government ordered General McNarney to retreat, fearing 'serious clashes between the refugees and the American troops trying to seal the borders'. On 21 August McNarney revised his previous declaration stating that what he meant was that any group arriving at the DP centres should be no larger than 100 persons, and that he would not accept groups arriving from the British or French zones where they were not persecuted, but would accept (and had never not meant to accept) those who came from Poland.[44]

A 'ceiling order' was issued by the American War Department on 2 April 1947, instructing the military commanders to refuse entry into the centres for most persons who arrived after this date. The JDC and other Jewish welfare agencies cared for about 75,000 refugees in the Western zones of Germany, Austria and Italy.[45] The majority of the Jews in the American zones in Germany and Austria were accommodated in separate centres. By January 1946 there were twelve centres entirely occupied and administrated by Jews and thirteen others that had a

substantial number of them. The relief agencies distributed supplementary food, clothing, medicines and other supplies. In the British zone, the Jews were not given preferential treatment and were treated as nationals of their countries of origin, except those from former enemy countries who were accorded the status of UN nationals. The majority were accommodated at the German military base at Hohne, close to the former Bergen-Belsen concentration camp; some were in mixed centres but were permitted to segregate themselves within them.[46]

The Jews in the DP camps adopted a new, assertive stance: 'contrary to the invisibility and silence of Holocaust survivors' elsewhere in Europe, Jewish DPs loudly asserted their identity in front of military authorities, German civilians, journalists and others'.[47] A Central Committee of Liberated Jews for the United States Zone of Germany was organized in Munich in January 1946; it held a congress on 20 February which was attended by 212 delegates, who had been elected by about 30,000 people. The congress elected a permanent Central Committee of Liberated Jews consisting of eleven members, which was recognized by the commander of the American zone. A second congress was held in February 1947. Committees were established in the other Western zones of Germany and Austria but they were not recognized officially.[48] Initially, it was British policy that Jews should be accommodated in camps according to their nationality, rather than their race or religion, on the grounds that any such segregation would give rise to anti-Jewish sentiment. Bauer comments that this approach 'combined a very human, non-discriminatory approach with a violent opposition to Jewish nationalism'.[49] By 1945 the British political view was that the Balfour policy of regarding the Jews as a people, or nation, was a political error.[50] The British did not treat the German Jews differently from the German nationals, except to accord them the status of 'victims of Fascism', and their inadequate diet was supplemented by rations from the JDC food stocks. Nor did UNRRA extend any assistance to German Jews. At the end of 1946 the JDC estimated that there were approximately 12,250 DPs in camps in Germany, mainly at Bergen-Belsen (8,000), and 10,250 outside of camps, of whom 2,000 had infiltrated the camps. The British were disturbed by the continual influx into their zone and opted to discourage further refugees. They suggested to the Americans that in future 'in both Zones displaced persons should get German rations; and the import of additional food outside of Germany should be forbidden; that all DPs should be compelled to work in the German economy; and that *they should be placed under the jurisdiction of German courts*'.[51] UNRRA and the US army were against the proposal and it fell through. Bauer argues that the attitude of the British was made clear when they suggested a plan that 'would have caused the greatest upheaval and discomfort' to thousands of persecuted Jews.[52]

The Yishuv representatives contacted UNRRA during the war and established the relief units of the Committee for Diaspora that was to put together professional teams to aid the survivors. The Yishuv and its leaders were in broad consensus that all the survivors of the Holocaust should go to Palestine 'because the country needed them as much as they needed the country'.[53]

David Ben-Gurion, Chairman of the Jewish Agency, could not have been more explicit when describing the crucial strategic mission of the Jews of Europe in his speech to the Jewish Brigade of the Third Battalion in September 1944, before to their departure for Europe:

> The enemies of Zionism now have a new bone of contention: the question of the Jewish refugees and of *Aliyah* has become less acute and less serious. Few Jews now remain in Europe, and they have more or less resettled themselves in their own countries. But the

> crucial question is: what are their intentions? Above all, *the fate of our own struggle depends on the will and the steadfastness of a million and a half Jews in Europe*: whether, when they are able to make their voice heard, they will stand crushed, beaten and apathetic, ready to make do with scraps of rights and with the favors and aid they will get from their rich brothers in America and from international charities; or whether, as proud and erect Jews, they will demand together with us a homeland and independence for the Jewish people and will storm the gates of Eretz Israel.[54]

Many of the refugees had been members of youth movements prior to the war, and those who had not formed new, strong bonds described thus:

> [T]the movement that took them in during the liberation, when they were in the grip of hopelessness, without family or future, gave them a flag and a framework, a home to belong to and a hope-filled future of which they could be a part.[55]

The first twenty-seven emissaries of the Yishuv, members of the Relief Companies and representatives of the various political movements, arrived in Germany in December 1945. Contrary to the mostly non-political approach of the Brigade soldiers, the emissaries were chosen after a lengthy political discussion among the political parties. They realized the importance of enlisting members among the DPs, the future immigrants to Palestine, who were also strengthening their position in the Yishuv. The emissaries wanted to help the refugees to organize their lives in the camps and to make useful contacts with the authorities; to organize the arrivals from Eastern Europe and concentrate them in the American zone; and to prepare the ideological background for immigration to Palestine by giving them a Zionist education and pioneer-oriented professional training. Keynan criticizes the political rivalry that 'generated bitterness and mutual mistrust among the various parties … the debate … developed into unrestrained competition and a "hunt for new souls" marked by quite ugly phenomena'.[56] An important factor was that all the DPs were obliged to affiliate themselves with one of the movements in order to facilitate their immigration to Palestine – of course some had been members of the movements before the war. The Zionists' efforts were regarded as successful:

> Theirs was not an outstanding feat of welfare and rehabilitation – these were up to large and strong international organizations; they were noted, rather, for the hope they offered to the DPs, the clear direction to which they pointed, and their actual physical presence, which helped raise many from the ashes.[57]

Ben-Gurion visited the DP camps in October 1945. He told his audiences there that the dream of a Jewish state in Palestine would be realized by both the Yishuv and the survivors, and that they, who represented the suffering of the Jews, were the driving force behind the establishment of the state. He met General Eisenhower and presented to him demands made on the behalf of the DPs. Some were accepted, such as self-government of the Jewish camps, confiscation of German farms and their reallocation to the Zionists for the purpose of agricultural training for the DPs, as well as providing vocational and military training.[58]

The clear political nature of the issue of Jewish refugees in Europe was manifested in the deliberations of the UN Special Committee on Refugees and Displaced Persons appointed by the

Economic and Social Council (ECOSOC) to discuss the issue of the 12,000 German and Austrian Jews who had recently returned from deportation. In August 1945, Law No. 1 issued by the Control Council of Germany, revoked the Nazi denationalization decrees and 'called for the automatic restoration to German and Austrian Jews of their previous citizenship'. However, Jewish organizations and international jurists, primarily Hersch Lauterpacht, argued that 'the right of states to confer citizenship should be limited to the interests and desires of the individuals concerned'.[59] The question put before the Special Committee was whether the UN granted refugee status and recognized the German and Austrian Jews as stateless, if they were opposed to reintegration into their former countries. The United States, the Eastern European countries and the Dutch representative who chaired the meetings, declared that the Jews are a category apart and should receive special treatment.[60] The British delegation, with the support of Lebanon, Iraq and Egypt, voiced its opposition, claiming that the Jews were not the only victims of the Nazis and treating them as international refugees would create an unequal situation with other victims. The British policy of advocating the return of the Jewish refugees to their former homelands was declared openly: 'His Majesty's government cannot subscribe to the policy so strongly advocated by the Nazi regime, that there is no place for Jews in central Europe, or as citizens of the states which will eventually be established there'.[61]

However, the constitution of the IRO, adopted by the UN General Assembly in December 1946, applied the term 'refugee' to repatriated German and Austrian Jewish 'victims of Nazi persecution'. Cohen notes that as the British were rightly concerned, if Holocaust survivors could be deemed extraterritorial refugees in their own countries, this might result in the IRO becoming involved in schemes for facilitating Jewish immigration to Palestine. He points to the one important consequence: 'the acknowledgment of Jewish extraterritoriality normalized the idea of Jewish self-determination in international politics'.[62] Cohen also stresses that all the Jewish DPs, even if they originated from Eastern Europe, were 'Westernized' and benefited from a political identity eventually ascribed to all European DPs: 'In the post-war politics of recognition Jewish displaced persons facilitated (and benefited from) new perceptions of human rights. The international arena, as much as the inner world of Jewish life, ultimately spurred the Jewish emergence from powerlessness.'[63]

Notes

1 Yehuda Bauer (1970) *Flight and Rescue: Brichah*. New York: Random House, p. 321. 'Brichah' means 'escape' in Hebrew.
2 Michael Marrus (1985) *The Unwanted*. New York and Oxford: Oxford University Press, pp. 331–333. The quotation on p. 332 is from a report by an American army intelligence agent, who was in contact with the DP posing as a Jewish military police officer.
3 John Kimche and David Kimche (1954) *The Secret Roads*. London: Secker and Warburg, pp. 82–83.
4 Leonard Dinnnerstein (1982) *America and the Survivors of the Holocaust*. New York: Columbia University Press, pp. 12–15.
5 Ibid., pp. 16–17.
6 Ibid., pp. 34–39, cited on p. 39.
7 Ibid., p. 39.
8 Ibid., Appendix B: *The Harrison Report*, pp. 291–305.
9 Ibid., p. 295. The report added that there were many who wished to go to Palestine because they had realized that their opportunity to be admitted to the United States or any other Western country was limited or even non-existent. The Anglo-American Commission wrote in a report published at the end of April 1946 about the Jewish refugees' urge to leave Europe: 'we can well understand and sympathise with the intense desire of the surviving Jews to depart from localities so full of such

poignant memories. It must also be understood that this happened in what were regarded as civilised communities.' CAB 129/9, C.P. (46)175, 26 April 1946, text of the report.

10 Ibid., p. 298.

11 Ibid., pp. 300–301. Bauer writes that 'this charge was much exaggerated and hardly fair to the U.S. Army'. Bauer, *Flight and Rescue: Brichah*, p. 77.

12 Ibid., pp. 303–305.

13 M. J. Proudfoot (1957) *European Refugees: 1939–52*. London: Faber and Faber, p. 325, and fn. 3.

14 Ibid.

15 Ibid., pp. 330–334.

16 Bauer, *Flight and Rescue*, p. 81.

17 Ibid. See also in Anna Holian (2012) 'The Ambivalent Exception: American Occupation Policy in Postwar Germany and the Formation of Jewish Refugee Spaces'. *Journal of Refugee Studies*, vol 25, no. 3, pp. 454–473.

18 Bauer, *Flight and Rescue*, pp. 81–82. He wrote that 'no American general in 1945 would order his troops to fire on Jewish persecutees fleeing from the East. This was also a question of morale, and after the strongly emphasized anti-Nazi propaganda one simply could not shoot at Jews.' Ibid., p. 82. In the agreement dated 20 December 1945 between Major General Hildring, Assistant Secretary of State, and the JDC leaders Dr Joseph Schwartz and Moses Leavitt, Schwartz stated that the maximum number of refugees would not exceed 50,000, and Hildring indicated that this number the army was willing to absorb, there was an understanding that the army would accept a monthly influx of 5,000 Jews. Ibid., p. 89.

19 Proudfoot, *European Refugees*, p. 335. A typical voyage of a refugee was described in an interview by the author with Professor Yaakov Iram, who was born in Poland in 1939 and who escaped with his parents to Russia at the time of the German invasion. After the war the family returned to Poland and Iram was sent to Youth Aliya (a Jewish organization that rescued thousands of Jewish children from the Nazis during the Third Reich) in France in preparation for immigration to Palestine, thereby missing the *Exodus* voyage on account of his age. He immigrated to Israel in July 1948. Interview date 1 May 2018.

20 Bauer, *Flight and Rescue*, p. 266.

21 Ephraim Dekel (1973) *B'riha: Flight to the Homeland*. New York: Herzl Press, pp. 30–32. This book uses the spelling 'Brichah' throughout. Dekel was the second commander of Brichah and was appointed at the end of 1946. The Brigade was a military formation of the British Army composed of Jewish volunteers mostly from the Yishuv in Palestine. It was formed in late 1944 under the command of British-Jewish officers who had served in Europe during the Second World War, and who had fought against the Germans in Italy. By the end of the war there were over 10,000 Palestinian soldiers in Europe, with the majority stationed in Italy. The Brigade soldiers had been engaged in the rescue of Jewish survivors in Italy since 1944 as an independent operation. They also set up training centres, and saw the purpose of the rescue mission to bring the survivors to Palestine. In June-July 1945 the Brigade soldiers-emissaries operated among DPs in Germany from their base in Treviso. Irit Keynan (1990) 'The Yishuv's Mission to the Displaced Persons Camps in Germany: The Initial Steps August 1945–May 1946'. Israel Gutman and Avital Saf (eds) *She'erit Hapletah 1944–1948*, Jerusalem: Yad Vashem, pp. 231–248, 236–239. See also Josef Grodzinsky (2004) *In the Shadow of the Holocaust: The Struggle between Jews and Zionists in the Aftermath of World War II*. Monroe, ME: Common Courage Press, pp. 46–47; Yoav Gelber (1983) *Jewish Palestinian Volunteering in the British Army during the Second World War*, vol. III. *The Standard Bearers: The Mission of the Volunteers to the Jewish People* (Hebrew edn). Jerusalem: Yad Yizhak Ben-Zvi.

22 Yoav Gelber (1990) 'The Meeting between the Jewish Soldiers from Palestine Serving in the British Army and She'erit Hapletah'. Gutman and Saf, *She'erit Hapletah* 1944–1948, pp. 60–79, 72–79, cited on p. 77. Eretz Israel is the Hebrew name for Palestine. 'She'erit Hapletah' means 'survivors' in Hebrew.

23 WO 204/49, 1 February 1946.

24 The Mossad L'Aliyah Bet was a branch of the paramilitary organization, the Haganah, in Mandatory Palestine (later the State of Israel), that operated to facilitate Jewish immigration to Palestine in violation of British governmental restrictions.

25 Dekel, *B'riha*, pp. 35–38, cited on p. 38. By July 1945 the Jewish Brigade had been ordered to leave Italy for new bases in Holland and Belgium, at a distance from the Brichah operations. Ibid., pp. 70–71.

26 Ibid., pp. 39–42.

27 Ibid., pp. 80–81, 94–97. On American policy towards the Brichah see also Arieh Kochavi (2001) *Post-Holocaust Politics.* Chapel Hill and London: University of North Carolina Press, pp. 134–146.

28 Proudfoot, *European Refugees*, pp. 335–336. He notes that during 1945 the JDC reported that it assisted about 80,000 Jews in Poland, some 90,000 Jews in Hungary, 100,000 in Romania, and 20,000 in Bulgaria; see p.335, fn 2.

29 Bauer, *Flight and Rescue*, pp. 194–195.

30 Ibid., pp. 194–198. His view was that only a Jew (in this case Lehman) could have saved Morgan because of the desire not to stress the Jewish aspects of the affair, but Morgan's statement did make an impression on the military and UNRRA personnel, and anti-Jewish sentiment increased. Ibid., p.198. Morgan was eventually fired in August 1946 by Lehman's successor La Guardia, after he leaked a story to the press accusing his organization, UNRRA, of serving as an umbrella for Russian agents. Ibid. p. 273.

31 George Woodbridge (1950) *UNRRA. The History of the United Nations Relief and Rehabilitation Administration*, vol. 2. New York: Columbia University Press, p. 510.

32 FO 371/5770, 28 January 1946.
33 Ibid., 4 February 1946.
34 Proudfoot, *European Refugees*, pp. 339–341. Even before the Kielce pogrom, the British ambassador in Warsaw, Victor Cavendish Bentinck, informed his government that the Poles appeared to him to be 'as anti-Semitic as they were twenty-five years ago'. Marrus, *The Unwanted*, p. 335. See also a detailed description of the pogrom and the following exodus in Bauer, *Flight and Rescue*, pp. 206–211.
35 Bauer, *Flight and Rescue*, p. 248.
36 Ibid.
37 FO 371/57693, 13 August 1946.
38 Ibid.
39 Ibid., 14 August 1946.
40 Ibid .
41 Ibid.
42 Ibid. Hachsharah was a small camp which sought to teach agricultural work to potential immigrants to Palestine.
43 FO 371/52630, 21 August 1946.
44 Bauer, *Flight and Rescue*, pp. 247–249, cited on p. 249.
45 Proudfoot, *European Refugees*, pp. 341–342.
46 Ibid., p. 343.
47 Gerard Daniel Cohen (2012) *In War's Wake*. New York: Oxford University Press, p. 127.
48 Proudfoot, *European Refugees*, pp. 342–346.
49 Bauer, *Flight and Rescue*, p. 71.
50 Ibid.
51 Yehuda Bauer (1989) *Out of the Ashes*. New York and Oxford: Pergamon Press, pp. 129–130, cited on p. 130, my emphasis.
52 Ibid.
53 Grodzinsky, *In the Shadow of the Holocaust*, pp. 47–48. Yishuv is the Hebrew name for the organized Jewish community in Mandatory Palestine.
54 Yoav Gelber (1990) 'The Meeting between the Jewish Soldiers from Palestine Serving in the British Army and She'erit Hapletah', p. 66, speech given on 23 September 1944, my emphasis.
55 Irit Keynan (1990) 'The Yishuv's Mission to the Displaced Persons Camps in Germany: The Initial Steps August 1945-May 1946'. Gutman and Saf, *She'erit Hapletah 1944–1948*, pp. 231–248, 235. In another manuscript Keynan wrote that the DPs' support for Zionist ideas was not only ideological but for many it was a sentimental attitude mostly based on the wish to live among Jews as a unique national group, the hope to find a new homeland instead of the one that betrayed them, a substitute to their lost family, to embrace an idea that could provide the basis for a new life. For them, Zionism was a constructive force that strengthened the self-worth of the survivors. Their support of the Yishuv's struggle in Palestine including the fight for free immigration was more than a wish to immigrate to Palestine, it was sentiment with a driving force. Irit Keynan (1996) *The Hunger Did Not Subside* (Hebrew edn). Tel Aviv: Am Oved, p. 184.
56 Keynan, 'The Yishuv's Mission to the Displaced Persons Camps in Germany', p. 245. On the refugees' dependence in the movements see in pp. 239–248.
57 Grodzinsky, *In the Shadow of the Holocaust*, p. 132.
58 Ibid., pp. 74–75. Ben-Gurion informed his colleagues in the Executive of the Jewish Agency that opportunities and good treatment could only be found in the American zone.
59 Cohen, *In War's Wake*, p. 141.
60 Ibid.
61 Ibid., p.142.
62 Ibid., p.143. It was a realization of the major idea of self-determination accepted by the UN Charter, Chapter 1, Article 1.2.
63 Gerard Daniel Cohen (2007)'The Politics of Recognition'. *Immigrants and Minorities*, vol. 24, no. 2, pp. 125–143, cited on p. 140.

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Part 2
Political developments

4 Political developments

The British, the Americans, the Zionists and the Palestine question

> It seems clear that there can be no question of permitting … the mass immigration for which the Zionist Organizations are now pressing; whether or not such mass immigration should be allowed in future is a matter for examination in connection with the formulation of a long-term plan.[1]

This chapter will present the multi-layered Palestinian political conflict of 1945–1948, emphasizing the debate over Jewish immigration.

On 10 April 1945 British Foreign Secretary Anthony Eden sent the Cabinet a memorandum on Palestine, in which he analysed the situation to be expected after the war. In the memorandum, he expressed his opposition to partition and presented the eventually unfulfilled hypothesis concerning Jewish immigration. In his view, the problem would not be as pressing as in the past:

> The principle difficulty in dealing with illegal Jewish immigration in the past ten years has been the public knowledge that they were liable to be terribly maltreated and even killed if they were compelled to return to the territories they have left.[2]

However, in his opinion the situation had been changed, if not transformed, by the imminent ending of the persecution of Jews in Europe. He quoted Sir Herbert Emerson, the International Commissioner for Refugees, who believed that the future restriction of movement was in the interest of the Jews and that the centrifugal movement from Europe should be *actively discouraged.* Discriminatory legislation in European countries was to be repealed and as result there would be no basis for future Jewish demands: ‘Neither here nor in Palestine, therefore, should we politically be subject to the same overpowering moral pressure as in the past in the matter of administrating immigration’.[3] Following Labour’s victory in the July 1945 general election, British officials had no difficulty in convincing themselves and the new Labour government that there was no especial connection between the plight of the Jews in the DP camps and Palestine. They claimed that the refugees were only acting under the pressure of the Zionists and would prefer to remain in Europe or to immigrate to the United States. The Zionists were indeed working to transport Jewish immigrants to Palestine, but the immigrants also had their own reasons and motivations for going there.

> The belief that if it had not been for the Zionist activities the agitation would have died down was not plausible. The idea of the promised Land and the gathering-in of exiles to their ancestral home, where they could establish their own community without fear of

> persecution, had seized the imagination of outcast people and was supported by the practical argument that there was no other country in the world willing to admit them, neither the USA nor Britain nor anywhere else.[4]

Bullock quotes a report published by the British embassy in Warsaw that 300 Jews were killed in Poland in the seven months between the conclusion of the war and the end of 1945. He then asks: 'Why could the British not see what seemed obvious to Americans, French, Italians, and Dutch and to most people outside the Muslim world.'[5] The answer in his view was that the British government ministers were not moved by anti-Semitism but thought that they alone, as the mandatory power in Palestine, were aware of the political consequences of the Zionists' demand to create a Jewish state and the bitter Arab opposition to it, in Palestine and throughout the Arab world. Britain's position as the paramount power in the Middle East required the goodwill of Arab states.[6] Furthermore, the British trauma of the Arab revolt in 1936–1939 led them to fear its renewal if provoked by Jewish immigration. Therefore, the British Cabinet Palestine Committee, chaired by Herbert Morrison, recommended on 6 September 1945 that the Cabinet should oppose mass Jewish immigration. The committee was determined to preserve Britain's well-known strategic interests in the region, as a centre of communication and a major reservoir of oil, while the importance of Palestine as a potential military base was enhanced by the instability of Britain's position in Egypt.[7]

The Jewish point of view was presented by Chaim Weizmann, the moderate President of the Zionist Organization in a memorandum sent at the end of May 1945 to Prime Minister Winston Churchill. Weizmann emphasized the Jewish total rejection of the 1939 White Paper, blaming the British immigration policy for the great loss of life:

> [T]he Jews … had seen very large numbers of Jewish lives cruelly sacrificed, many more of which might have been saved had immigration into Palestine been regulated in accordance with the Balfour Declaration[8] and the Mandate.[9]

Weizmann requested the British Government to establish Palestine as a Jewish state, and to transfer to the Jewish Agency the authority to regulate immigration and develop the country.[10] The Jewish Agency was still officially committed to the Biltmore Program that was accepted in 1942 and which demanded control of immigration and Jewish sovereignty in the British Mandate of Palestine.[11] In mid-June the Agency sent a second urgent memorandum pleading for 100,000 entry permits to Palestine for European Jews. Ovendale observes that following the publication of the 1939 White Paper, the Zionists changed their tactics and shifted their political focus away from Britain to the Unites States, where they had some political influence: 'The Zionists threatened electoral punishment through the Zionist vote if the American administration failed to support a Jewish state. It was thought that the United States could force Britain to hand Palestine over to the Zionists.'[12]

Meanwhile, disunity among the Palestine Arabs continued. The leading Arab nationalist, the Grand Mufti of Jerusalem, Haj Amin al-Husseini, was discredited at that time owing of his wartime contact with the Nazi regime. The members of the Independence (Istiqlal) Party did not succeed in unifying the leadership, as the Mufti's supporters, the Husseinis, were unwilling to cooperate. Aiming to restore the leadership of the Mufti, they formed a new group called the

Arab Palestine Party, headed by his cousin, Tewfik Saleh al-Husseini. While the Istiqlal Party demanded the continuation of the White Paper policy, the Arab Palestine Party demanded independence within Arab unity, the establishment of an Arab government in the entire country and the dissolution of the national home for the Jewish people. The result of this political division was that the Arab states were united in furthering the Arab national cause in Palestine, even though there no strong leadership was present in Palestine itself. The Alexandria Protocol of October 1944, the founding memorandum of the Arab League, proclaimed support for the British White Paper policies, including the promised independence for Palestine. The Protocol expressed regret for the suffering of the Jews in Europe, but stated that the problem of the Jews could not be solved by applying another injustice to the Palestinian Arabs.[13]

There was soon to be a change in the British and American leadership. The British general election in July brought the Labour Party to power and President Truman succeeded President Roosevelt after his death on 12 April 1945. Truman's policy in the following three years was viewed by Roger Louis as steering a course between the 'whirlpools of Zionism and British imperialism':

> To his domestic Jewish constituency he persistently expressed compassion for the refugees. At the same time he resisted commitments that might alienate the Arabs and jeopardize the supply of Middle Eastern oil … If any one thing was clear in his mind it was the necessity to avoid being sucked into the Middle Eastern troubles that would involve American troops.[14]

Truman indicated to the Zionists leaders that he was willing to solve the problems arising from the DPs and the national home for the Jewish people, but only offered assistance in the transport of 100,000 Jewish refugees to Palestine. He resented Zionist pressure but took into consideration their electoral power in national elections, especially in New York.[15]

The British Labour Party policy on Palestine, updated at the 1945 party conference which took part just before the national election, was presented by Hugh Dalton, who declared that it was morally wrong and also politically indefensible to impose obstacles on the Jews' entry to Palestine and that economic assistance should be provided to facilitate immigration to Palestine without the present limitations.[16] By 1946, with Labour in power, the debate on Palestine was dominated by Bevin who made it clear, in response to a plea by Harold Laski, a Jewish supporter of Zionism and chairman of the Labour Party from 1945–1946, that he was not in favour of allowing 100,000 Jews to immigrate to Palestine, even after the recommendation of the Anglo-American Committee.[17] Clement Attlee opposed the White Paper at the time but as Prime Minister he decided against significant Jewish immigration into Palestine. He also did not agree that the Jews were living in worse conditions than any other Nazi victims. He fully supported Bevin's Middle East policy but was less outspoken and thus attracted less criticism. Bloom's evaluation contains a definite note of realpolitik:

> Every senior Labour statesman had denounced Conservative policy and a number, in particular Dalton, Morrison, Creech Jones and Greenwood, had played a prominent role in the Zionist crusade, but all Labour pledges, reiterated in conference after conference, were of no consequences when matched against perceived national interests.[18]

However, at the time the government had to consider the United States' policy as well as the UK's strategic interests.[19] It had to make an immediate decision on Jewish immigration as the 1939 White Paper quota of 75,000 Jewish immigrants to Palestine was almost exhausted. The Jewish Agency was offered the remaining 3,000 certificates at a rate of 1,500 per month but instead demanded the full quota of 100,000 certificates. The British view was that an expected Arab violent reaction to immigration required military preparation and could lead to delays in demobilization. The British Cabinet, primarily Bevin, regarded Palestine as part of British policy in the Middle East. Bevin insisted that the region would remain within the British sphere of influence, to be protected even from the Americans. According to Bevin, Britain 'should not make any concession that would assist American commercial penetration into a region which for generations has been an established British market'.[20] The Palestine Committee sent its recommendations on short-term policy to the Cabinet, as noted in September 1945. While outlining the situation in Palestine, the Committee pointed out in a rather laconic way that the number of immigrants admitted fell short of the 75,000 White Paper quota 'owing to conditions arising out of the war in Europe'.[21] The Committee, writing its report only four months after the ending of the war in Europe, was quite adamant that there needed to be definite consensus concerning the Jewish survivors' limited prospects of immigration:

> It seems clear that there can be no question of permitting, during the interval referred to in the preceding paragraph, the mass immigration for which the Zionist Organizations are now pressing; whether or not such mass immigration should be allowed in future is a matter for examination in connection with the formulation of a long-term plan.[22]

The Committee then recommended that immigration to Palestine should be allowed to continue temporarily, at the rate of 1,500 immigrants per month. It observed that this limited immigration was an important measure designed to appease the Jewish sentiment rather than to resolve the 'real problem of World Jewry'. It then went on to analyse the paths open to the government and recommended the temporary maintenance of the White Paper policy. The government was clearly expecting localized trouble with the Jews in Palestine, rather than widespread disturbances among the Arabs throughout the Middle East and possibly among the Muslims in India: 'If we adhere to the White Paper we may escape without adverse repercussions; there is no hope of doing so under the alternative course'.[23] The only possible disadvantages had to do with Britain's relations with the United States, where the government expected criticism should trouble break out with the Arabs or the Jews. Towards the end of the document, the Committee expressed understanding of difficulties facing the Jews but declared that they could wait for a solution:

> The Committee has every sympathy with the plight of the Jews in Europe and every desire to further the success of the National Home in Palestine … But no immigration which could be considered during the purely temporary period until such a policy can be formulated would make any substantial contribution to the solution of the real problem.[24]

Kimche explains that Bevin did not appreciate the results of his policy:

> He never understood the Jewish storm that burst over his head as a result; nor the almost

> unreasoning emotionalism which led to the calculated fury of the terrorists and the deliberate defiance involved in the Mossad's plan of illegal immigration.[25]

The British appeared completely unable to grasp the emotional nihilism of the Jews in Europe and Palestine. They thought that other peoples had also suffered great losses during the war, but these people neither opened fire on British soldiers, nor mocked British authority. It turned the British attitude from annoyance to bitterness and open hostility.[26]

Colonial Secretary George Hall warned his colleagues of the grave situation developing in Palestine, following receipt of a letter from the Officer Administrating the Government (Chief Secretary) Sir John Shaw. The principal reason for these tensions was the expectation and anxiety concerning British policy regarding immigration given that the quota of immigration certificates imposed by the White Paper was about to be filled. He emphasized that the Jewish community, stirred by the suffering of the Jews in Central Europe and the plight of the survivors, was preparing for an armed revolt. He urged the Cabinet to send military reinforcements to the Middle East. Shaw's opinion on the expected conflict was clear: 'to the majority of Jews in Palestine, the White Paper has come to represent the barrier between the Yishuv and a Jewish State'.[27] One month later the Cabinet considered the memorandum presented by Foreign Secretary Bevin on the discussion held in September with British representatives in the Middle East. It was clear that the British government could not ignore the present situation whereby Jews in Europe were living in conditions of great hardship and in some areas were still subject to persecution or being driven from their homes. Bevin then presented the idea of an Anglo-American Commission that would seek ways to improve the position of the Jews in Europe, consider the options for immigration into Palestine and to other countries, including the United States and the Dominions, as well as building temporary camps in North Africa under UNRRA control.[28] In a meeting that took place the following week, Bevin openly criticized the agitation in the United States, 'which was poisoning our relations with the United States Government in other fields'.[29] Bevin disapproved of the Harrison report, claiming that 'it had not been based on proper investigation' and pointed out the advantage of holding a joint inquiry with the United States, which was also expected to take some of the Jews who had to be transferred from Europe.[30]

The initial statement by the United States on the problems facing the Jewish refugees since the war was given by President Truman to the press on 16 August 1945, in which he claimed that at Potsdam 'he had sustained the view that as many Jews as possible should be admitted to Palestine'. Such immigration should, however, be worked out on a peaceful basis between Britain and the Arabs, and he added that he 'had no desire to send half a million American soldiers there'.[31] On 24 August Loy Henderson, the former US Minister in Baghdad, recently nominated as Director of the Office of Near Eastern and African affairs, sent a letter to Secretary of State Byrnes, in preparation for his visit to London, suggesting four plans for a possible settlement in Palestine: a Jewish commonwealth; an independent Arab state; partition under the trusteeship system; and a proposed trusteeship agreement for Palestine. He warned against the establishment of a Jewish state.[32] In Henderson's view, American policy in support of a Jewish state in Palestine would stand in contrast to the traditional American policy of respecting the opinion of the majority of the local inhabitants with regard to their form of government.[33] On 31 August, after receiving the Harrison report, Truman wrote to Attlee suggesting a quick

evacuation of as many non-repatriable Jews as possible among those wishing to travel to Palestine, and suggested that about 100,000 people should be selected. This 'would contribute greatly to a sound solution for the future of the Jews still in Germany and Austria and for other Jewish refugees who do not wish to remain where they are or who for understandable reasons do not desire to return to their countries of origin'.[34] Attlee's telegram to Truman warned against placing the Jews in a special racial category and pointed out that the British had to consider the Arabs as well.[35]

The Anglo-American Committee

In response to Truman's request concerning the 100,000 immigrants, Bevin proposed, as noted above, the creation of a joint committee to study the question of DPs and the possible solutions to the problem, including in Palestine. With Truman's request, Bevin accepted Palestine as the focus of the study of the solution to the refugee problem. Roger Louis observes that the British wanted to 'educate' the Americans 'and get them to act responsibly both on Palestine and the refugee issue'.[36] They wanted to demonstrate to the Americans that the Jewish refugee problem was so great it could not be solved in Palestine alone, the DPs must be accepted by other countries, including the United States. He added that Bevin was aware of the unprecedented suffering of the Jewish people and the other victims of the Nazis, but neither he nor his advisers appeared to have reached the conclusion that the future of the Jews lay in Palestine. Another official, Paul Mason of the Foreign Office, wrote in October 1945 that the Zionists were to blame for not helping the British to create the necessary conditions for the Jews to be able to live side by side with non-Jewish nationals and instead put pressure on a large proportion of them to opt to go to Palestine.[37] The Zionists saw the matter in a very different light, as manifested by the unforgiving criticism of Dr Weizmann that the Labour Party had offered the Zionists 'instead of the abrogation of the White Paper, and relief for the Jews in the detention camps – a new Commission of Inquiry'. He maintained that the British government believed that the Jews should return to their countries of origin without discrimination, and contribute their ability and talent towards the rebuilding of Europe. Weizmann concluded:

> The British government, in other words, refused to accept the view that six million Jews had been done to death in Europe by various scientific mass methods and that European anti-Semitism was as viciously alive as ever. The British government wanted the Jews to stay on and contribute their talents … towards the rebuilding of Germany, so that the Germans might have another chance of destroying the last remnants of the Jewish people.[38]

The American policy makers viewed Palestine at that point as an instrument in its rivalry with Britain, aiming to end British supremacy in the area. The policy was perhaps designed to support Zionism, thus leading to deteriorating relations between Britain and the Arabs:

> [This] had very little to do with the Zionist vote or any other excuse; instead, they probably sprang from a *strong desire to obstruct* whatever policy HMG was going to pursue – that is, whatever policy might result in an agreed solution under British

auspices.[39]

British anger and frustration towards growing US involvement in the Middle East led to somewhat exceptional outbursts. In Attlee's letter of 5 September 1946 to the head of UNRRA, La Guardia, he asked: 'what would have been the attitude of the United States, if … we had suddenly proposed to send 100,000 West Africans there?'[40] Bevin still wanted to enforce a settlement in Palestine through a joint Anglo-American act and Palestine was seen as the testing ground for further cooperation in the entire Middle East. Nevertheless, his policy encountered disagreement among his Cabinet colleagues as well as officials and the military in the field. Nachmani's view is that cooperation failed 'because of the British negotiators' tactics to exclude the US from the Middle East'.[41]

The Anglo-American Committee comprised six British and six American members. Following some four months of inquiry, they submitted their unanimous report in April 1946, taking into consideration Bevin's statement that he would accept their report only if all the members were in agreement.[42] The Committee conducted hearings in Washington and London during January 1946. Throughout February subcommittees studied the question of the displaced Jews in Europe and on 28 February the full committee listened to the testimony of the Arab League in Cairo. The Jerusalem hearings started on 6 March and were interrupted to allow subcommittees to tour the two communities and to meet with Arab spokesmen in Damascus, Beirut, Baghdad, Riyadh and Amman. With regard to the Jewish DPs, the report did substantiate Harrison's findings that most of them wanted to settle in Palestine and there was 'no hope of substantial assistance' in settling the growing number of refugees outside of Palestine, although that country alone could not absorb all the refugees. The United States and Britain were urged to make special provisions to resolve the problem.[43] The Committee was sympathetic towards the refugees when describing their innermost feelings concerning Palestine:

> They are resentful because they are prevented from going to Palestine. In the meantime, as time passes, the new ties between those who are sharing this common frustration become stronger and obsessed by their apparent rejection by other peoples of the world, their firm desire is to remain together in the future … they wait with growing impatience for the time when they can go to the only friendly place they know.[44]

The Committee recommended the foundation of a binational state and the immediate admission of 100,000 Jewish refugees into Palestine, and requested that their actual immigration be expedited.[45] The Committee recognized the holiness of Palestine to Christianity, Islam and Judaism, and thereby endorsed the binational option which called for the establishment of an independent democratic government based on equal representation, under UN trusteeship, intended to prepare the two quarrelling communities for binationalism, including raising economic and democratic standards of living for the Arab community and changing the current nationalistic aspects of education in the two communities.[46] The report was released in London and Washington on 1 May. President Truman was pleased that the Committee supported his appeal for the admittance of 100,000 refugees, as well as calling for the withdrawal of the 1939 White Paper. Prime Minister Attlee told the House of Commons that his government would not like to make this serious commitment alone and would have to ascertain the extent of American

participation. He then added a list of preconditions for the fulfilment of the Committee's recommendations and declared that the 100,000 immigrants could not be admitted 'unless and until the illegal armies has been disbanded, their arms surrendered and the Jewish Agency's cooperation in the suppression of terrorism resumed'.[47] The Arabs rejected all the recommendations and warned that conflict could break out should they be implemented. The Jewish Agency welcomed part of the report concerning immigration and land, but stated that it did not resolve the problem of homeless and stateless Jews, and instead declared that the solution lay in the framework of a Jewish state.[48] Ben-Gurion criticized, among other topics, the Committee's expectations on law and order:

> [T]he Jewish Agency was requested to cooperate in combating terrorism, in putting down illegal immigration, and in restoring law and order. But it had no share in the Government and therefore could have no responsibility in maintaining law and order.[49]

The British Chiefs of Staff report was written as early as 26 April, and described the military implications of the recommendations. Their view was that it was possible that at a later stage general Arab resistance would break out in Palestine, aided by the Arab states, in addition to demonstrations and riots throughout the other Muslim Middle Eastern countries. This would require considerable military reinforcements which would be involved for an extended period in order to prevent the run-down expected by the government. Their recommendations included asking the United States for military assistance or appealing to the UN, which would risking loosening the UK's hold on Palestine and encouraging Russia's participation, which could implicate the extension of that country's influence in the region. They stressed the need to dissolve the Jewish illegal military organizations, as required by the Committee, to be achieved by persuasion or if necessary by force.[50] The Cabinet discussed the report just before its publication and the members agreed that the report very likely to create further difficulties for Britain vis-à-vis both the Jews and the Arabs. The fundamental criticism of the Committee concerned what was viewed as the lack of an actual solution to the problem of Jewish refugees:

> [I]t made no serious attempt to grapple with the problem of Jews in Europe, their only practical recommendation, under this part of their terms of reference, was that a large number of these Jews should go to Palestine; and the whole responsibility for the serious consequences of such an influx was to be left on our shoulders.[51]

The Cabinet agreed that the United States should be asked to shoulder part of the responsibility, and to provide military and financial assistance, as well as political support. The cost of the absorption of 100,000 immigrants and improving the social conditions of the Arabs was estimated at about £100 million, with a recurring annual expenditure of between £5 million and £10 million. It was stated that the problem of the resettlement of Jews in Europe should be dealt with as part of the general refugee problem.[52]

Colonial Secretary George Hall's memorandum to the British Cabinet detailed his reaction to the Committee's recommendations. The most controversial of these was the second recommendation concerning the granting of 100,000 immigration certificates to Jews wanting to travel to Palestine. The British opinion was that the amount that it would be possible to absorb every month was 4,000, while the Jewish Agency and the American view was that 10,000 could

be transported and settled at the same time. Referring to the Committee's third recommendation that Palestine should be neither a Jewish nor an Arab state and should be governed by a trusteeship under UN auspices, he claimed that such a system might not comply with Article 76 of the Charter of the UN. This Article lays down, as one of the basic objects of the trusteeship system, the development towards self-government or independence of a country's inhabitants in accordance with their freely expressed wishes. Hall also criticized the sixth recommendation concerning further immigration, to be determined by the government of Palestine, which he believed would meet with strong Arab opposition and did not determine future policy. The Committee also did not offer a solution to the problem of illegal immigration, since after the period of the planned absorption of the 100,000, the Jewish Agency was expected not to cooperate with any measure that might deprive any Jew from reaching Palestine. After presenting the grave economic and military implications he concluded with a stern warning against the implementation of the Committee's recommendations that 'seems likely, by estranging the Arab states to imperil our position in the Middle East and at the same time to involve us in military and financial commitments beyond our capacity to bear'.[53] President Truman's statement of 30 April 1946, following the publication of the report, emphasized his satisfaction that his request was endorsed by the Committee and urged for its implementation: 'The transference of these unfortunate people should now be accomplished with the greatest dispatch'.[54] In his memorandum dated 8 July 1946 on long-term policy in Palestine, George Hall expressed his view that a binational state in Palestine was impracticable and that the only hope of solution lay in an arrangement that would, to the greatest possible extent, allow each nationality to manage its own affairs. This could be achieved either by partitioning the land into independent states, or the creation of semi-autonomous areas, under a central Trustee Government. Hall pointed out that neither community would accept partition, nor would the UN be prepared to force independence on an unwilling people. Thus, he supported the second option and presented a detailed proposal to the Cabinet. The plan's advantage was that it could be executed unilaterally at any time, since it did not involve a departure from the provisions of the Mandate and the question of trusteeship could be discussed as British terms. The United States was likely to support such a plan because it would permit the admission of 100,000 immigrants; the Arabs would not make any serious objections as the 'Jewish settlement would be confined to a definite and comparatively small compartment of Palestine'. The Arab states would also see some advantage at least 'in a plan which freed three-quarters of Palestine Arabs, once and for all, from any fear of Jewish domination'.[55]

During the three-month period after the publication of the report, there still was no agreement between the United States and Britain on a future policy. Negotiations in London between experts of both countries were headed by the American diplomat, Henry Grady, and the British Lord President of the Council, Herbert Morrison. The Morrison-Grady plan was presented on 31 July. It recommended that the Mandate should be converted into a trusteeship and that the country should be divided into a Jewish province and an Arab province, and that the districts of Jerusalem and Negev would remain under British control. The UK would have exclusive authority over defence, foreign relations and other strategic interests. The immigration of the 100,000 Jews would be postponed until the scheme could be implemented in full. The British would then have full control of immigration, according to the economic absorptive capacity of the province. The execution of the plan might ultimately lead to either a unitary binational state

or to partition.[56] The two countries' 'statement of policy' pointed out the initial part of the document concerning the position of the European Jews, that the two governments were prepared to assist native Jews to resettle in their respective zones in German and Austrian territories, while 'all available means are being used to eradicate Anti-Semitism and the pressure for restitution of property'.[57] The officials were no doubt aware of the persecution of Jews even after the war, including the pogrom in Kielce, Poland, on 4 July 1946 (see Chapter 3), when Jews were brutally murdered and wounded. Somewhat optimistically their solution was to ask the UN to redouble its efforts to restore human rights:

> [T]he two governments must rely on action through the United Nations to give practical effects to the provisions on human rights in the Charter … our governments will continue to contribute to the restoration of those basic conditions which will make possible the reintegration in Europe of substantial number of displaced persons, including Jews.[58]

Other recommendations concerned the resettlement of Jews in countries such as the United States, the British Dominions, or Brazil. The announcement of this policy was to be made together with the announcement of a new policy in Palestine, in order to reduce Arab opposition to the admission of 100,000 Jews into Palestine.[59]

The Chiefs of Staff criticized the trusteeship plan, citing several problems: the Arabs would disapprove of it, and the plan neither offered a permanent solution nor a chance to reduce British security commitments, as 'only the dispersal of displaced Jews on a world-wide basis could do this'. The military risks involved in a provisional autonomy were viewed as less than those in the binational scheme. The Chiefs of Staff reiterated the strategic need of Britain to control Palestine and not alienate the Arab states.[60] Nevertheless, the Zionists' intensive lobbying against the plan that enjoyed considerable support, as well as the negative opinion of the American members of the Anglo-American Committee, led Truman to reject it.[61] In a message to Attlee sent on 13 August, Truman wrote that after detailed discussion he reluctantly came to the conclusion that he cannot support the document, facing intensive opposition that it would be impossible to rally sufficient public opinion support.[62]

Truman's declaration on 4 October 1946, on the eve of the Jewish Day of Atonement (Yom Kippur), signified a change in policy. According to Roger Louis, Truman now endorsed 'the creation of a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine instead of the whole of Palestine'. [63] Part of the text is reproduced here:

> The British Government presented to the Conference the so-called 'Morrison plan' for provincial autonomy and stated that the Conference was open to other proposals. Meanwhile, the Jewish Agency proposed a solution of the Palestine problem by means of the creation of a viable Jewish state in control of its own immigration and economic policies in an adequate area of Palestine instead of in the whole of Palestine. It proposed furthermore the immediate issuance of certificates for 100,000 Jewish immigrants. This proposal received wide-spread attention in the United States, both in the press and in public forums. From the discussion which has ensued it is my belief that a solution along these lines would command the support of public opinion in the United States. I cannot

believe that the gap between the proposals which have been put forward is too great to be bridged by men of reason and good-will. To such a solution our Government could give its support. In the light of the situation which has now developed I wish to state my views as succinctly as possible:

1 In view of the fact that winter will come on before the Conference can be resumed I believe and urge that substantial immigration into Palestine cannot await a solution to the Palestine problem and that it should begin at once. Preparations for this movement have already been made by this Government and it is ready to lend its immediate assistance.

2 I state again, as I have on previous occasions that the immigration laws of other countries, including the United States, should be liberalized with a view to the admission of displaced persons. I am prepared to make such a recommendation to the Congress and to continue as energetically as possible collaboration with other countries on the whole problem of displaced persons.

3 Furthermore, should a workable solution for Palestine be devised, I would be willing to recommend to the Congress a plan for economic assistance for the development of that country.

In the light of the terrible ordeal which the Jewish people of Europe endured during the recent war and the crisis now existing, I cannot believe that a program of immediate action along the lines suggested above could not be worked out with the cooperation of all people concerned. The administration will continue to do everything it can to this end.[64]

The British reaction to the statement above was that Truman was putting domestic political considerations before Western security.[65] Cohen observes that Truman actually called for a compromise ('bridging the gap'), between the Zionists and the British proposals, and called for 'substantial immigration', without specifying 100,000 persons or any other figure.[66] Truman sent a message to Attlee on 10 October to express his regrets that the statement may have been embarrassing to him, but he could not postpone it:

> My feeling was that the announcement of the adjournment until December 16 of the discussions with the Arabs had brought such depression to the Jewish displaced persons in Europe and to millions of American citizens … that I could not even for a single day postpone making clear the continued interest of this government in their welfare.[67]

He then returned to his proposal for the immigration of 100,000 Jews to Palestine. However, nothing came of this. Unusually for diplomatic correspondence, Truman described in detail the feelings of the Jewish refugees, who were still incarcerated in camps nearly a year and a half after liberation: 'Their feelings of depression and frustration were, of course, intensified by the approach of their annual Day of Atonement, when they are accustomed to give contemplation to the lot of the Jewish people'. Truman pointed out clearly his administration's sympathy for the DPs: 'I felt that this government owed it to these people to leave them in no doubt … as to its continuing interest in their future and its desire that all possible steps should be taken to alleviate their plight'.[68]

In the years that followed the end of the Second World War, Britain's Palestine policy was part of its strategic and economic considerations and the need to consolidate the Anglo-American

special relationship, in view of the country's severe economic situation. Despite this, in 1946 the UK still viewed Palestine and the Middle East as a British area of influence and would only consider temporary US presence, weighed against the growing Russian threat in Europe.[69]

The debate on the Palestine policy started in the British government in late 1946 and continued until February 1947. It caused a dispute between the Foreign Office and the Colonial Office over the interpretation of trusteeship and the policy in general: the same issues re-emerged that had previously divided the British public, Parliament, the Cabinet and permanent officials in the late 1930s. The Foreign Office supported the idea of an Arab state that would stabilize or limit Jewish immigration while preserving British influence in the Middle East through an Anglo-Arab alliance. Colonial Secretary Creech Jones' aim was to reaffirm the tradition of trusteeship through partition.[70] By January 1947 Britain was expected, according to the Charter of the UN, to transform the League of Nations' Mandate into a UN trusteeship, with no way of knowing the potential results. Regarding strategic considerations, the Chiefs of Staff supported the arguments of the Foreign Office: 'Far from wishing to relinquish Palestine for mere reasons of political discontent, the Chiefs of Staff wished to retain it as a permanent possession.'[71] The partition of Palestine was doomed to fail. The two separate states would have indefensible borders, and would probably turn all the Middle Eastern states, with the possible exception of Trans-Jordan, against Britain with expected disastrous strategic consequences. Roger Louis sums up their position: 'To the traditional British military mind treaty rights with a Palestinian Arab state would provide, under the circumstances, the best answer to the strategic problems of the British Empire in the eastern Mediterranean.'[72]

In early 1947 the Cabinet held an in-depth discussion on long-term policy in Palestine. Foreign Secretary Bevin remarked that although the Balfour Declaration never envisaged a Jewish state, the Labour Party endorsed a Jewish state. The position in the UN was against creating religious states and it would not agree to partition. The feeling was that a Jewish state would be a religious state. 'Apart from Hitler's persecution, there is no kinship between Polish and French Jews'.[73]

Colonial Secretary Creech Jones's memorandum was presented to the Cabinet on 22 January 1947. In it he claimed that the Arab state plan, founded on democratic principles according to the Charter of the UN, could not be implemented. This plan incorporated most of the provisions of the White Paper, the end of immigration and Jewish development in Palestine under Arab control: 'the permanent subjugation of the National Home, with its highly organised European population and its extensive commercial and industrial interests, to a backward Arab electorate, largely illiterate and avowedly inimical to its further progress'.[74] He warned against large-scale bloodshed and that the government would not be able to defend such a policy 'of a gross betrayal' of the Jews to the United States, the Commonwealth, or even the British electorate. For him the only solution was partition, supported by US and British public opinion and Britain should recommend this course of action to the UN.[75] In the Cabinet meeting of 22 January, Bevin declared that he was not against partition but as it might involve the use of force against the Arabs, such a British action might have to be discussed in the Security Council. The Cabinet still hoped to reach a solution in the forthcoming talks in London with both the Arabs and the Jews, but both Bevin and Creech Jones argued that should they fail, Britain would have to present the question to the UN. Prime Minister Attlee doubted whether Britain would be able to rely on the continuing friendship of the Jews in Palestine. They were mainly European and might

turn to Russia. Bevin added that the American Jews were 'hostile and disloyal'.[76]

In February 1947 a new proposal, this time co-written by Bevin and Creech Jones, presented a revised version of the provincial autonomy. The major difference from the Morrison-Grady plan was that it suggested a definite time limit of five years for the trusteeship term. During that time the country would be prepared for independence in a unitary Arab-Jewish state, while the possibility of partition was entirely removed. The High Commissioner would continue to wield supreme legislative and executive authority and the population would be accorded cantonal self-government. The Jewish Agency was to be dissolved and the population would be represented by an advisory council. The 100,000 Jewish immigrants would be admitted over a period of two years. In the final three years, the Arabs would be involved in determining immigration policy but the ultimate decision would rest with the UN Trusteeship Council.[77] As might have been expected, the proposal was rejected by both the Arabs and the Jews. In a memorandum of 13 February Bevin and Creech Jones suggested to the Cabinet that it was impossible to reach a solution on Palestine without the backing of the UN.[78]

Attlee and Bevin's goal was not to be held responsible in Arab eyes for the policy of partition. In their view, once the problem had been referred to the UN, the pro-Arab majority in the General Assembly would prevent the partition resolution from achieving the two-third's majority of votes needed for an affirmative decision. Therefore, the UN would decide on a unitary state, based on the Arab majority in Palestine.[79]

The parliamentary debate held on 25 February 1947 was an opportunity for Bevin to outline his fundamental beliefs and policies concerning Palestine and to attempt to repudiate Zionism as a basis for a Palestinian settlement. Its purpose was 'to make clear Bevin's straightforward and honest rejection of Zionists demand for a Jewish state'.[80] Bevin's long speech presented the British government's position, voicing an understanding of the position of the Arabs that have been living in Palestine 'for just about as long as England has been a Christian country', while claiming that the Arabs now accepted the idea of a national home for Jews within a unitary state with an Arab majority. He told the House that the Arabs had agreed that the Jews would have their own language, university and religion. As late as 1947 he still maintained that with the removal of political difficulty, Jews and Arabs 'will develop a State of which they can well be proud'. He argued that the problems of the numerous religions in Palestine and the need for Jewish representation in the UN, raised by the Jewish Agency, could be dealt with in the UN from a state point of view. He even proposed to the members, despite the nature of the dictatorial regime there being well known, to take a similar position to Russia where there were many races, 'but I have never heard that this particular theory has been advanced there'.[81] He rejected the idea of partition that would create an Arab minority that might be driven out of a Jewish state. Partition would be rejected by the Arab states that were expected to take British action to the UN 'on the basis of our legal action in carving up a State that was not ours … we cannot do that'.[82] In summary, he said that before going to the UN Britain should be allowed to deal with the problem on a humanitarian basis:

> [We should relieve] Europe of these 100,000 people as we are asked to do and let us be allowed to deal with any further immigrants on the basis I have suggested. If there is a dispute, let there be arbitration, and, in the quickest possible time we can create an independent State in Palestine where Jew and Arab, who have such traditions and have

> contributed so much to the religious and cultural thought of the world, can work together and end these century-old conflicts.[83]

The report of the UN Special Committee on Palestine (UNSCOP) was released on 3 September.[84] A majority of its members were in favour of the partition of Mandatory Palestine into two independent Arab and Jewish states, with a special international regime in Jerusalem. The two new states were to be democratic and to refrain from the 'threat or use of force against the integrity or political independence of any state'.[85] The committee stressed that the economic unity of Palestine should be maintained. The UN should organize an international arrangement for solving the problem of the 250,000 Jewish DPs in Europe. Jewish immigration, organized by the Jewish Agency, was to continue at a monthly rate of 6,250 persons in the first two years, and 5,000 thereafter.[86]

On 26 September British Colonial Secretary Creech Jones announced in the UN that Britain would end its Mandate of Palestine.[87] On 29 November the General Assembly endorsed the Palestine Committee partition proposal (after some modification of the UNSCOP majority proposal) by a vote of 33 in favour, 13 against, and 10 abstentions.[88] The Colonial Secretary informed Parliament on 11 December that the Mandate of Palestine would be terminated on 15 May.[89] As the British were leaving, on 14 May, Israel's first Prime Minister David Ben-Gurion declared the independence of the State of Israel, in the Jewish partitioned area of Palestine.

The British policy makers' greatest error, according to Northedge, was their failure to understand the changes in the thinking of non-European nations after the Second World War, which recognized the new opportunities that were opening up for them. The British establishment was sure that Britain would regain its position in the Middle East and other such areas of the world that would be restored to more or less what it always had been. Arabs, Iranians and even Jews were expected to accept British hegemony and definition of their own needs. The British leaders, however, could not recognize the will of all the people under its rule 'to run their own affairs and to lever the foreigner from their soil'.[90]

One of the paramount handicaps that the British suffered was the difficulty they had in grasping the transformation of Zionism and the challenge they faced in comparison to the ineffective Jewish protests of the 1930s. They continued to regard Weizmann's moderate policies as representing Zionism when he was already relinquishing his leadership to the hardliners, Ben-Gurion and Silver.

> When Bevin and the British criticized the Zionists for making political capital out of the suffering of the Jews, they missed the point. This was the strength, not the weakness, of the post-war Zionist movement which was no longer pleading for compassion on humanitarian grounds … but asserting the political will of a nation in the making.[91]

In contrast, Bevin was unable to perceive the Jews as a separate nationality and the Refugee Department of the Foreign Office took the same view:

> We insistently deny that it is right to segregate persons of Jewish race as such … It has been a cardinal policy hitherto that we regard the nationality factor as the determining one as regards people of Jewish race just as in the case of other racial or religious groups.

> Once abandon that and the door is open for discrimination in favour of Jews as such, which will ultimately become discrimination against Jews as such.[92]

Bullock argues that both Attlee and Bevin repeated this claim as if Nazi persecution of the Jews 'as such' had never taken place and it failed to meet the force of the Zionist argument. The European Jews did not want to live in Europe, which to them was one huge cemetery. This was the risk of discrimination Bevin pointed to that encouraged the Jews to want a state that would serve as a refuge and protect them.[93] He added that the analysis of British interests in the Middle East was out of date, as only British withdrawal from the region could satisfy the Arab nationalists, as the British eventually had to recognize. The best course of action might have been to create a Jewish state under British auspices, as a base for Britain Middle Eastern policy but Bullock doubts whether they could have made such a 'striking example of *realpolitik*'. Unlike the United States the British lacked the financial and economic resources to compensate the Arabs and moderate their resentment.[94] The *Exodus* affair of July–September 1947, to be discussed later, was described by the *Economist* not only as a disaster for Britain's relationship with the Jews, but also as a catastrophe for Britain's moral reputation throughout the world. Not only did it produce hostility towards Britain among Zionists, it also destroyed the efforts to re-educate the Germans against Hitler's legacy, thus encouraging anti-Semitism. The *Economist* saw anti-Semitism in the British civil service to be one of the root causes of the trouble in Palestine. In the Colonial and War offices it was based on involvement in civil or military administration in the region. In the Foreign Office it was based on the diplomatic contacts and the reports from British missions in Arab capitals, which warned against making any concessions to the Jews.[95]

Another aspect of Bevin's policy was withdrawal from the Indian sub-continent and a shift in emphasis from empire to Europe, as the first priority in British strategy. This should be accompanied by a reassessment of the value of the Middle East and its security arrangements. It should have been apparent that the British attempt to maintain physical control of the area would lead to local hostility towards the British presence. Bevin may have wanted a change of policy but the pressure from the Foreign Office and the War Office to continue the traditional policy was enormous:

> Whitehall remained firmly wedded to the view that the Arab states were essentially pro-British and, if properly handled, factors of stability in the area, whereas Zionism meant the intrusion of an alien and disruptive element which was bound to undermine Western influence in the Arab world.[96]

Bevin came to share the view of his advisers and realized that the bases he wanted to secure in the region to protect the Suez Canal and the routes to the East as well as the oil fields in Iraq and Persia could not be maintained in case of opposition from the host countries. 'The consent of these countries could only be obtained by pursuing a policy in Palestine of which they approved'.[97]

The Labour Party was committed to abolishing the 1939 White Paper, but in order to gain Arab goodwill Bevin continued this policy. He wanted to preserve the status quo in Palestine until he could work out agreements with the Arab states. Bevin's attempt to contain the explosive situation in Palestine, however, caused growing defiance and violence on the part of the Jews

and increased tensions with the United States.[98]

The requirements of the Chiefs of Staff in the Middle East, until September 1947, dictated Britain foreign policy in the area. In December 1946 both Attlee and Bevin wanted to give up the Mandate of Palestine. The Chiefs of Staff persuaded them otherwise. In the end Bevin kept them waiting outside the meeting room when the decision to withdraw was accepted. Following the murder of the two British sergeants, he was convinced that the British public would not tolerate a British presence in Palestine any longer.[99]

Summarizing the Labour party's policy in Palestine, Horowitz explains that its compromise of continuing immigration at the rate of 1,500 persons per month was regarded by the Arabs as a breach of faith and was rejected by the Jews. Of the 18,000 Jewish immigrants in 1946, more than half were illegal. By April 1947 there were 11,000 Jews in detention camps in Cyprus. The most important development was the deterioration of security, with its human rights implications. Approximately 80,000 British troops were stationed in Palestine by the end of 1946. Under the 1945 emergency regulations, the Palestine government implemented rigid press censorship and authorized troops and police to arrest or search without warrant, impose collective fines and the forfeiture of property. In January 1947 the High Commissioner was empowered to enforce statutory martial law in any area of the country. The security costs were rising substantially and as result of intensifying terrorism there was increasing public pressure to 'bring the boys home'.[100] The implementation of a police state was expensive and alien to British democratic tradition, and the international attention given to the events in Palestine, including the struggle over immigration publicized by the world's media, proved to be embarrassing in the post-war world.

Notes

1 CAB 129–2, C. P. (45) 156, 8 September 1945.
2 CAB 66/64/29, W. P (45) 229, 10 April 1945.
3 Ibid., my emphasis.
4 Alan Bullock (2002) *Ernest Bevin: A Biography*. London: Politico Press, p. 430.
5 Ibid.
6 Ibid., pp. 430–431.
7 Ibid., pp. 431–432. The 1936–1939 Arab revolt in Palestine was a nationalist uprising by Palestinian Arabs against the British Mandate, a reaction to the rapid increase of Jewish immigration in the mid-1930s as result of the rise of Nazism in Europe. The Arabs demanded independence and the end of Jewish immigration.
8 The Balfour Declaration was a British policy statement made in a letter dated 2 November 1917 by the British Foreign Secretary Arthur Balfour to Lord Rothschild, a British Jewish leader. The text read thus:
'His Majesty's government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.'
9 J. C. Hurewitz ([1950] 1976) *The Struggle for Palestine.* New York: Schocken Books, p. 225.
10 Ibid.
11 Motti Golani (2011) *The Last Commissioner General Sir Alan Gordon Cunningham 1945–1948* (Hebrew edn). Tel Aviv: Am Oved, pp. 112–113; see also Daphna Sharfman (2014) *Palestine in the Second World War*. Eastbourne: Sussex Academic Press, pp. 88–92.
12 Ritchie Ovendale (1985) *The English Speaking Alliance*. London: Allen & Unwin, p. 92.
13 Hurewitz, *The Struggle for Palestine*, pp. 182–194; see also Christopher Sykes (1973) *Crossroads to Israel.* Bloomington, IN and London: Indiana University Press, pp. 264–266.
14 Wm Roger Louis (1984) *The British Empire in the Middle East 1945–1951*. Oxford: Oxford University Press, p. 420.
15 Ibid. See also Michael Benson (1997) *Harry S. Truman and the Founding of Israel*. Westport, CT and London: Praeger;

John Snetsinger (1974) *Truman, the Jewish Vote, and the Creation of Israel*. Redwood City, CA: Stanford University Press; Zvi Ganin (1979) *Truman, American Jewry and Israel, 1945–1948.* London and New York: Holmes and Meier.

16 Cecil Bloom (1999–2001).'The Labour Party and Palestine, 1917–1948'. *Jewish Historical Studies*, vol. 36, pp. 141–171, 147–148.

17 Ibid., p. 155. Ben-Gurion presented the Executive of the Jewish Agency with his realistic analysis of Labour government policy, searching for new trusteeship system to replace the British Mandate. Protocol of the meeting of the Jewish Agency Executive, 25 November 1945, Central Zionist Archive.

18 Ibid., pp. 163, 171, cited on p. 171. One of Attlee's biographers states that his failure to solve the Palestine problem is 'the worst entry on his record', and adds that Attlee did not appreciate the desire of the Jews for a country of their own that was out of proportion to their numbers and weapons. He views Attlee as a pro-Arab politician who believed in Britain's duty to promote the welfare of millions of Arab peasants, and encourage democratic regimes in the whole region. His greatest failure was not to grasp Truman's role and the effect that his views had on American policy on Palestine, and to find a way to cooperate with him. Kenneth Harris (1982) *Attlee*. London: Weidenfeld and Nicolson, pp. 399–400.

19 Ritchie Ovendale (1979)'The Palestine Policy of the British Labour Government 1945–1946'. *International Affairs,* vol. 55, no. 3, pp. 409–431, 410.

20 Ibid., pp. 411–412, cited on p. 412.

21 CAB 129–2, CP. (45)156, 8 September 1945.

22 Ibid.

23 Ibid.

24 Ibid.

25 John Kimche and David Kimche (1954) *The Secret Roads*. London: Secker and Warburg, p. 159

26 Ibid.

27 CAB 129–2, CP. (45)156, 8 September 1945.

28 CAB 128–1, CM. (45) Cabinet 38(45) Conclusions, 4 October 1945.

29 CAB 128–1, CM. (45), Conclusions, 11 October 1945.

30 Ibid. Bevin was worried that if the future Anglo-American Committee members began their enquiries in Europe, 'there was a risk that they would be impressed by the hardships of the Jews in Europe before they realised to the full the difficulties of accommodating them in Palestine or elsewhere'. Ibid.

31 Ritchie Ovendale (1989) *Britain, the United States, and the End of the Palestine Mandate 1942–1948.* London: Royal Historical Society, p. 82. Professor William Yale from the division of territorial studies estimated that there were about 1,250,000 Jewish refugees in Europe, many of whom would have preferred to immigrate to the United States rather than to Palestine, but he doubted that they possessed the requisite information or knowledge to make such a decision, He advised that the United States should not support a policy of large immigration into Palestine during the interim period. Ibid, pp. 82–83; see also FRUS 1945v08.0012 Palestine, pp. 727–733.

32 Ovendale, *Britain, the United States, and the End of the Palestine Mandate 1942–1948.* Ibid.

33 Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 422–423.There were similar views in the American and British foreign services that tended to see the support of Jewish immigration as a threat to their interests in the Middle East. Ibid.

34 Memorandum by Colonial Secretary George Hall on 'statements by President Truman on admission of 100,000 refugees'. CAB 129/11, C.P. (45) 263, 8 July 1946.

35 Ovendale, *Britain, the United States, and the End of the Palestine Mandate 1942–1948*, p. 92. The British were aware of the parallel and conflicting pressures, as Bevin remarked to British ambassador in the United States Lord Halifax that they were in the same position with regard to the Arabs as the United States was to the New York Jews. Ibid., p. 98.

36 Roger Louis, *The British Empire in the Middle East 1945–1951*, p. 392.

37 Ibid., pp. 390–393. For the committee's terms of reference, see CAB 129/9, C.P. (46) 175, 26 April 1946, text of the report.

38 Chaim Weizmann (1949) *Trial and Error*. New York: Harper & Brothers, pp. 439–440. Weizmann told Truman that a Jewish state must be established in order to create a home for at least one and a half million refugees in Palestine. Protocol of the meeting of the Jewish Agency Executive, 16 December 1945. Central Zionist Archive.

39 Amikam Nachmani (1983) '"It Is a Matter of Getting the Mixture Right": Britain's Post-War Relations with America in the Middle East'. *Journal of Contemporary History*, vol. 18, pp. 117–140, cited on p. 128, my emphasis.

40 Ibid., p. 131.

41 Ibid., p. 133.

42 For a discussion of the committee's work, see Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 397–419.

43 Hurewitz, *The Struggle for Palestine*, pp. 244–245.

44 CAB 129/9, C.P. (46)175, 26 April 1946, text of the report.

45 Ibid. The report quotes a statement by a Jewish leader that emphasized the feeling of urgency: 'our present crisis in Europe and in Palestine is felt by all of us to be our Dunkirk'. Ibid.

46 Hurewitz, *The Struggle for Palestine*, pp. 244–245.

47 Ibid., p. 249.

48 Ibid., pp. 249–250.
49 Minutes of the London Executive of the Jewish Agency meeting, 29 April 1946. Central Zionist Archive.
50 CAB 80/101, C.O.S. (46) 125(0), 26 April 1946.
51 CAB 128/5. C.M. (46) 38th Conclusion, 29 April 1946.
52 Ibid.
53 CAB 129/11 C.P (46) 258, 8 July 1946. On the human rights implications, see FO 945/730, 17 June 1946.
54 Memorandum by Colonial Secretary George Hall on 'statements by President Truman on admission of 100,000 refugees'. CAB 129/11, C.P. (45) 263, 8 July 1946. Hall added that Truman sent an advanced party to London with a mandate to discuss only the technical and financial problems involving the movement of 100,000 persons to Palestine.
55 CAB 129/11, C.P. (46) 259, 8 July 1946.
56 Hurewitz, *The Struggle for Palestine*, pp. 257–258. CAB 129/11, C.P. (45) 295, 24 July 1946. Results of the Anglo-American Consultations.
57 Ibid., 24 July 1946.
58 Ibid.
59 Ibid.
60 Ovendale, *Britain, the United States, and the End of the Palestine Mandate 1942–1948*, pp. 142–143.
61 Ibid., p.150. Hurewitz, *The Struggle for Palestine*, p. 258–259.Truman was accused by the Zionists of creating a ghetto in Palestine together with Bevin, and the American members of the Anglo-American Committee accused Grady's delegation as 'dupes of British imperialism'. Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 436–438.
62 PREM 8/627, 13 August 1946.
63 Roger Louis, *The British Empire in the Middle East 1945–1951*, p. 439.
64 Department of State Bulletin of October 13, 1946, pp. 669–670. Yale Law School, the Avalon Project.
65 Ovendale, 'The Palestine Policy of the British Labour Government 1945–1946', p. 428.
66 Michael Cohen (1982)'Truman and Palestine, 1945–1948: Revisionism, Politics and Diplomacy'. *Modern Judaism*, vol. 2, no. 1 (Feb.), pp. 1–22, cited on p. 7.
67 PREM 8/627, 10 October 1946.
68 Ibid.
69 Ovendale, 'The Palestine Policy of the British Labour Government 1945–1946', pp. 430–431. Britain's debts stood at about £2,723 million, and her debt to Egypt alone amounted to £400 million, so her only aid could come from the United States. The two countries signed a £930 million loan agreement in December 1945, and the United States also agreed to finance 50 per cent of the deficit in the British occupation zone in Germany by the end of 1946, and the full amount in the following year. Frederick Samuel Northedge (1984) 'Britain and the Middle East'. Ritchie Ovendale (ed.) *The Foreign Policy of the British Labour Governments, 1945–1951*. Leicester: Leicester University Press, pp. 149–186, 151.
70 Roger Louis, *The British Empire in the Middle East 1945–1951*, p. 453–454.
71 Ibid., p. 457.
72 Ibid.
73 CAB 195/5, C.M. 6 (47), 15 January 1947. A Foreign Office Reconstruction Department brief on protection of minorities prepared for a heads of states meeting presented clearly the government's position on the Jews as people without their own nationality: 'it is, and should continue to be, our policy to regard the Jews as citizens of the countries in which they have acquired residence, and not as possessing some extraneous nationality of their own; in other words, they constitute, in the countries where they live, a racial minority *and not a political minority*.' According to the authors, the Jews of Eastern Europe would need the protection of treaties in realizing their cultural rights, the Jews in the West would be content with the rights guaranteed by the United Nations Charter. FO 371/50843, 11 July 1945.
74 Ovendale, *Britain, the United States, and the End of the Palestine Mandate 1942–1948*, p. 188.
75 Ibid.
76 CAB 195/5, C.M. (11) (47), 22 January 1947.
77 Hurewitz, *The Struggle for Palestine*, pp. 272–273.
78 Ovendale, *Britain, the United States, and the End of the Palestine Mandate 1942–1948*, p. 195.
79 Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 459–461.
80 Ibid., pp. 462–463.
81 HC Deb (25 February 1947), Series 5, vol. 433, cc 1901–2007.
82 Ibid.
83 Ibid.
84 UNSCOP was created on 15 May 1947. The majority report supported the termination of the Mandate and the creation of two independent states with economic union. The minority report supported the creation of one federal state. The UN General Assembly adopted the majority recommendation as Resolution 181 on 29 November 1947.
85 Hurewitz, *The Struggle for Palestine*, pp. 295–296.
86 Ibid.
87 Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 472–473. See also the UN Special Committee on Palestine, Report to the General Assembly, 3 September 1947. A/364.

88 Hurewitz, *The Struggle for Palestine*, pp. 301–314. The Ad Hoc Palestine Committee was established by the General Assembly on 17 September.
89 HC Deb (11 December 1947), vol. 445, cc 1207–318.
90 Northedge, 'Britain and the Middle East'. pp. 177–178.
91 Bullock, *Ernest Bevin: A Biography*, p. 429.
92 Ibid., a quote from minutes written on 2 October 1945.
93 Ibid., pp. 429–430.
94 Ibid., pp.432–433, emphasis in the original.
95 Roger Louis, *The British Empire in the Middle East 1945–1951*, pp. 464–465.
96 Avi Shlaim, Peter Jones and Keith Sainsbury (1977) *British Foreign Secretaries since 1945*. London: David & Charles, pp. 57–58, cited on p. 58.
97 Ibid., p. 59.
98 Ibid.
99 Ritchie Ovendale (1985) *The English Speaking Alliance*, p. 280. Two British Army Intelligence Corps NCOs, Sergeant Clifford Martin and Sergeant Mervyn Paice, were abducted by the Irgun, a Zionist paramilitary organization affiliated with the policy of the Revisionist Movement in Palestine, which threatened to hang them if the death sentences were carried out on three Irgun members, Absalom Haviv, Meir Nakar and Yaakov Weiss, who were captured during the Acre prison break. Following their executions, the Irgun hanged the two British sergeants on 29 July and their booby-trapped bodies were deposited in a eucalyptus grove near Netanya. This act was widely condemned by both Palestine and Britain, including by the Jewish Agency. After hearing of the deaths a number of British troops and policemen attacked Jews in Tel Aviv, killing five and injuring sixteen.
100 Hurewitz, *The Struggle for Palestine*, pp. 279–282.

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5 British immigration policy

> No decent Englishman would understand the despair of the remaining Jews in Europe.[1]

As observed by Chaim Weizmann, President of the Zionist Organization, Britain's victory in the Second World War did not make it change its Palestine strategy, nor its attitude to the plight of the Jews. During the post-war era, in view of the Soviet threat to its dominance in the region, Britain sought to preserve Arab support. Following our discussion of the main political developments in Palestine, in this chapter we will analyse the implications of Britain's efforts to curtail Jewish immigration to Palestine, which was perceived as a major impediment to its political and strategic aspirations.

The first post-war clandestine immigration journey to Palestine was carried out by the *Dalin*, a 25-metric-ton vessel, which sailed from Italy on 21 August 1945, carrying only thirty-five people. Just two days after the *Dalin* sailed, on 23 August 1945, the British High Command in the Middle East warned the government of the imminent restoration of illegal immigration, stating the options and recommending that the boats be stopped before leaving Europe. The Illegal Immigration Committee met on 12 October 1945 to discuss several options: including (1) preventing ships from sailing using diplomatic means or even direct military intervention; (2) intercepting ships on the high seas and returning the immigrants to their port of origin or to a British-controlled territory or arresting them for an unlimited time; and (3) intercepting ships in Palestine's territorial waters, arresting the immigrants and deducting their number from the legal quota of 1,500 people per month. The military option was only feasible in Italy, from whose seaports most of the ships departed in the early post-war years. British military units were still present in Italy. This option was declined due to political considerations and the Peace Treaty negotiations. The decision was taken to choose the third option. From January 1946 ships were intercepted by the British navy, brought to Haifa and the immigrants taken to the Athlit detainee camp near Haifa to await their release according to the quota.[2] The British were ill prepared to deal with the consequence of the Jewish post-war reality and the immigration campaign:

> They failed – refused would be more appropriate – to understand it … the policy-makers and administrators fell back on a trivialization of the operation and a demonization of the organizers. The official idiom applied to illegal immigration by British officialdom reflects this mindset, which left them incapable of dealing with illegal immigration in their own national interest.[3]

The British also tried to use the fear of the rise of Communism, with a view to garnering the support of the US government, by portraying the immigrants as 'militant Communists, working for a foreign directive, young people of extremist tendencies'.[4]

The British government was facing 'an insoluble problem': pressure mounted to allow the

immigration of Holocaust survivors to Palestine, while the Arab states were demanding cessation of all immigration. The Haganah, the Jewish major clandestine military organization, used illegal immigration as one of its tools in the quest for 'free immigration' and 'a Hebrew state' (these slogans were used in its public campaign). Its Palmach ('strike force') commando units conducted military operations against targets connected with immigration, such as radar stations, patrol boats, and deportation vessels.[5]

A few days before the publication of the report of the Anglo-American Committee, the Chiefs of Staff Committee discussed illegal Jewish immigration to Palestine, following a memorandum regarding a meeting held at the Colonial Office on 2 April 1946 during which the situation was reviewed.[6] Trafford Smith, head of the Middle East section of the Colonial Office, described the growing conflict: the Jewish Agency did not recognize the British restrictions on immigration, and the Jewish community was 'resolutely committed to a policy of assisting illegal immigration'. His view at that time was that interception on the high seas and diversion to Cyprus was unacceptable for the Colonial Office owing to the ongoing legal and political difficulties in Cyprus. Even there, it was expected that there would be serious problems in deporting the immigrants back to their countries of origin. Italy and Greece refused to receive them as their nationalities were undetermined and they probably entered and left the country illegally. As to other options, they were understandably rather limited: 'It is not practicable to return to the Warsaw ghetto a Jew who might have wandered over half Europe before succeeding in embarking for Palestine'.[7] Regarding the Middle East Commander in Chief's resolute demand for the cooperation of the Italian, Greek and Turkish governments that 'should be required to enforce effective control of persons both leaving and entering their countries',[8] Sir John Morgan of the Foreign Office doubted the ability of these governments to enforce such a policy.[9] On 23 May the Chiefs of Staff Committee discussed a telegram sent the previous day to the War Office by the Middle East Commander in Chief, General Miles Dempsey, that warned against Russian complicity in illegal immigration traffic from Romanian ports. Since the approach to the Soviet authorities in Romania had failed, the Committee was requested to ask the Foreign Office to intervene with the Russian government in order to halt the traffic.[10]

At the end of July 1946 the Cabinet debated the proposals to change the current policy and to transship the illegal immigrants to camps in Cyprus. The King David bomb incident on 22 July accelerated tensions in Palestine. The Chief Secretary for Palestine, Sir John Shaw, informed the Cabinet that the High Commissioner, General Sir Alan Cunningham, had suggested a halt to all immigration, legal and illegal, but agreed not to press this suggestion. The clearance camp in Athlit was full and taking into account the additional 2,700 immigrants who had arrived two days previously, the quota would be exhausted by November. This left very few certificates for legal immigration, even for people who because of hardship had a strong claim to be admitted to Palestine. The important consideration was the apprehension that the arrival of shiploads of immigrants would cause outrage among the Arabs. The High Commissioner hoped that any future ships would be diverted to Cyprus.[11] In the following meeting, the Cabinet was still undecided about the Cyprus plan. Prime Minister Attlee commented that he feared that the proposed operation 'would lead to incidents which would seriously embarrass the Government'.[12] The First Sea Lord, Admiral Sir John Cunningham, described the operational difficulties and said that it was impracticable to intercept ships with illegal immigrants on the high seas and divert them to Cyprus. Furthermore, taking into consideration the condition of the

ships and the desperate state of mind of the immigrants on board, he did not think it feasible to divert immigrant ships from Palestinian territorial waters to Cyprus.[13] He presented two alternatives: to bring the ships into harbour and then transfer the immigrants directly onto another ship, or to land them, put them in camps, and re-embark them at a later date. The Chief of the Imperial General Staff, Field Marshal Montgomery, remarked that the army would much prefer the first alternative, as 'the operation would undoubtedly be difficult and unpleasant'.[14] Summing up the discussion, the Cabinet asked Colonial Secretary George Hall to warn the Jewish Agency that continuing illegal immigration would harm the chances of implementation in the near future of the plan for bringing 100,000 Jews to Palestine, as recommended by the Anglo-American Committee.[15] A British change of policy was imminent, however. The Colonial Secretary sent two memorandums to the Cabinet on 5 and 6 August. The first[16] dealt with the preparations for enacting the new policy and the military's view of it. Field Marshal Montgomery wrote rather optimistically, in his letter of 3 August to the Prime Minister, that he anticipated passive resistance and hunger strikes which would produce unpleasant scenes and possibly minor injuries but *no fatal casualties*. He also outlined the humane way in which the army planned to handle the situation:

> [A]dequate medical arrangements will be made by the military medical authorities, and doctors, nurses and ambulances provided. Pregnant women and women with young children will be landed in Palestine and kept in Athlit Camp, unless they wish to accompany their husbands to Cyprus.[17]

The draft announcement of the new policy, sent by the Colonial Secretary to the High Commissioner of Palestine and the Governor of Cyprus, Sir Charles Woolley, outlined the British view of the conflict with the Zionists over immigration. It presented their disappointment that the temporary provision of 1,500 immigrants per month had not been accepted and that there had been an increasing flow of illegal immigration to Palestine. The government was working with the American administration to provide for increased immigration into Palestine under peaceful conditions. The government was sympathetic to the suffering of the Jewish people in Europe and thus allowed illegal immigrants to land but the problem was more complicated:

> It is now clear that the present illegal immigrant traffic is not dictated solely by the sympathy which is so widely felt for suffering but is a deliberate and highly organized plan supported by considerable funds which has been put into operation by unscrupulous people in an attempt to anticipate a decision on the main question.[18]

The Secretary then went on to emphasize the passive role of the immigrants in the hands of the traffic organizers:

> Provided with forged visas, herded into overcrowded and unseaworthy ships with insufficient food and in conditions of the utmost privation and squalor, they are brought across the Mediterranean, inspired by a conviction, which had been instilled into them, that this is their only road to safety. But it is quite clear that the traffic has not been confined to Jews from Displaced Persons Centres in Western Europe, but has also included Jews from Romania and other Eastern European territories … This traffic is

operating with increasing unfairness towards those immigrants who would otherwise have been able to enter Palestine legally under the quota.[19]

In the following meeting, Colonial Secretary Hall again analysed the policy options and their risks in confronting the Arabs or the Jews. His view, or forewarning, was that if the immigrants were to be removed from Palestine and released in accordance with the quota, it would lead to a clash with the Arabs, as well as with the Jews, and would cause embarrassment to the British throughout the Middle East. He envisaged that the transfer both of Jews waiting to embark in Haifa harbour and of any future arrivals onto British ships in order to remove them to Cyprus would almost certainly end any chance of cooperating with the Jews in Palestine, if not elsewhere. In spite of this, he agrees with the High Commissioner's recommendation of this course.[20] The Cabinet decided on 29 July 1946 to set up a high-level committee on illegal immigration, which included senior members of the Chiefs of Staff Committee: Lord Tedder, Chief of the Air Staff; Field Marshal Montgomery, Chief of the Imperial General Staff; Vice Admiral Sir Roderick R. McGregor, Deputy Chief of Naval Staff; and Sir Hastings Ismay, as well as senior representatives of the War Office and the Foreign and Colonial Offices.[21] Their inclusion signified the importance attached to immigration.

Figure 5.1 The *Wingate* between two British destroyers, 25–26 March 1946

The British ambassador to Rome, Sir Noel Charles, was doubtful that the Italian government would take effective action and suggested that the British military in Italy act by diverting the ships at sea. However, the First Sea Lord responded that it would be impossible for British naval forces to patrol the coasts of Italy in addition to their other commitments and that diversion on the high seas was not feasible. The Cabinet agreed that the Jewish immigrants would be transshipped from Haifa harbour and removed to Cyprus. Foreign Secretary Bevin was to continue his efforts to persuade the relevant European governments to prevent illegal immigrants

from leaving European ports. Special attention was to be given to the Italian government to see if it could not be induced to take effective steps to prevent ships from leaving Italy.[22] The Secretary was also to consider whether the Polish and other governments could be approached regarding the persecution of the Jews.[23] The expected Jewish protests against the new policy took place in Haifa on 13 August 1946, and took the form of an organized demonstration against the transport to Cyprus of about 3,000 people. The demonstration was prearranged by the Haganah to coincide with the actual time of deportation and was geared to break the curfew declared on the city and to join the immigrants in their struggle against the deportation. Thousands participated in the demonstration. Those who tried to get past the military barriers were shot by the army; three people were killed and seven wounded.[24] The British version of events was that 'British troops had been obliged to fire on the mobs'.[25] The High Commissioner thought it right to advise the Governor of Cyprus that the guards should not resort to the use of firearms should illegal immigrants attempt to escape from the camps in Cyprus in which they were to be confined. However, both the Governor and the Middle East Land Forces Commander in Chief responded that it would make the guarding of illegal immigrants extremely difficult.[26] The Prime Minister's view was that the military authorities, whose mandate was to ensure civil peace, should draw their weapons only as a last resort and that whenever possible disturbances or escape attempts should be dealt with by the use of tear gas.[27]

The British security service, MI5, published a report in August 1946 entitled 'Jewish Illegal Immigration from Europe to Palestine' which presented a new survey of the clandestine immigration from various countries and the British growing involvement in the efforts to prevent it. For example, it observed that Jewish DPs en route to Palestine frequently claimed to be nationals of the next country on the route, so the British initiated an arrangement with the Italian government for the appointment of DP liaison officers to be stationed in camps in Austria. Their role was to examine all the DPs wishing to enter Italy and to approve those found to be of Italian nationality or who had otherwise been accepted for transit through Italy.[28] The report evaluated the Zionist immigration efforts claiming that 'they have succeeded in building up an organization which [has left] hardly a country in Europe untouched'.[29] Some did it for financial gain, such as the ship owners in Istanbul or Piraeus. Yet the ideological motives were also recognized: 'the majority, however, are inspired by Zionist ideals … The machinery thus brought into being must be admitted to have achieved a considerable measure of success in neutralizing British immigration policy in Palestine'.[30] The navy was looking for ways to facilitate the capture of immigrant ships and the First Lord of the Admiralty and the Commander in Chief, Mediterranean, proposed to the Cabinet[31] that ship commanders would be authorized to arrest on the high seas certain vessels suspected of carrying illegal Jewish immigrants to Palestine and divert to Cyprus any such ship found carrying illegal immigrants. However, following a consultation with the Foreign Office, the Colonial Office and the Minister without Portfolio, A. V. Alexander, they proposed to modify the memorandum so that only in exceptional circumstances would the navy be authorized to stop a ship flying a foreign flag outside of its territorial waters. The First Sea Lord, Admiral John Cunningham, remarked that in such circumstances it might not be possible to identify the ship to see whether it was in fact one of the ships whose impending arrival had already been reported to the Admiralty.[32] The Lord Chancellor, Lord Jowitt, was unsure about the legal aspect and said that 'he was not satisfied that the proposal could be justified in international law', and that the legal repercussions must be

examined more closely before the proposal was approved. He was requested to provide an analysis of the legal implications of the proposal.[33] The Lord Chancellor's note to the Cabinet[34], discussed in the next meeting, provided his negative opinion concerning the proposal that was accepted by the Cabinet. The new Colonial Secretary, Arthur Creech Jones (since 4 October 1946), said that it would have been of great assistance to the authorities in Palestine if the Royal Navy were able to intercept and divert ships on the high seas, but now other means must be sought for checking illegal immigration.[35]

Figure 5.2 An immigrant is led to a deportation ship bound for Cyprus

Figure 5.3 On board the deportation ship to Cyprus

MI5's report covering the period from 16 October 1946 to 17 February 1947 mentioned in its chapter on Italy a typical example of so-called Jewish ingenuity in crossing frontiers and of the difficulties encountered in controlling Jewish movements. For example, a group was able to infiltrate the country by bypassing the British authorities in Austria. On nearing the Italian frontier purposely attracted attention to their suspicious movements and were stopped by the authorities. They then claimed to have arrived from Italy and expressed a wish to return to their homes in Central Europe. Consequently, they were escorted over the frontier into Italy and warned to make no attempt to recross into Austria. Once in Italy they were apparently picked up by waiting trucks and transported to Udine.[36]

In March 1947 the security service published another report entitled 'Security Situation in Palestine' referred to the challenges faced by the Jewish Agency regarding illegal immigration. The Agency sought to send about 4,000 immigrants per month to Palestine. In collusion with the Soviets the refugees used escape routes from Eastern Europe and became concentrated in Italy (22,000), Austria and the Western zones of Germany, and about 50,000 in the American zone alone, living in semi-autonomous camps. They were transferred to embarkation points in the south of Italy, Marseilles in France and Antwerp in Belgium. The French and Belgian governments, in agreement with Jewish rescue organizations, established annual refugee transit quotas of 8,000 and 4,000 persons, respectively, while the Italian Prime Minister, Alcide De Gasperi, was reported to be considering a similar agreement for 10,000 refugees.[37] The report concludes that the Jewish Agency faced a public demand for increased immigration and also a political challenge from right-wing extremists:

> The Agency's interest in immigration arises at least as much from political as from

> humanitarian motives. It is concerned to avoid the Palestine Community reproach for inaction when immigrants are diverted from the gates of Palestine to Cyprus: the same would not apply to diversions at European frontiers.[38]

Golani observes that the Jewish leaders understood that the immigrants directed to nearby Cyprus would serve as the reservoir for the purpose of completing the monthly quota, after the number of illegal immigrants had been deducted, as previously done in Athlit camp.[39]

The pressure on Britain was growing. The Defence Committee meeting of 12 March 1947 was chaired by Prime Minister Attlee who suggested that strong diplomatic action should be taken to win the cooperation of the United States and of countries from which Jewish immigrants were likely to embark for Palestine. Any government that had granted visas (such as Costa Rica and Panama) should be informed that if the immigrants tried to land in Palestine the British would take measures to transfer the passengers back to their territories. The committee's resolutions included the reinforcement of naval, military and air forces in Palestine to deal with the expected increase in the number of illegal immigrants; the preparation of plans to counter illegal immigration traffic by tightening controls in embarkation ports in Europe; returning the immigrants to their ports of embarkation; or diverting them to the countries from which they had obtained their visas. Other measures that were considered included applying strong diplomatic pressure on foreign governments who allowed illegal immigrants to embark from their territories, or supplied illegal immigrants with passports and visas; asking the Secretary General of the UN to appeal to all member nations to cooperate with Britain in its efforts to prevent the problem of Palestine from being aggravated by further illegal immigration; increasing the capacity of the deportation camps in Cyprus and preparing plans for transport to and detainment in other places such as East Africa; and insisting that there would be no change in the current quota for immigration and that the cost of dealing with illegal immigration should remain on the Palestine budget, with possible changes in taxation to meet this charge.[40]

Hector McNeil, the Minister of State in the Foreign Office since October 1946, commented that the Prime Minister and the Defence Committee 'are very disturbed' about the illegal immigration situation. One of the diplomatic solutions to the problem included approaching all countries from which they suspected ships carrying illegal immigrants were embarking, in particular France, and using 'the strongest possible language' to inform them of a detailed strategy to be presented.[41] This was a plan drafted by the British to check the credentials of passengers suspected to be illegal immigrants at a French port and the agent of the country issuing the visa would be obliged to take full responsibility for any passengers carrying it. McNeil had reservations: 'I pointed out there were many legal difficulties to this plan, but no member of the Defence Committee took into account these legal difficulties. The plan is to be produced quickly and I am to submit it to the Prime Minister'.[42] He continued to have doubts about the suggested modus operandi: at that time a 5,000-metric-ton ship was being fitted out in Taranto. The British objective was to identify the ship beyond doubt and to warn the Italian government of its suspected plan to sail to Palestine and if indeed the ship sailed and was captured, the passengers were to be returned to the port from whence they had embarked. He admitted that there were legal difficulties associated with this scheme but felt that they were on rather stronger ground while planning such actions with the Italian government. Other courses of action were to request that American Secretary of State Marshall restrict the collection of funds

in the United States for the purpose of illegal immigration.[43] Representatives of the British Foreign Office and of the security services, MI5 and MI6, met in order to discuss the best ways to carry out the policy in regard to the French government. Legal advisor Eric Beckett was consulted who made it clear that there was no legal basis for insisting on the French using various formalities to control the departure of illegal immigrants. However, the considerable pressure applied by the British government led him to expect that the French might increase their controls as a political concession to an ally. He also pointed out that one difficulty might be that the French authorities had no power to stop anyone leaving their country on the suspicion that they were likely to attempt to break the Palestine immigration laws.[44] The diplomatic pressure was then stepped up. A Foreign Office telegram to the British ambassadors in Athens, Belgrade, Brussels, Bucharest and Stockholm instructed them to impress on their host governments the importance of maintaining strict vigilance in all ports especially those when departures of illegal immigration have already taken place .[45] The request was to apply strong political pressure, making it clear that continued facilitating of this traffic from their territory 'is likely to have unfortunate effect on British relations with them'.[46]

The British continued to debate the proposals to be presented to the French government. A memorandum indicated that it was apparently illegal to return immigrants to their countries of origin, and that it was difficult to find ships that were able to return such immigrants to their homelands. Furthermore, any statement to the French government could only be perceived as a vague threat. Instead, Britain should ask it to agree to immigrants being returned if they did not possess the proper papers.[47]

A comprehensive and fairly widely distributed report, probably prepared by MI5, entitled 'Jewish Illegal Immigration', was published on 10 April 1947. It presents an evaluation of the rather problematic situation following the British decision to refer the Palestine problem to the UN. The agency estimated that there were over 35,000 Jews strategically located in Europe in readiness for embarkation to Palestine and believed that the organizers of this illegal immigration would try to ship them to Palestine as soon as possible. Nineteen ships were ready to sail, with an estimated cargo capacity of over 20,000 persons, fourteen ships were presently under repair or being refitted, and a further four ships were about to be purchased for the purpose. This made a grand total of thirty-seven ships with an estimated cargo capacity of over 42,000 persons. The report concludes, however, that the number of 35,000 Jews did not take into account the movement of Jews from Central Europe to the coasts, estimating that there were between 110,000 and 140,000 Jews in the American zone of Germany alone, and predicted that a much greater number of immigrants would be transferred illegally to Palestine before the end of 1947.[48]

McNeil's memorandum of 2 May to the members of the Defence Committee also included a reference to Italy. He estimated that Italy contained the greatest number of Jews of any country with a Mediterranean seaboard, even though at least 80 per cent of immigration traffic over the past six months had been from France. McNeil presented a rather tolerant and understanding approach towards Italy while proposing to continue to press the Italian government to do what they could, 'but we have little to reproach them with so far. They have not the military forces or police necessary to patrol their long coastline and prevent clandestine departures'.[49] He suggested that particular pressure should be put on France using, if necessary, the mention of difficulties it might expect with Arab opinion in North Africa over its abetting of illegal Jewish

immigration. A further step would be to inspire articles on the subject in London or through the Arab News Agency in the Middle East.[50] The officials continued to debate the legal aspects of their battle against immigration. Beith sent Bevin's private secretary a summary of the legal adviser's minutes on the meeting held in Lord Chancellor's room on 25 April, at which Lord Jowitt expressed the opinion that it was possible for the Royal Navy to seize foreign ships carrying illegal immigrants on the high seas provided that the consent of the flag state has been obtained. The defence of an 'act of state' should be successful since the act would have been carried out beyond British territorial borders in relation to persons who were not British subjects.[51] In a meeting of ministers on the following day, chaired by Bevin, it was recognized that the Italian government, embarrassed by the presence of so many DPs in Italy, was naturally not disposed to cooperate actively in preventing the departure of Jews from that country. However, the main blame was put on the United States: 'the United States element of the Allies Control Council were aiding and abetting the illegal immigration traffic'.[52] In a meeting of officials held in the Colonial Office on the same day, they discussed optional sites for detention camps for immigrants who had been apprehended in countries such as Greece, Libya, Eritrea, Aden, Somaliland and Kenya where it was pointed out that the use of coloured troops could not be permitted inside the camps, while preparing for serious incidents:

> The Colonial Office emphasized the objection to the employment of coloured troops in the event of disturbances leading to loss of life and urged that the internal guards and administrative personnel would be Europeans. In addition, there were political and transportation issues.[53]

The option of propaganda was discussed in order to explain that European Jews were being exploited for political ends by the unscrupulous organizers of the illegal immigration. The memorandum, written by John Higham of the Colonial Office, one of the joint secretaries of the Illegal Immigration Committee, examined some of the comments made by the organizers; for example, that it was a spontaneous movement borne out to the lack of hope for Jews in Europe, only in Palestine. The memorandum reiterates the British claims that the immigrants were told stories about Palestine being the land of 'milk and honey', yet all the while the organizers were charging the would-be immigrants exorbitant prices for voyages in conditions of the utmost squalor. Among the passengers there were pregnant women and at least one of the organizers also recruited potential terrorists from the ranks of underground fighters.[54] The Illegal Immigration Committee was informed that the British Broadcasting Corporation's reaction to the note concerning propaganda was that it would only broadcast factual information. Therefore the committee decided that the propaganda would also include the simple estimate that any Jew intercepted while trying to immigrate illegally was likely to spend at least twenty months in Cyprus. The whispering campaign would suggest that when Cyprus was unable to cope with any more immigrants, the alternative would be some more distant British colonies with less equable climates. The committee decided, however, that propaganda should disseminated by experts, as it was not competent to direct it.[55] A background paper prepared by the Official Committee for the 9 June meeting of the Illegal Immigration Committee presented two principal objections to the setting up of a new organization for 'black' propaganda designed to turn back the Jewish exodus from Eastern Europe. One reason was political; the plan was a measure of political warfare

which was deemed to be hardly desirable for adoption at a moment when the Palestine question was *sub judice* with the UN. The second reason was more profound; the effect of the campaign could only be long term and it was not expected to be a great success because of the genuine reasons that were encouraging Jewish immigration: 'The Jews are being impelled to immigrate by a strong feeling of uncertainty about their future in Europe and a fanatical nationalism. It is not clear that we have the material for effective counter propaganda to these inducements.'[56]

A progress report by T. I. K. Lloyd, Chairman of the Official Committee of the Palestine Illegal Immigration Committee, indicated that it was not possible to detain ships indefinitely by methods already in use such as refusal of bunkering or harbour clearance, and in any case ship owners were able to charter foreign tugs that could tow ships to a different port over which the British had no control. The lengths that the British were ready to go to in order to retain control can be viewed in the case described in the report of the ship *Colony Trader* which docked at Gibraltar on its way to the Mediterranean Sea. The risk to policy was clear:

> If this ship had got away from Gibraltar and reached Marseilles the fact that we had permitted her to leave one of our ports would clearly have knocked the bottom out of our efforts to persuade other governments to detain ships in their ports.

When it became clear that the ship could no longer be delayed by administrative measures, special legislation was enacted in Gibraltar to permit the Governor to detain it indefinitely.[57]

Concerning the return of immigrants to their country of embarkation, the legal opinion of Fitzmaurice was that there were two considerations, namely the extent that Britain could argue that a country should take back illegal immigrants and the extent to which it could enforce its view 'by taking the immigrants back and dumping them in the country of departure'.[58] The legal view was that although Britain had a 'fairly strong' but not absolutely clear legal case for insisting that the immigrants should be taken back, the situation was very different in the second case, given that if a state were not to fulfil its obligations 'this does not mean that one is entitled to take forcible action to compel them to do so'.[59] In the case of a British transport returning illegal immigrants to an Italian port, it had no choice except take them away again. Responding to a War Office question of whether a British ship could legally enter Italian territorial waters with an armed guard on board, the answer was that if the Jews were taken back with the consent of the Italian government, it would presumably have permission to enter that country's territorial waters. The forcible return of Jews was seen as 'far more drastic' than the proposals on offer and therefore in practice did not arise.[60] The British understood the difficult position confronting Italy, but refused to relent:

> It seems evident that we should not return Jews by force or stealth to Italy, which would be an act of force out of proportion to the culpability of the Italian Government in failing to prevent the departure of these Jews … Nevertheless it is important to establish the principle that such people can be returned and our logical action would appear to press the Italians strongly on an ad hoc basis, when the next case arises, to take illegal immigrants back.[61]

Ambassador Charles's opinion was that the Italians would refuse to cooperate, unless the Jews were returned to Germany, which was hardly feasible as that would require US consent. The

Foreign Office's Eastern and Western Department and the Legal Advisor's agreed recommendation was not to use force to return the immigrants to Italy against the will of the Italian government. Above all the British needed to be sure that they had done everything possible to prevent the traffic, and remarked that they had not yet mined Palestine waters, while government ministers decided against the legal option of intercepting vessels carrying illegal immigrants with the consent of the flag state. The legal basis of representations was to be made clear to the Italian government, in the hope of building a doctrine regarding refoulement that other countries would be asked to accept and which would, if necessary, be confirmed by the UN.[62] The Committee turned its attention to the report by the Palestine High Commissioner that some 5,000 Jews in Palestine wished to return to Europe and agreed to consider the possibility of publicizing that fact. With respect to the issue of returning immigrants to their countries of origin, practical and legal difficulties were raised. Bevin, however, demanded a much tougher line:

> The Foreign Secretary thought that we should not shrink from taking drastic action, if this was likely to be effective in suppressing the traffic. The British Government need not fear an appeal to an international tribunal on such an issue. Any opportunity of securing publicity about the nature of the traffic and our own efforts to stop it would be welcome.[63]

Bevin, who chaired the next Committee meeting, downplayed the legal aspects of detaining ships in Britain's ports:

> The Foreign Secretary thought that too much importance ought not to be attached to the legal risks involved in administrative action. Indeed, there might be a substantial advantage in the publicity which would be thrown on the illegal immigration traffic if a case should be taken to the courts.[64]

The Committee agreed that it would not be advisable to enact legislation in order to be able to detain ships.[65] In view of the conclusion of UNRRA's operations and its replacement by the IRO, the Foreign Office had already taken steps to try to prevent the appointment of Jews to key posts in the organization, and hoped to prevent the IRO from having too close a link with the American Jewish Distribution Committee.[66]

A monthly illegal immigration review for June–July 1947 summarized the measures taken to combat illegal immigration, which were described as 'extremely active'. These included trying to delay the departure of suspected ships from British ports, while asking foreign governments, particularly France and Italy, to take similar steps; arranging to refuse oil and coal bunkering to suspicious ships; as well as allowing Italy to use the principle of refoulement with respect to any immigrant who illegally embarked in that country. In addition, a Home Office immigration officer travelled to Italy to advise the Italian government on land and frontier control in order to curtail the entry of illegal Jewish immigrants.[67] A report published in July described Jewish mass movement out of Eastern Europe as being partly spontaneous in origin, but largely exploited and organized by the Zionists. In June 1947 the cost for each immigrant was met by the Haganah and amounted to about $200. This fee included everything – loss of the ship, indemnity, insurance and bribes (about $10). It goes on to describe a process of selection to ensure that the batches of

immigrants included young men and women, described as tools in the hands of the Zionists: ‘ young and vigorous bodies capable of helping, with their labour and their services in the armed forces of the Haganah, to establish, develop and defend a Jewish Palestine.’[68] The report thus claims that this process was essentially repudiating the main Zionist argument for immigration that the European refugees should be admitted to Palestine for humanitarian reasons.[69] Supplement C. to the report states that in view of the submission of the Palestine problem to the UN, it was expected that the Jewish agency would make a special effort to increase immigration in order to strengthen the Zionist political position and present a fait accompli.[70]

An MI5 presentation on ‘Zionist subversive activities’ described illegal immigration as one of the group’s four main activities, together with propaganda and political activities; intelligence; and terrorist activities. The speaker commented that immigration had always been the sore spot of the Zionist movement and defined its attitude to the British thus: ‘as long as it is British policy to restrict it, so long will they continue to regard the British as their enemies’.[71]

In sum, four periods of illegal immigration took place:

1 August–December 1945: eight small boats arrived in Palestine from Italy and Greece; almost all their passengers, about 1,040 persons, managed to enter Palestine.
2 January–July 1946: eleven boats, carrying 10,500 people, arrived in Palestine, two of which, the *Eliahu Golomb* and the *Dov Hos* were involved in the La Spezia affair, and arrived legally. The rest were captured, the immigrants were arrested and spent a short time in Athlit Camp. Their number was deducted from the quota of 1,500 immigration certificates per month.
3 August 1946–December 1947: this period commenced with the new British policy of deportation to Cyprus, and ended with the UN partition resolution, and the sailing of the two big boats the *Pan Crescent* and the *Pan York* directly to Cyprus following an agreement reached between the Jewish Agency and the British. During this period thirty-four ships carrying about 51,700 immigrants set sail for Palestine, but most were captured and sent to Cyprus.
4 January–May 1948: eight ships sailed from Europe, were captured without resistance and the 5,500 immigrants on board were deported to Cyprus.[72]

Hadari, one of the leaders of the Mossad, quotes the elegiac conclusion of a British intelligence report on the organization of illegal immigration from 28 November 1947. It is an interesting summary of what he described as an ‘insoluble problem’:

> Despite its complex organization and ample funds, the Haganah could not succeed in despatching ships to Palestine if the maritime countries concerned and the countries through which the Jews must pass … were prepared to cooperate [with Britain] … H. M. Government, in calling on Governments and peoples to refrain from acts calculated to disturb the peace in Palestine, expected full cooperation … Such cooperation could not in most cases entail more than the proper enforcement of existing legislation, closer control of frontiers, a stricter scrutiny of passports and visas and the application to the unseaworthy and overcrowded vessels employed in the traffic [of international safety and health standards] … and as all are presumably anxious to maintain the prestige of their national flags, these requests are hardly unreasonable.[73]

Bevin's reaction to the report was that it tended to promote the immigration movement 'and those doing it will be looked upon as heroes defeating a great power. We are getting to the end. We had better forget it'.[74]

Notes

1 PREM 8/627, report on a meeting of Dr Chaim Weizmann with Sir George Gater, Secretary of State, Colonial Office, 6 August 1946, citing Weizmann. Josiah Wedgwood, MP, in a letter to the Foreign Secretary, Lord Halifax, to protest against a British decision to issue no immigration quota during the critical period of 1 October 1939 to 31 March 1940, as a reaction to the growing illegal immigration to Palestine in the last months just before the outbreak of the Second World War, added: 'P.S. All Jews are refugees!' A. J. Sherman (1994) *Island Refuge: Britain and Refugees from the Third Reich 1933–1939* (2nd edn). London: Frank Cass, p. 240.

2 Nahum Bogner (1993) *The Resistance Boats* (Hebrew edn). Tel Aviv: Ministry of Defence Publishing House, pp. 33–37.

3 Eliahu Bergman (2002) 'Adversaries and Facilitators: The Unconventional Diplomacy of Illegal Immigration to Palestine, 1945–48'. *Israel Affairs*, vol. 8, no. 3, pp. 1–46. He quotes an example of an Airborne Field Security Section intelligence dispatch from Palestine, which is included here to provide a possible depiction of the frame of mind of the officers in the field: 'The Jewish illegal immigration scheme can be seen to be in the nature of a well-organized and potentially lucrative plan for encouraging selected Jews to enter Palestine for the purpose of developing the country. It does not appear, in any way whatsoever, to resemble a plan for serving the starving, ill, and crippled masses of Jews in Europe today, and of offering them sanctuary in the Holy Land'. The writer comments also on the unsanitary conditions on board the captured ships: 'orders are given about a day before reaching land, to convert the ship into a veritable pigsty – for the purpose of selling the 'refugee' story. It is hoped that the red herring of 'refugees' drawn by the Jews over their colonization and expansion programs in Palestine has been to some degree exposed.' Ibid., pp. 7–8.

4 Ibid., pp. 8, 29–34. Bergman comments that such concern was misplaced, as there was no significant number of Communist or Communist sympathizers on board the ships, and most of them discarded these views as the Soviet Union changed its policy and turned towards the Arab states. Ibid., p. 34.

5 Hadari Ze'ev Venia (1991) *Second Exodus*. London: Vallentine Mitchell, p. 78. He was active in the rescue efforts of Jews during the Second World War, and after the war served as the deputy head of the Mossad.

6 CAB 80/101, C.O.S (46) 121 (0), 18 April 1946.

7 Ibid.

8 C.O.S. (46) (57) (0), 23 February 1946.

9 CAB 80/101, C.O.S (46) 121 (0), 18 April 1946.

10 C.O.S. (46) 148 (0), 23 May 1946.

11 CAB 128/6, C. M (46), 75th Conclusions, 30 July 1946. The King David Hotel bombing was a terrorist attack carried out by the Irgun, on the southern wing of the hotel in Jerusalem that at that time was hosting the offices of the British administration in Palestine. Ninety-one people, British, Jews and Arabs, were killed, and forty-six were injured.

12 CAB 128/6, C. M (46), 76th Conclusions, 1 August 1946.

13 Ibid.

14 Ibid.

15 Ibid.

16 CAB 129/12. C. P. (46) 310, 5 August 1946.

17 Ibid., my emphasis.

18 C. P. (46) 320, 6 August 1946.

19 Ibid.

20 CAB 128/6, C. M (46), 77th Conclusions, 7 August 1946.

21 Hadari, *Second Exodus*, p. 81.

22 CAB 128/6, C. M (46), 77th Conclusions, 7 August 1946. Golani writes that the failure of the Morrison-Grady Plan was a central influence on the British Cyprus policy, and also a punitive approach following the King David Hotel bombing on 22 July 1946. Motti Golani (2011) *The Last Commissioner General Sir Alan Gordon Cunningham 1945–1948* (Hebrew edn). Tel Aviv: Am Oved, p. 121.

23 Ibid.

24 Bogner, *The Resistance Boats* pp. 52–58.

25 CAB 128/6. C. M. (46) 78th Conclusions, 14 August 1946. A detailed report sent by Cunningham on 14 August regarding the developments in Haifa, starting from the illegal 'Kol Israel' broadcast calling the people to break the curfew; see the Middle East Archive, Cunningham papers, GB 165–0072, Box 1, file 2.

26 Ibid. General Cunningham informed them that the policemen responsible for guarding the inner perimeter of the Athlit Camp were forbidden to use firearms in the event of attempted escape, and in the case of Cyprus, where it was improbable that the local population would wish to assist such escapes, the military guards could be put on the same footing as in Athlit Camp.
27 Ibid.
28 KV3/56, August 1946.
29 Ibid.
30 Ibid.
31 C. P. (46) 434
32 CAB 128/6, C. M. (46) 104th Conclusions, 10 December 1946.
33 Ibid.
34 C. P. (46) 463.
35 CAB 128/6, C. M. (46) 107th Conclusions. The British were aware of the international interest in the immigration concern, even in relatively remote corners. For example, a telegram sent to Hoyer Millar in the Foreign Office from the British consulate in Rabat, Morocco, was forwarded by him to John Beith, responsible for the illegal immigration desk at the Foreign Office, and Harold Beeley, Bevin's adviser on Palestinian affairs. It described a meeting with the Resident General, Monsieur Labonne, who told the British diplomat about a French colonel of Jewish origin who had been dealing with Jewish refugees in France waiting to get into Palestine. The British diplomat asked if the Colonel might be able to cast any light on who was behind the organized traffic, and Labonne replied that he had also asked that question and was told that 'Monsieur Arthur' was the person who pulled all the strings. The diplomat than observed: 'I wonder who is behind Monsieur Arthur?' Monsieur Labonne merely shrugged his shoulders and said: 'I suppose all the Jews in the world!' FO371/61812, 9 December 1946. 'Arthur' was probably Arthur Ben Nathan, who was at the time the chief organizer of the Brichah movement in Austria.
36 KV 3/41, 17 February 1947.
37 Ibid., 27 March 1947.
38 Ibid.
39 Golani, *The Last Commissioner General Sir Alan Gordon Cunningham 1945–1948*, pp. 124–125.
40 FO 371/61803, 12 March 1947.
41 Ibid.
42 Ibid.
43 Ibid. However, Lord Inverchapel, the British ambassador in Washington, informed Bevin about two weeks later that Acheson, the US Under Secretary of State, had admitted to him during their meeting that there was very little they could do about it. The ambassador observed that no change of policy could be expected: 'It seems clear that the State Department will stick close to the argument advanced by Secretary of State Byrnes in January and that they are unable or owing to Zionist pressure, unwilling, to use their influence to discourage such activities, even though they know that these add greatly to the gravity of the situation already difficult enough.' Ibid., 24 March 1947.
44 Ibid., 14 March 1947. Bevin sent a note to Attlee concerning section 5 of the recommendation of the Defence Committee of 12 March (the returning of illegal immigrants to France) stating that it was not legally possible: 'As I feared, we cannot legally claim to return Jewish illegal immigrants to France, except where they are French nationals, which is seldom, if ever, likely to be the case'.
45 Ibid., 17 March 1947.
46 Ibid.
47 FO 371/61803, 19 March 1947.
48 FO 371/61806, 10 April 1947.
49 Ibid., 2 May 1947.
50 Ibid.
51 Ibid., 1 May 1947.
52 Ibid., 2 May 1947.
53 Ibid., 2 May 1947.
54 Ibid., 3 May 1947.
55 Ibid., 7 May 1947.
56 FO 371/61811, 4 June 1947.
57 FO 371/61825, 2 June 1947.
58 FO 371/61811, 4 June 1947.
59 Ibid.
60 Ibid.
61 Ibid.
62 Ibid.
63 FO 371/61811, 4 June 1947.
64 Ibid., 9 June 1947.

65 Ibid.
66 Ibid., 14 June 1947.
67 KV 3/41, Review No. 2, 16 June – 15 July 1947.
68 KV 3/41, 14 July 1947.
69 Ibid. The topics covered by the report included (1) organization: central direction, chain of command, cover for personnel, communication, finance, collusion of relief organizations and foreign governments, politics; (2) routes, past and present; and (3) methods: selection of immigrants, supplies and transport, frontier crossing, purchase of ships, and embarkations.
70 Ibid., Supp. C, 18 July 1947.
71 KV 3/41, 16 March 1948.
72 Aviva Halamish (1990) 'The Battle of *Exodus* by the Shores of Palestine' (Hebrew edn). Anita Shapira (ed.) *Ha'apala: A Collection of the History of Rescue, Brichah, Immigration and She'erit Hapletah.* Tel Aviv: Am Oved, p. 303.
73 Hadari, *Second Exodus*, p. 87.
74 Ibid., pp. 87–88, cited on p. 88. Bevin's remark was made on 28 November, just a day before the UN's partition resolution.

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Part 3

Case study: Jewish refugees in Italy: human rights drama or an exercise in realpolitik?

6 Italy and the Allies: 1943–1948

> The necessity for imposing sanctions at the end of the war led to the denial of the distinction between the people and the Fascist regime, to the limitation of Italian war contribution, to the continued refusal to grant status. The purpose of imposing sanctions was to protect and improve the power position of the victors.[1]

Kogan's emphasis on British policy highlights the dissimilarities between the post-war foreign policies of Britain and the United States towards Italy. These differences had their roots in historical and political considerations and would continue to influence their attitudes towards Italy. Britain's policy was prejudiced by the recent war events, primarily the British bitterness concerning their battle against Italy in Africa and the Mediterranean. They demanded unconditional surrender, aimed to support the continuity of the monarchy and planned a peace settlement that would include either a partition of Italian territory or leave Sicily to the Italian crown but under British control. The American policy was less severe, as no area of American hegemony was endangered by Fascist aggression. The policy considerations were also influenced by the presence of strong Italian and Catholic communities in the United States and the conclusion of Roosevelt and his Secretary of State Cordell Hull that the Italians did not want war and should therefore be treated differently to the Germans and the Japanese. American radio broadcasts to Italy promised the Italians that the United States did not intend to impose a punitive peace and that it made a distinction between the Italian people and the Fascist regime. However, by that stage the Americans had agreed to accept Britain's leadership in the Mediterranean. Not until 19 December 1943 did the Allies recognize their duty to feed the Italian population as part of their military obligations. At mid-1944 the British still strongly objected to the American policy of the selective rehabilitation of Italy's civil industry and its agriculture, claiming that such a generous policy would, among other reasons, be in conflict with the post-war settlement envisaged by the UK.[2] Italy's economic situation was grave. A large part of its industry, infrastructure, roads and hospitals had been destroyed. The Italian merchant fleet had shrunk from 3.5 million metric tons to only 450,000 tons. Its agricultural and industrial sectors had been reduced significantly and prices in 1945 were twenty times what they were before the war, with a high rate of unemployment. As a result, Italy was completely dependent on foreign aid. This generally came from the United States, which supplied most of Italy's vital food provisions and later contributed about 75 per cent of UNRRA's budget for Italian aid. The United States continued to offer assistance following the termination of UNRRA's activities at the end of June 1947 until the country was included in the Marshall Plan.[3] The British policy was not as generous. Churchill took a rather positive view of Mussolini, and regretted that he had chosen to be allied with Germany. His main goal was to save Italy from Communism. He wanted the king or his son to remain in power and was not interested in eradicating Fascism from the Italian state apparatus. He espoused a strong punitive policy, both in economic and political matters.[4]

From early 1945 Britain adopted a dual strategy towards Italy: on the one hand it continued to punish Italy for its aggression, while on the other hand it wanted to help to rebuild Italy and to keep it in the West. Gat identifies two distinct periods in British policy: the first lasted from Italy's surrender on 8 September 1943 to the end of the war in Europe in May 1945, and the second from July 1945 (when Churchill's first term as prime minister ended) until 1949. At that time, Churchill dictated British policy, and in the second period after the formation of the Labour government it was Foreign Secretary Ernest Bevin who directed foreign policy. However, Gat comments that in essence British policy continued from 1943 to 1949, maintained by an alliance between the Chiefs of Staff and the Foreign Office.[5]

The British Foreign Office resisted making concessions to Italy for strategic reasons, even rejecting an American proposal that Italy would adhere to the Atlantic Charter, explaining that this was the result of negative public opinion. When the Badoglio Cabinet published a declaration in favour of the Charter, emphasizing the necessary link with the victims of Fascist aggression, Foreign Minister Anthony Eden furiously denounced it as a lie, recommending a 'rough and tough' reception of the declaration. The British attitude towards Italy was arbitrary and cynical, and aimed to secure concessions from Italy that it had no power to resist. They took steps to ensure that the Americans would not pursue a more benevolent policy.[6]

The British interest in Italy was established in a paper entitled 'The Future of Italy', published by the Foreign Office Research Department in August 1944. The view was that the best chance the Italians had was to have a democratic government under British control, as an alternative to left-or right-wing extremism. The War Cabinet, however, decided to object to any programme of rehabilitation for Italy and Eden ruled out UNRRA aid as a possible concession. In September Harold Macmillan, the British Minister Resident in the Mediterranean, warned Eden that such contradictions in Britain's Italian policy could not be reconciled: 'Sometimes they are enemies; sometimes they are cobelligerents. Sometimes we wish to punish them for their sins; sometimes to appear as rescuers and guardian angles. It beats me.'[7]

The US State Department's Policy Committee presented many of the assumptions based on constant political premises. The Americans wanted a democratic and independent Italy, which would not be influenced by the domination of any third power. The economic theory was that America should help Italy to become economically independent as soon as possible, thus supporting its internal stability and peaceful international relations. The Americans were preparing a plan for Italy's revival, while rejecting the British theory of 'spheres of influence'; they did declare their economic and political interest in Italy, emphasizing 'the blood sacrifices made by American men from Sicily to the Alps'.[8] The United States' continuing strict view of the envisaged Italian democratic regime was included in Secretary of State James Byrnes' instructions to the American ambassador to Italy Alexander Kirk, concerning Italy's first post-war elections scheduled to take place in mid-1946, and the settling of the institutional (monarchy) issue:

> In closing, you should say to De Gasperi that principles to which this Govt holds for determination of the institutional question is free and untrammelled right of Ital people to choose form of democratic govt they desire, and this Govt has full confidence that anti-Fascist Govt of liberated Italy is no less determined to restore to Ital people those sovereign rights so long denied them by a regime which regarded people as 'amorphous

> mass' rather than as citizens directly responsible for their country's govt.[9]

Following the Italian general election on 2 June 1946 and the referendum that abolished the monarchy, the Italian ambassador to the United States, Alberto Tarchiani, wrote to Byrnes emphasizing Italy's wish to rejoin the Western democracies and its expectations of the peace treaty:

> From the polls of our devastated cities and ravaged country areas, the Italian population has unequivocally expressed its faith in the democratic liberties of Western civilization … Italy has given proof of her renewed and full democratic capacity, and has earned the right to the considered a solid factor of Western civilization.[10]

Both the Americans and the British had argued over Italian policy ever since the signing of the armistice. The 'short' armistice was signed in Sicily on 3 September 1943 and was announced by General Eisenhower and Marshal Badoglio on 8 September. It was followed by the 'long' armistice signed in Malta on 29 September 1943 that was considered harsh and even cruel and was kept secret, so as not to give the enemy a propaganda weapon.[11] The terms were published after the liberation of Italy and only in late 1944 did they become known to the members of the Italian governments who were required to declare their recognition of the armistice. Italy was recognized as a 'co-belligerent' and was not accorded Allied status. By the end of 1943 Italy's status was defined for the following three years: the term 'co-belligerency' signified compromise between the British and Americans military and political interests and the postponement needed for practical flexibility and freedom of action. The Allied Control Commission, established on 10 November 1943, was to regulate Italy according to military priorities. The country was to be governed 'under an uneasy condominium set up by the British and the Americans and dominated by the British'.[12]

The Hyde Park Declaration signed by Roosevelt and Churchill on 26 September 1944 was welcomed by Macmillan as the 'New Deal' for Italy. It sought to rehabilitate the country economically and socially through the auspices of UNRRA. It also acknowledged the danger that Italy might collapse socially, thus paving the way for Communist influence owing to the dangerous Soviet advance westwards. American criticism of Britain's harsh attitude towards Italy continued in December that year, when the UK intervened in the Ivanoe Bonomi government crisis, and strongly opposed the nomination of Count Carlo Sforza as Foreign Minister.[13] This intervention marked a turning point in Anglo-American cooperation in Italy. The new US Secretary of State, Eduard Stettinius, who was appointed on 1 December 1944, stated that the formation of a new cabinet was a purely Italian affair, as was the meaning of the self-determination theme in the Atlantic Charter. The British, who had nothing concrete against Sforza other than Churchill's personal prejudice against him, declared that Italy was still a defeated enemy exhibiting a degree of co-belligerency and as the future autonomous development of former Axis powers would take place only at the end of the occupational period, the Allies could reject any member of the governments of Italy, Germany and Japan, albeit only as an inter-Allied decision.[14] The British approach did not change even when the war was coming to an end, and the US State Department was pressing for more favourable thinking concerning the implementation of the 'New Deal' for Italy. The British, as Ellwood criticizes, reneged on previous discussions with the Americans:

> In the following weeks, each of the various elements of the British official machine supplied its own view of a possible settlement, views which differed little from each other in their underlying vindictiveness and in their overall aim of pressing Italy back into place in the imperial scheme of things current in the 1920s or early 1930s.[15]

A US State Department memorandum dated 17 February 1945 blamed the British for opposition to American policy in Italy and the resulting 'deterioration in American prestige and the political-economic situation in Italy'.[16]

The British representatives in Italy offered a more genial point of view. Sir Noel Charles, British High Commissioner and soon to be the British ambassador to Italy, suggested that the difference between democratic and Fascist Italy should be recognized, stating that Italy's future cooperation with the British in the Mediterranean depended on the way it was treated by the UK. Macmillan endorsed Charles's views, charging that the current policy was wrong: 'We are playing our hand very foolishly with regard to Italy. There seems to be a kind of childish animosity towards the Italians which does not do us or them any good.'[17]

By 24 February 1945 Macmillan, in his role as Acting President of the Allied Commission for Italy, declared in the presence of Italy's Prime Minister Bonomi a new policy for Italy, following the Hyde Park Declaration. It gave the Italian government greater control in managing its own political affairs and in conducting diplomatic relations, although it still was expected to cooperate with the Allied Commission which sought to assume a role of 'consultation and advice'. Thus, the Italian government would continue to maintain direct relations with foreign diplomatic representatives accredited to the Quirinal. Generally the Allied Commission was to be kept informed by the Italian government of any foreign negotiations. The government was granted facilities for the use of diplomatic bags in correspondence with Italy's diplomatic representatives abroad but cypher services were not allowed. Italy would be able to enact new legislation but would have to inform the Allied Commission of proposed decrees some time before the legislation and also to make all the appointments for government officials except those concerned with military and security issues such as Minister of War, Minister of Marine, and Minister of Air, and Director-General of Public Security.[18]

The challenge facing the Allies regarding Italy was not the institutional issue of monarchy versus republic, but the battle between totalitarianism and democracy, basically the threat of a Communist police state over a liberal democracy. The Italian government was aware that Britain could not help it financially and the only hope for the future was the United States.[19] Ellwood's final opinion of British policy in Italy is quite negative: the British interests were overwhelmingly concerned with the past, namely with Mussolini's attack on the empire: 'Yet it was against the entire Italian people that the British vented their vindictiveness and their prejudices'. He quotes Churchill's explanation for the British strategy thus: 'If [the British] lost their existing rights under the surrender … they would not have the power to secure the peace to which they were entitled.' He adds that the policy did not stop there and that the British set the tone of the punitive peace treaty of 1947.[20]

The major reason for the Allies' foreign policy towards Italy was the need for victory in the international power struggle, with the American government urging the approval of Italy's request for admission to the grand alliance of the UN. The British argued that if concessions

were to be granted, it would be more difficult for the Allies to impose sanctions. Kogan criticizes the official approach of negative attitude to the Italian population:

> The necessity for imposing sanctions at the end of the war led to the denial of the distinction between the people and the Fascist regime, to the limitation of Italian war contribution, to the continued refusal to grant status. The purpose of imposing sanctions was to protect and improve the power position of the victors.[21]

The Italian foreign policy had three main objectives: to obtain Allied status; to make a maximum contribution to the war effort; and to resume its proper governing functions. All parties agreed on the fundamental Italian aims concerning the peace settlement: preservation of as much national and colonial territory as possible; reduction of its financial obligations; maintaining a military force to protect its borders; and obtaining as much relief and rehabilitation from the Allies as possible. The disagreements were over the social structure of Italy, a larger issue than just the actual question of monarchy or republic.[22]

The problem of purging (*epurazione*) the Fascists from the administration was a controversial issue. The *epurazione* commissions tended to incriminate members of the rank and file, while leaving the leaders untouched. The judiciary remained in place and it discharged many cases and leading Fascists were acquitted. All 135 police chiefs and their 139 deputies had also been in post under the Fascist regime. Palmiro Togliatti, the leader of the Italian Communist Party, who was Minister of Justice at the time, published an amnesty to end the *epurazione* on 22 June 1946, thus making it easier for those accused of committing crimes during the Fascist era, including rapists and torturers, to escape justice.[23] For the progressive parties, the purge of the Fascists had a fundamentally political purpose because they wanted to eliminate the old political class, that was strongly linked to the Fascists, in order to build a new democratic society. The Liberals and Christian Democrats did not support any comprehensive action against wide sections of the bureaucracy, the army and the economy since it would mainly affect the social classes which were their political base. They suggested that only members of the Fascist hierarchy and profiteers should be prosecuted.[24] The acceptance of military necessity as the basic guideline had a negative result concerning the hoped for anti-Fascist campaign: ‘The Roosevelt administration doomed earlier hopes for anti-Fascist house-cleaning and social renewal. Both the President and Secretary of the Treasury Henry Morgenthau Jr. had called for a serious purge in Italy … but circumstances permitted much of the bureaucracy to survive.’[25]

Levi points out that after the war the anti-Jewish laws were abrogated very slowly and there was no wish to recognize the Jews’ rights as persecuted people, which were also based on ‘the tightly knitted continuity between the public apparatus of Fascism and that of the post-war Italian Republic’.[26] He adds that while the political debate concerned the Fascist–anti Fascist dichotomy, the subject of the Jews was left on the sidelines and little as possible was said about persecution and extermination, or about the survivors. The social aspiration was for solidarity, for universalistic visions, rather than acknowledging the legitimacy of the peculiarities of any minority group.[27] Nonetheless, the Jewish organizations did work to assist the Italian government. On 20 August 1946 the World Jewish Congress submitted a memorandum on the problem of European Jews to the peace conference. It included a kind reference to Italy, its people and its government.[28]

The Peace Treaty: September 1945–February 1947

The Council of Foreign Ministers first met in September 1945. Its main task was to negotiate peace treaties for Germany's European allies but it dedicated much of its time to the handling of the Italian colonies in Africa. In the background were the post-war conflicts in the Middle East, including Palestine, Syria, Lebanon and Greece, as well as South-east Asia, in addition to the Italian colonies. These all put to test the Allies' loyalty to the promises of the Atlantic Charter and the UN. Luigi Sturzo, a well-known Italian Catholic priest and political exile in Britain and the United States, called this an 'international dictatorship' of the Big Three.[29]

Italy participated in the peace conference that opened on 29 July 1946 at Luxembourg Palace in Paris, but could not negotiate with the Allies, as the conference 'was primarily a testing of strength among the victors, not a settlement between victors and defeated'.[30] The conference devoted six days (10–15 August) to hearing comments on the treaties of the representatives of former enemy states. Prime Minister Alcide De Gasperi declared that the Italian peace treaty was extremely harsh in that it left Italy in a defenceless condition, with no recognition of the part it played as a co-belligerent and that it was the first to break away from Germany (which was recognized in the Potsdam Protocol of 2 August 1945). He criticized the provisions outlined in the draft treaty which dealt with Trieste and reparation payments but made no mention of special concessions. His dignified speech was received 'in cold and hostile silence', with the exception of the American Foreign Secretary Byrnes, who stood and shook his hand.[31]

Charles, Britain's ambassador in Italy, wrote to De Gasperi on 29 June arguing that Bevin had defended Italy's interests at the Council and resenting claims made in the Italian press that Britain was responsible for any disagreeable parts that the treaty might contain. Bevin had also chosen to offer moral guidance for Italy's future conduct: 'What Mr Bevin asks me to recommend is that the Italian government should face the future squarely, with a sense of responsibility and self-reliance. The future of Italy lies in work and re-education, not in self-pity.'[32] Charles went on to explain the complex future procedure concerning the peace treaty, and denied De Gasperi's announcement to the Italian Constituent Assembly on the previous day that the Council of Foreign Ministers was a 'close meeting which condemns without hearing the defence'.[33]

In his report on the progress of the peace conference and Britain's complex attitude towards Italy, Bevin informed the UK Parliament:

> We have to have regard to the damage done by Italy in her days of aggression, but we have made every allowance for the services she rendered after the armistice. We have tried to find a just balance in our treatment of Italy.[34]

The disputes over the city of Trieste and the Venezia Giulia region in north-east Italy were crucial as the Soviets expressed their full support for Yugoslavia's claim to both the city and to the entire region. Britain did not want the Soviets to gain a foothold in the Mediterranean or to allow its influence to spread throughout the region. The Italian government emphasized that it would not be able to sign a peace treaty which separated Trieste from Italy. As a compromise, an international zone was established that denominated the Free Territory of Trieste which would be supervised by the UN Security Council.[35] The Italian public response was very negative as the

Trieste settlement was one of the biggest blows suffered by Italy and resulted in much bitterness and rancour.[36] The loss of all of Italy's African colonies was another blow. Italy claimed only the pre-Fascist era colonies of Eritrea, Italian Somaliland and Libya. Britain strongly opposed the return of the colonies to Italy. This position was supported by the other Allies, with the exception of France. The responsibility for the future of the colonies was transferred to the UN. In 1945 the Western Allies renounced Italy's reparation claims. Britain's view was that Italy was morally liable to make reparation to the victims of its aggression but that it was not the intention of Allied policy to ruin Italy. Payment for relief supplies, valued at that time at £21 million, was to be prioritized over payment of reparations. The United States shared this view and the estimation was that Italy's reparations would be paid by the Western Allies. The British and the Americans were against the proposal that Italy would have to supply forced reparation labour to various countries where they might be badly treated. The Russian position was that Italy's ability to pay must be determined on political grounds and that this was the problem of the Italian government. They demanded one-third of the reparations and that these would have priority over the payment of relief supplies.[37] During the discussions about disarmament and demilitarization the Allies agreed to limit the armed forces to the minimum needed to protect Italy's borders and to maintain law and order.[38]

The navy was a crucial issue for Italy. The government argued correctly that the remnants of the navy had not surrendered in September 1943 but had been passed over to the Allies. Italy's claims were rejected, a large part of its navy was seized, and it was prohibited from building or buying battleships. The Americans and the British later returned their share of the Italian fleet to Italy for scrap.[39] The coasts of Apulia, Sicily and Sardinia, as well as Italy's minor islands, were to be unfortified or demilitarized, leaving Italy vulnerable to an invasion by sea. This British strategy was seen as an integral part of its aspiration to reassert the country's pre-eminence in the Mediterranean.[40] The peace treaty was signed by Italy on 10 February 1947 and ratified by the Constituent Assembly on 31 July of that year.[41] By that time, the policy of the Western Allies, with some British hesitation, was determined by the Cold War and the need to avoid internal political leaning towards the extreme left. The peace treaty left Italian anti-Fascists disappointed by the Allies' treatment of their country. Prime Minister De Gasperi announced in parliament on 8 February, two days before the signings was to take place, that there was a *blatant contradiction* between the terms of the peace treaty and the Atlantic Charter, which stated that any exchange of territory should be with the consent of the population directly involved. Italy ratified because of the American threat that failure to do so would bring economic aid to a halt and tried to look at the future:

> It ratified, protesting that the treaty was unduly harsh, that it did not take into account the anti-Fascist resurgence of the Italian people or their contribution to the final struggle against Germany. It ratified, to enable it to be present at the Marshall Plan Conference of July 1947, to bring an end to the occupation, to finish off a dark chapter in the history of modern Italy.[42]

Pedaliu points out that Italy's bitter reaction, manifested in riots and violence against Allied troops, aimed primarily at Britain, caused further damage to Anglo-Italian relations.[43] Charles observes that Italian dissatisfaction with the peace treaty focused largely on Britain's attitude.[44]

The issue of Italian war criminals evolved around Italy's opposition to the insertion of a war crimes clause into the peace treaty; it was also firmly against the prospect of extraditing suspected criminals to Yugoslavia or any other country. However, the Allies decided on 26 June 1946 to include Article 45 of the treaty, which obliged Italy to apprehend and surrender for trial alleged Italian war criminals. In September the Italian government, aiming to protect its sovereignty by resisting extradition of its nationals to foreign countries, announced that a commission of enquiry had decided to prosecute forty military officers and high-ranking Fascist officials on war crime charges. None of them were properly punished. Under the circumstances, Italy also chose not to pursue its own war crime claims against Germany, including the heinous war crimes that took place in the Greek island of Cephalonia: 'All this was indicative of a state that was looking firmly to the future and was anxious to bury its wartime past'.[45]

This policy was accepted by the Americans and more reluctantly by the British, who agreed to slacken the pressure on Italy to hand over war criminals to Yugoslavia. There was concern regarding Italian political stability under De Gasperi government and the loss of British influence in Italy.[46]

Italy's Foreign Minister, Count Sforza, presented an immediate Italian appeal for revision of the treaty, which was to become a cornerstone of Italian politics. He also asked for a meeting with Bevin but Britain refused to comply until Italy had signed and ratified the treaty. Following ratification of the peace treaty by Italy on 31 July and by the Four Powers in mid-September, Britain appointed Sir Victor Mallet as the new ambassador to Italy, as an indication of the normalization of relations. The British turned down the Italian request regarding the colonies in Africa:

> For Italy, the colonies were the symbol of Great Power status proving they were not in total decline. But for the British they represented punishment, the price of aggression, prevention of future aggression and the relegation of Italy to second-class status.[47]

Sforza visited London in late October 1947 and full relations were re-established between the two countries.[48] The meeting with Bevin on 28 October dealt, inter alia, with economic issues and the question of the Italian navy. Bevin expressed his wish for Italian cooperation in the problem of illegal Jewish immigration. From the British point of view, their counterpart was happy to cooperate:

> Count Sforza said that he could have been impeached for what he had done to help over this. The result was that Jews had stopped trying to embark for Palestine from Italy. There was now only small illegal traffic by air. In view of what Italy had done for refugee Jews, they had the right to ask Jews not to embarrass them in relations with His Majesty's Government.[49]

Conclusion

The aim of the British policy was to weaken Italy and subject it to British hegemony. The United States was opposed to this strategy and was eager to quickly restore Italy as an independent state. Following Churchill's visit to Italy in August 1944, Britain changed its policy. Now its main

objective was to prevent the emergence of a Communist Italy and to guarantee that the country remain within the Western sphere of influence. Britain still wanted to ensure that Italy would pay for her wartime aggression and would not constitute a threat to Britain's Mediterranean interests. The peace treaty expressed the American might, while Britain adapted its policy to that of the Americans. Britain, a declining power, was at that time interested in US involvement in Italy and in Western Europe to prevent them from falling into Soviet hands.[50] American intervention in Italy's internal affairs in 1947 sought to support the Christian Democratic Party and its leader Alcide De Gasperi, who responded to the United States' promise of support by establishing a new government that did not include the left-wing parties and by instituting economic reforms. From January 1948, until the crucial elections of 18 April 1948, for which a Communist victory had been predicted, the United States, while warning against a possible Communist insurrection, managed to achieve its comprehensive political aim of securing the Christian Democrats' victory.[51]

Notes

1 Norman Kogan (1956) *Italy and the Allies*. Cambridge, MA: Harvard University Press, p. 192.
2 Ibid., pp. 18–21, 82, 171–173. He adds that Churchill was unable to comprehend the attitude of the anti-Fascists towards Mussolini, nor to work with them politically, pp. 175–176.
3 Arieh J. Kochavi (2001) *Post Holocaust Politics*. Chapel Hill, NC and London: University of North Carolina Press, pp. 237–238.
4 Paul Ginsborg (1990) *A History of Contemporary Italy (Society and Politics 1943–1988)*. London: Penguin Books, p. 40.
5 Moshe Gat (1996) *Britain and Italy 1943–1949: The Decline of British Influence*. Brighton: Sussex Academic Press, pp. 2–3. See also Antonio Varsori (1992) 'Great Britain and Italy 1945–56: The Partnership between a Great Power and a Minor Power'. *Diplomacy & Statecraft*, vol. 3, no, 2, pp. 188–228.
6 David W. Ellwood (1985) *Italy 1943–1945*. Leicester: Leicester University Press, pp. 81–83, 99–100.
7 Ibid., pp. 104–105, cited on p. 105. Another British diplomat, D'Arcy Osborn, Britain's envoy to the Holy See from 1936–1947, was explicit in his support of the Italians. He sent the Foreign Office on 14 September 1944 words of praise for his Italian helpers, mostly poor peasants, who had assisted escaping British soldiers: 'numberless Italians … who displayed boundless generosity and kindness to our men over a long and trying period; it must be remembered that, in so doing, not only did they refuse the financial rewards for the denunciation of British prisoners of war which the Germans offered and which would have been a fortune to them … risking their lives and the lives of their families and friends … a number of them indeed were shot by the Germans. We owe a debt to the Italian people in this respect that would not be forgotten and cannot be repaid.' Owen Chadwick (1986) *Britain and the Vatican during the Second World War*. Cambridge: Cambridge University Press, p. 300.
8 Ellwood, *Italy 1943–1945*, p.109.
9 FRUS ITALY 1946, University of Wisconsin Digital Collections, 28 February 1946, vol. 5, pp. 881–883, cited on p. 883, abbreviations in the original. See http://digital.library.wisc.edu/1711.dl/FRUS.FRUS1946v05.
10 Ibid., 5 June 1946, pp. 888–889.
11 Eisenhower saw the double surrender as a complete capitulation by Italy. The document allowed the Allies to represent Italy's interests abroad, to regulate production, and to control its currency, business and trade. Ellwood, *Italy 1943–1945*, pp. 38–41. See also C. R. S. Harris (1957) *Allied Military Administration of Italy 1943–1945*. London: Her Majesty's Stationery Office, pp. 105–125.
12 Ellwood, *Italy 1943–1945*, pp. 40–47, cited on p. 47.
13 Count Carlo Sforza was Italy's Minister of Foreign affairs from 1920–1921 and from 1947–1951, and he was a prominent political exile during the Fascist era. It was the second time Sforza was resisted by the British: when the Allies discussed the formation of a new Italian government to replace the Badoglio government in February 1944, Churchill feared that a government headed by Sforza, or any other Italian who the British did not trust, would harm Britain's interests and threaten her hegemony in the Mediterranean, and viewed his potential nomination as a disaster. Gat, *Britain and Italy 1943–1949*, p. 57. See also Harold Macmillan (1984) *War Diaries*. Basingstoke and London: Macmillan, pp. 593–597, Harris, *Allied Military Administration of Italy 1943–1945*, pp. 214–215.
14 Ellwood, *Italy 1943–1945*, pp. 120–123; see also Gat, *Britain and Italy 1943–1949*, p. 40.
15 Ibid., p. 175.

16 John Lamberton Harper (1986) *America and the Reconstruction of Italy, 1945–1948*. Cambridge: Cambridge University press, p. 34. A British comprehensive War Cabinet report of the ad hoc Committee on Supplies for Liberated Europe regarded the standard of food in liberated Italy as 'some way below that of the territories of North-West Europe, facing a danger of unrest in central Italy, the bread ration was raised to 300 grams, as in southern Italy and Sicily. The expected problems when northern Italy with its populated industrial cities, would be liberated were viewed as much more serious due to lake of grain that ' has to be imported on the heels of an advancing army.' CAB/66/61/13, W. P. (45) 58, 25 January 1945.

17 Ellwood, *Italy 1943–1945*, p. 176.

18 I Documenti Diplomatici Italiani *Decima Serie: 1943–1948*, vol. 2 (12 Dec. 1944–9 Dec. 945) Istituto Poligrafico e Zecca dello Stato Libreria dello Stato Roma MCMXCIII. pp. 84–88; see also Macmillan, *War Diaries*, p. 701. The Americans did not see it as an unsubstantial statement, Ellwood, *Italy 1943–1945*, p. 175; Gat, *Britain and Italy 1943–1949*, pp. 94–105; Harris, *Allied Military Administration of Italy 1943–1945*, pp. 231–235, text of declaration on p. 250.

19 Ellwood, *Italy 1943–1945*, pp. 202–203, 234–235. Britain did not support the Italian request to participate in the UN Conference of San Francisco, favoured by the Americans. See also Kogan, *Italy and the Allies*, p. 112.

20 Ellwood, *Italy 1943–1945*, pp. 240–241, cited on p. 241. On the British attitude towards the Italian viewpoint see also Mario Toscano (1990) *La Porta di Sion*. Bologna: Il Mulino, p. 70.

21 Kogan, *Italy and the Allies*, pp. 191–192, cited on p. 192.

22 Ibid., p. 186. See also on the constitutional developments Howard McGaw Smyth, (1948) 'Italy: From Fascism to the Republic (1943–1946)'. *Western Political Quarterly*, vol. 1, no. 3, pp. 205–222; Norberto Bobbio (1995) *Ideological Profile of Twentieth-Century Italy*. Princeton, NJ: Princeton University Press, pp. 143–185. The following took office as the Prime Minister of Italy after the armistice: (1) Pietro Badoglio, 10 September 1943–4 June 1944; (2) Ivanoe Bonomi, 18 June 1944–19 June 1945; (3) Ferruccio Parri, 21 June 1945–8 December 1945; (4) Alcide De Gasperi headed up eight governments, 10 December 1945–17 August 1953.

23 Ginsborg, *A History of Contemporary Italy*, p. 92. The American Charge' in Italy Key wrote to the Secretary of State that the amnesty would bring about a new atmosphere of unity and harmony that were necessary for the economic and political rehabilitation of Italy. He stated that it would not apply to serious offences or in cases where political crimes were committed by persons in high-ranking public, political or military office. FRUS ITALY 1946, University of Wisconsin Digital Collections, 28 February 1946, vol. 5, pp. 925–926. See also Amadeo Osti Guerrazzi (2005) *Caino a Roma*. Rome: Cooper, pp. 137–145.

24 Guiseppe Mammarella (1964) *Italy after Fascism*. Montreal, ON: M. Casalini, pp. 76–77.

25 Harper, *America and the Reconstruction of Italy, 1945–1948*, p. 23. On the earlier stages of anti-Fascist legislation see Harris, *Allied Military Administration of Italy 1943–1945*, pp. 146–150, 206–209.

26 Fabio Levi (2005) 'Anti-Jewish Persecution and Italian Society'. Joshua D. Zimmerman, (ed.) *Jews in Italy under Fascist and Nazi Rule, 1922–1945*. Cambridge: Cambridge University Press, p. 204.

27 Ibid., pp. 199–206.

28 Guri Schwarz (2008) 'On Might Making and Nation Building: The Genesis of the "Myth of the Good Italian", 1943–1947'. *Yad Vashem Studies*, pp. 1–33.

29 Scott L. Bills (1995) *The Libyan Arena*. Kent, OH and London: Kent University Press, p. 27. Summary of the colonial aspects of the Italian peace treaty on pp. 90–96, 100–107, 144.

30 Norman Kogan (1983) *The Political History of Italy*.: New York: Praeger, p. 3.

31 John Wheeler-Bennett (1972) *The Semblance of Peace*. London: Macmillan, p. 434.

32 Charles to De Gasperi, 29 June 1946, I Documenti Diplomatici Italiani *Decima Serie: 1943–1948*, vol. 3 (10 Dec. 1945–12 July 1946). Istituto Poligrafico e Zecca dello Stato Libreria dello Stato Roma MCMXCIII, pp. 733–734.

33 Ibid.

34 HC Deb, 22 October 1946, vol. 427, pp. 1487–6231, cited on p. 1505.

35 Gat, *Britain and Italy 1943–1949*, pp. 118–120.

36 Kogan, *The Political History of Italy*, pp. 5–6. The administration of Trieste was divided into two areas: one being the port city of Trieste with a narrow coastal strip to the north-west (Zone A), while the other, larger one (Zone B) was formed by a small portion of the north-western part of the Istrian peninsula. In 1954 the city and its surroundings (Zone A) were given to Italy, and Zone B to Yugoslavia. United Nations Treaty Series 1956; No. 3297.

37 *The Italian Reparation Settlement*, FO 371/ 53179. At the second meeting of the Foreign Ministers held in Paris on 26 April, US Secretary of State Byrnes announced that his country had disbursed up to $500 million on aid to Italy, and had contributed greatly to the $400 million expended by UNRRA on Italian relief. The United States did not expect reparations for itself, but declined to finance the reparations for other countries. Ibid., 26 April 1946.

38 The Soviet Union was to be paid about $100 million, Greece $105 million, and Yugoslavia $125 million, while in comparison Ethiopia received $25 million and Albania received the smallest amount, $5 million. Kogan, *The Political History of Italy*, pp. 11–13. Most of the reparations were paid for by the United States through its programme of financial assistance to Italy.

39 The Admiralty had opposed the return of the powerful battleship *Vittorio Veneto* to Italy stating that the navy was against allowing the Italians to forget the 'stab in the back' and the damage it had caused to Britain during the Mediterranean naval war. However, the Cabinet overruled the Admiralty's view claiming the need to help the anti-Communist parties, and the

need for great power 'magnanimity'. Varsori, 'Great Britain and Italy 1945–56: The Partnership between a Great Power and a Minor Power', p. 202, and Antonio Varsori (1984). 'L'incerta rinascita di una "tradizionale amicizia": I colloqui Bevin-Sforza dell'ottobre 1947'. *Storia Contemporanea*, XVI, no. 4, pp. 593–645. On the initial discussions of the Joint Naval, Military and Air Committee see FO 371/ 53179, 22 February 1946.

40 Kogan, *The Political History of Italy*, p. 13.

41 The Italian ambassador to France, Meli Lupi di Soragna, was empowered to sign the treaty subject to its ratification by the Italian parliament, but Britain protested and demanded an unconditional signature. De Gasperi instructed Foreign Minister Sforza to protest to the British government against this undemocratic process. Robert Wenderlin Keyserlingk (1972) *Patriots of Peace*. Gerrards Cross: Colin Smythe, pp. 108–109.

42 Kogan, *The Political History of Italy*, p. 15, my emphasis. See also Mammarella, *Italy after Fascism*, pp. 159–172, and Cristopher Seton-Watson (1980) 'Italian Imperial Hangover'. *Journal of Contemporary History*, vol. 15, no. 1, pp. 169–179.

43 Effie Pedaliu (2004) 'Britain and the "Hand-over" of Italian War Criminals to Yugoslavia, 1945–48'. *Journal of Contemporary History*, vol. 39. no. 4, pp. 503–529, cited on p. 514.

44 Varsori, 'Great Britain and Italy 1945–56', pp. 192–195. He wrote that the resentment of the Italian public and leaders focused on Britain because of her policy of 'punitive peace', the British psychological attitude towards Italy, and the strategic aims of British policy concerning the Italian colonies and position in the Mediterranean area. The British ambassador in Rome, Charles, explained to Bevin that the Italians' attitude to the UK government was akin that of 'rejected love', caused by that country's coldness (telegram of 14 July 1947). In another telegram to Bevin sent on 11 September 1947, he suggested that Britain try to improve her standing in Italy vis-à-vis that of the United States, 'who at that moment seems in Italian eyes to have a monopoly of political and financial generosity'. Ibid.

45 Pedaliu,'Britain and the "Hand-over" of Italian War Criminals to Yugoslavia, 1945–48', cited on p. 526.

46 Ibid., pp. 526–527. There were also exceptions to the Italian approach towards war crimes, especially when it could be used for political ends. In a comprehensive memorandum on Italian policy and public opinion sent to Bevin, the Italian ambassador to Britain, Count Nicolo Carandini, chose to emphasize Italy's demand to Austria regarding the disputed territory of Alto Adige, while mentioning a series of Austrian war crimes against Italy that she was willing to forget, but would not accept the Austrian territorial claims. These crimes included the part played by the Austrian S. S. troops in the horrific Fosse Ardeatine mass murder that took place in Rome on 24 March 1944. In another case, a division of Austrian alpine troops tortured and murdered 5,000 Italian soldiers belonging to the Aqui division who, having been surrounded in the island of Cephalonia on 21 September 1943, preferred death to surrender, and finally that it was the Austrian General von Ludwiger who denied burial to these 5,000 Italian heroes. Carandini to Bevin, 12 January 1946. I Documenti Diplomatici Italiani *Decima Serie: 1943–1948*, pp. 149–156.

47 Gat, *Britain and Italy 1943–1949*, pp. 112–132, cited on p. 132. He reports on the riots in Somaliland on 11 January 1948, between Somaliland nationalists and Italian colonial settlers, in which 63 people were killed, including 52 Italians. Britain accused Italy for this attack, claiming that the settlers provoked the riots, while Italy accused the British military administration of having deliberately caused the attack, in order to enhance its claim to leave the territory in British control. Ibid., p. 137. According to Varsori, there were fifty-five Italian victims and he remarked that in Italy the British attitude led to a negative reaction: 'The aloofness shown by the British press, as well as by some British officials, towards the massacre of Italian Nationals in Mogadishu caused in the peninsula an outburst of anti-British feeling'. Varsori, 'Great Britain and Italy 1945–56: The Partnership Between a Great Power and a Minor Power', p. 203. See also Andrea Ungari (2010) 'Umberto Zanotti Bianco and the Mogadishu events of 1948'. *Modern Italy*, vol. 15, no. 2, pp. 161–176.

48 An earlier visit was suggested by the Socialist Foreign Minister Pietro Nenni (in office for a short period from October 1946–January 1947) that hoped to improve the two countries' relations using a direct Socialist International connection with the British Labour government. However, the visit was delayed and later cancelled when Nenni left his post following a split in his party. Antonio Varsori (1984)'Bevin E Nenni (Ottobre 1946–Gennaio 1947): Una Fase Nei Rapporti Anglo-Italiani del Secondo Dopoguerra'. *Il Politico*, vol. 49, no. 2, pp. 241–275. See also correspondence in January 1947 in FO 371/ 67764. Sforza's state visit was very much in contrast to the icy reception of Foreign Minister De Gasperi in London on 18 September 1945, who was paying the first visit by an Italian minister to Britain after the war. See Keyserlingk, *Patriots of Peace*, pp. 89–91. Ambassador Charles reported positively to the Foreign Office when Sforza became Foreign Minister in 2 February 1947 that Britain should not expect any difficulties with him and that his son-in-law was English. FO 371/67764, 3 February 1947.

49 I Documenti Diplomatici Italiani *Decima Serie: 1943–1948*, vol. VI (31 Maggio–14 Dicembre 1947). Istituto Poligrafico e Zecca dello Stato Libreria dello Stato Roma MCMXCIII, pp. 813–816, cited on p. 815. However, since October 1947 ten of the Mossad's ships had left Italy for Palestine. See http://www.palyam.org.

50 Gat, *Britain and Italy 1943–1949*, pp. 179–182. On the British contribution to the reconstruction of Italy, including the offers for reconstruction of her armed forces especially the air force, see Effie Pedaliu (2003) *Britain, Italy and the Origins of the Cold War*. Basingstoke and New York: Palgrave Macmillan, pp. 35–57. On the development of British and Italian relations until the early 1950s, see Antonio Varsori (2004). 'La Gran Bretagna e L'Italia di De Gasperi (1945–1953)'. *Ventunesimo Secolo*, vol. 3, no.5, pp. 221–246.

51 Miller, James E. (1983). 'Taking Off the Gloves: The United States and the Italian Elections of 1948'. *Diplomatic History*, vol. 7, no. 1, pp. 35–56.

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7 Italy and the Jews

The Fascist burden and the wartime rescue

> Italian soldiers, officers and diplomats in Croatia, Greece and southern France restored a glimmer of honor to the shabby history of Fascist Italy. They proved that many Italians had not succumbed to twenty years of Fascist rhetoric. In the darkest hours of the Holocaust, they proved that some Christians in public positions cared about the fate of the Jews and were willing to act. They were brave, decent, and far too few.[1]

This summary of the Italians' conduct during the war is an accurate reflection of the country's unique attitude to its Jewish population. Since the Risorgimento (national unification), the political and social movement that consolidated all the different states of the Italian peninsula into the single state of the Kingdom of Italy in the nineteenth century, Italy had not been a particularly anti-Semitic country. The Risorgimento led to the closure of the ghettos and the granting of full civil rights to all citizens. In the early 1900s a number of Jews occupied prominent political positions.[2] Italian Jews also played a prominent part in the rise of Fascism. It has been estimated that about a quarter of Italy's adult Jews belonged to the National Fascist Party, 10 per cent more than the average for the general Italian public. Fascist Italy gave sanctuary to persecuted foreign Jews. However, anti-Semitism in Italy was present in conservative elements in the Church and in the Fascist party. The situation among the Fascist leadership was mixed.[3] In 1932 Mussolini's attitude towards the Jews was still relatively positive. In his view Italian Jews were Europeans, mostly good people, and were praised by him as being good citizens and courageous soldiers.[4]

Dan Segre, an Italian Jew, writes in his memoirs that he cannot recall any occasion before 1938 when his Fascist friends and teachers discriminated against him for being Jewish.[5] There were several campaigns during the early 1930s that ebbed away after a while, such as the Ponte Tresa affair of March 1934, when a young Jewish member of the anti-Fascist movement Giustizia e Libertà (Justice and Liberty) was caught in the frontier town smuggling anti-Fascist literature into Italy from Switzerland. Thirty-nine people were arrested and out of the seventeen that were not immediately released, eleven were Jewish. The affair led to a vicious anti-Zionist campaign, even though none of the people arrested were Zionists. The policy was quickly changed following an improvement in relations with Britain and France, expressed in the Stresa Front on 14 April 1935.[6] Only three men, all Jewish, were tried and convicted, receiving light sentences.[7] During the period 1934–1936 Mussolini even made pro-Zionist statements and held several meetings with Zionist leaders. The policy change towards the Jews and Zionism started in late 1936. There were a number of reasons for this: the military campaign in Ethiopia and publication of racial legislation there; the growing tensions in Italy's relations with the Western

powers following the imposition of economic sanctions on Italy; Italy's improving relations with Nazi Germany in the cultural, ideological and political fields; and the strengthening of Italy's pro-Arab foreign policy. In Carpi's view, one of the main factors was the myth of a 'new European civilization' which had its roots in racist ideas that were favoured by Mussolini at the time when he was striving to bring the Roman empire to life. The Italian government also acknowledged the negative attitude of the Jewish press in various countries, including Palestine, concerning the Fascist regime and its occupation of Ethiopia. The Fascist propaganda thus presented it as further proof that 'international Jewry' and Zionism in particular, were at the forefront of the anti-Fascist forces. The first signs of the new policy appeared in several editorials published in late 1936 in Roberto Farinacci's newspaper *Il Regime Fascista*, which blamed Italian Jews for conspiring against Italy with the hostile 'Jewish International', resulting in several protest letters from prominent Jews, including the chairman of the Jewish Community, Felice Ravenna. The change of policy included the nomination of a new anti-Zionist Consul General in Jerusalem, Quinto Mazzolini, a Fascist diplomat. Mussolini also ordered the transfer of Italian arms and funds to aid the Arab revolt in Palestine. In a visit to Libya in the spring of 1937, Mussolini declared himself the protector of Islam in the Middle East.[8] The attack on Jewish rights accelerated towards the end of 1937, and involved steps which appeared to be a prelude to the introduction of the new legislation. These consisted of the identification and census of Jews, the first measures of Aryanizing parts of society, the formulation of the legal definition of the Jew. These measures together 'transpired within a general scheme of progressive, if unevenly dispensed, oppression'.[9] In October 1937 the first hint of a possible change of policy towards the Jews was given when Mussolini requested an academic brief on the Jews in Italy from the 'racial science' point of view. Mussolini then published an anonymous article in *Informazione Diplomatica*, arguing that the best solution for the Jews was to create a Jewish state but not in Palestine, in order not to harm Italy's relations with the Arabs. He further wrote that the regime did not desire the disproportional influence of Jews, especially immigrant Jews.[10]

Sarfatti presents a timeline of the steps that were taken against the Jews almost daily from the beginning of 1938. The first involved the collection of information. On 14 February the Minister of National Education asked university rectors to compile a list of Italian and foreign Jewish students and faculty. On the same day the Ministry of the Interior requested information about Jewish employees in various departments, especially in the local and national police. On an unspecified day in this same month, Mussolini ordered the establishment of an office for the study of race and the dissemination of racial propaganda in the Ministry of Popular Culture. On 24 February it was announced that the immigration of Jews to the Italian African territories would not be permitted. Other steps proved to be particularly deleterious for Jewish refugees, who were now arriving in Italy in growing numbers in order to escape persecution. On 18 March (six days after the Nazi *Anschluss* of Austria), the Ministry of the Interior informed Prefects in border provinces that formerly Austrian Jewish subjects should be denied entry to the country. In addition, from 20 April the local provincial councils of corporations were not allowed to grant new commercial licences to foreigners from Germany, Poland, Romania, Austria and other nationalities, and were ordered to submit the requests to the Minister of Corporations. On 31 May the Ministry of Foreign Affairs and the Ministry of Education ordered the precautionary step of registering the ethnic origin and religion of foreigners applying to enrol at Italian

universities.[11] On 14 July the regime published a ‘razza of Racial Scientists’, with a major contribution by Mussolini. The document comprised ten points, including the claim that the people of Italy were of Aryan origin and civilization, while the Jews, like other ‘Orientals’ or ‘Africans’, did not belong to the Italian race, and declaring that the ‘Italian race’ had inhabited the Italian peninsula for thousands of years.[12] The statement that Fascism had always been racist was unconvincing, as was the reiteration of the idea that Italy was acting independently and not following German policy. The process of the legal exclusion of Jews from Italian life began on 3 August 1938, with the banning of foreign Jews from attending school. In Italy, legislation was written as a continuation of the Nuremberg laws of 15 September 1935, and began by prohibiting the marriage of Aryans to persons from another race. This was followed by ‘detailed measures entailing the exclusion of Jews from the military, education, banking and insurance, the bureaucracy and the Party and any but small-scale business and agriculture, bans which were to some extent weakened by a series of exemptions for those who had served the nation and Fascism, and their families’.[13] On 22 August 1938 the Direzione Generale per la Demografia e la Razza (General Administration for Demography and Race), part of the Ministry of the Interior, known as DEMORAZZA, conducted a special census of Jews, using racist criteria. It was found that there were 58,412 persons born from at least one Jewish or formerly Jewish parent, of whom 48,032 were Italian and 10,380 were foreigners. The number of ‘actual Jews’, those enrolled in the Jewish community, or who declared themselves to be Jews, was 46,656 (37,241 Italians and 9,415 foreigners). On 1 and 2 September 1938 the Council of Ministers approved the legislation directed at the expulsion of foreign Jews; the Aryanization of the public schools; and the creation of the state agencies that would be responsible for carrying out the oppressive policy. On 6 October 1938 the Grand Council of Fascism issued the ‘Declaration on Race’ that announced the forthcoming legislation and defined in detail what it meant to ‘belong to the Jewish race’. The Council declared the regime as ‘antithetical to that which is the psychology, politics, and internationalism of Israel’ and therefore could not be accepted sincerely by Jews.[14] The Grand Council also declared that the degree of the measures would be dependent on the position of Judaism towards Italy, thus adopting a policy of international blackmail. In response, Stephen Wise, President of the World Jewish Congress, declared that the Jews in America could not meet Mussolini’s terms and would continue to oppose Fascism, even if it were to have consequences concerning the difficult situation of Italian Jews. On 7, 9 and 10 November the council approved the main decree and the comprehensive measures against schools. More legislation followed in December.[15] Mussolini then considered the possibility of revoking the citizenship of some or even all Italian Jews, but in the end limited the sanctions to include foreign Jews who had acquired Italian citizenship after 1918, and exempting those who had fought in the Italian army in the First World War, or who had married Italians. The reasons behind the decision to stop short of revoking the citizenship of all Jews were pragmatic, namely the concern that they would not be able to enter another country and the desire ‘not to completely rupture relations with influential groups of Italian Jews in various Mediterranean countries’. [16] Another measure that was taken against Italian Jews included the marking of most of their personal documents to show that they belonged to the ‘Jewish race’. Such documents had to be registered by hotels and landlords and transmitted to the police. Passports and identity cards were not marked so as not to prevent Jews from leaving the country permanently. From 1940 onwards Jews were barred from the country’s principal holiday locations and in late 1942 they were prohibited from moving

house. Jews were expelled from all public positions and functions in the country, except parliamentary deputies and senators.[17] By the end of 1938 the authorities had ordered a halt to most Jewish activities, excluding religious rites and immigration, all the Jewish-Zionist publications had shut down, together with two Jewish Fascist and anti-Zionist publications, and most of the Zionist activists had immigrated to Palestine.[18] The racial laws banned Jews from schools, universities, academies and learning societies. The new policy was accepted, accompanied by a 'deafening silence' from the academic institutions. About 7 per cent of their teaching staff –amounting to 390 people – were expelled.[19]

The persecution of foreign Jews was manifested in a declaration of the expulsion, on 12 March 1939, of those who had settled in Italy after 1 January 1919. Entry was barred to Jews from Germany, Poland, Hungary, Romania and, later on, Slovakia. On 9 February 1940 Mussolini told Dante Almansi, the new President of the Union of Italian Jewish Communities, a Fascist party member and Deputy Chief of Police prior to the racial legislation, that in time all Jews would have to leave the country. Jewish leaders succeeded in delaying their immediate expulsion by pointing out that scores of Italian Jews had already emigrated voluntarily. By 18 May 1940 even Jews in transit from other countries were barred. Just before Italy entered the war on 10 June 1940, the decision was made to intern foreign Jews. Initially men would be interned in concentration camps and women and children would be confined to small towns. Later on, they were to be concentrated in a southern province of Italy, to remain there until the end of the war, then transferred to countries willing to receive them. On 15 June the Ministry of the Interior ordered the arrest of all foreign Jews belonging to states with racial policies: Germans, former Czechoslovakians, Poles and stateless persons were to be confined in concentration camps which had been hastily constructed. People from Romania, Hungary and Slovakia would be expelled. During the months of April–May 1943 there were still about 9,000 foreign Jews in Italy, of whom 6,386 had been interned, 4,339 were confined to towns and 2,047 to concentration camps. A further 1,465 Jews were imprisoned at Ferramonti di Tarsia (totalling 7,851 persons). The remaining foreign Jews, about 1,150, were free to reside anywhere they liked, or had been released from confinement for various reasons. Within the camp of Ferramonti the inmates were allowed to organize their daily activities, including attending a synagogue.[20] It is interesting to note that during the war, when confronted by the German decision to deport Jews to the East, the Fascist government made it possible for Italian Jews who were born and lived abroad, in Germany or countries occupied by Germany, to return to Italy. The Fascist government did not support the German extermination policy at that time and wanted to protect Italian interests represented by the Jews. Italy arranged their evacuation by the end of 1942 and the beginning of 1943, as did other neutral and occupied countries.[21] The assistance of foreign refugees was largely conducted by the Delegazione Assistenza Emigranti Ebrei or DELASEM, founded in 1939 by Dante Almansi, who managed to convince the government that it was in Italy's best interests. The organization was supported by the American Joint Distribution Committee (JDC) and the Hias-Ica Emigration Association (HICEM). It managed to organize the immigration of about 5,000 people and continued to assist thousands of refugees during the war.[22] Italians from various groups, classified as Aryans, assisted in the organization's operations. The main contribution came from the Catholic Church, perhaps the archbishop of Genoa, Pietro Boetto and his secretary Don Francesco Repetto, or the French Benoir-Marie (Father Maria Benedetto), who were active in Rome.[23] An administrative decree issued on 6 May 1942 announced mobilization

for forced labour. It was presented as the first step for a general labour service for all Italian males aged eighteen to fifty-five years, who had been exempted from military duty. This had originally been intended for Jews of both sexes in the same age group, with some exemptions for people who had Aryan spouses, children, and sick and incapacitated people. Also exempted were pregnant women or those with small children, and physicians. By July 1943, following physical examinations, 11,806 men had been selected, but only about 2,000 were assigned to work on projects. In spring 1943 the Italian military defeat and the ensuing radicalization of the Fascist party brought more persecution, as part of the need to look for a scapegoat. The party directorate asked Mussolini for complete application of the forced labour plans. It admitted that to date little progress had been made in this respect, and called for the total mobilization of all Jews. By the end of June the Minister of Corporations, Renzo Chierici, had reported to Mussolini that new labour camps for Jews would be established in Lazio, Lombardy, Piedmont and Veneto. In mid-July DEMORAZZA noted that there were 9,146 eligible persons up to the age of thirty-six years. After Mussolini was removed from office on 25 July 1943, these plans were not realized. Sarfatti points to the level of persecution reached by that time:

> We should note, however, that, at a time when the war prevented the actual expulsion of the Jews, by the establishment of internment camps and forced labor, Fascism had reached its extreme limit in the persecution of the rights of Jews.[24]

The racial legislation was supported by a press campaign that was headed by the biweekly *La Difesa della Razza* (‘Defence of the Race’), edited by Telesio Interlandi. The publication was distributed extensively throughout Italy, and made wide use of photographs and illustrations explaining the government racial policy in comical cartoons, using the stereotypical Jewish look. It aimed to be a forum for the popularizing of modern biological racism but employed all manner of anti-Jewish prejudices, accusing Jews of horrible crimes against Christians. The magazine managed to present the most important currents of anti-Semitic propaganda: ‘Christian anti-Judaism; biological anti-Semitism; political and economic anti-Semitism; and science-related, arts-related, and sexually driven anti-Semitism’.[25] In Servi’s view, such racial propaganda was effective because it served as a tool of national cohesion, helping to shift the hostility of the lower classes towards the Fascist regime onto the innocent and helpless minority. As to the Italian citizens in general, it helped to a certain degree to consolidate the myth of ‘il Duce’ (as Mussolini was known) and the empire during the period leading up to the war. The magazine was read by the elite, the middle and lower-middle classes, including teachers, who used it as material for school exhibits. It mentions certain manifestations of Jewish hatred, such as public condemnation, informers, active participation in the persecution and deportation of Jews and the indifference of the broad majority of the population to the oppression of the Jewish minority. Servi’s opinion is that the negative shift in the attitude of the average Italian towards his or her Jewish neighbours was the product of the anti-Semitic propaganda machine, of which the magazine was an important cog.[26]

Subsquent to the introduction of the legislation of 1938 and continuing into 1939, the pressure and implementation of official persecution was not further increased, as Bosworth observes:

> [O]n race, as on many other issues, the official line adopted in ‘legal Italy’ was not always followed in ‘real Italy’; whatever the case may have been among Germans, the

> Italians showed few signs of being the 'willing executioners' of the Jews.[27]

Although Mussolini wrote to Hitler at least once, in March 1943, implying support for Germany's extermination policy, he was not planning to implement it in his own country:

> But until 25 July 1943, the day Mussolini was removed from office, Fascist Italy neither adopted, nor, from what we know today, even considered the idea of following the German example in regard to its own Jews.[28]

Yet the anti-Jewish laws were accepted by many parts of Italian society, including King Victor Emmanuel III who signed every law. Pope Pius XI protested against only one article concerning state registration of mixed marriages, with Roman Catholic rites, while his successor, Pius XII, never made any public protests. The great majority of the noblemen and high-ranking army officers who sat in the Senate voted in favour of the laws. They were supported by students and young Fascist intellectuals, party officials and the newspapers affiliated with it. The dictatorial regime made the persecution possible, but it was based on a degree of social consent: 'The implementation of the anti-Jewish laws was in itself proof that the Fascist dictatorship was no joke and that it had succeeded in compelling an ample consent among the Italian population'.[29] Zuccotti presents a somewhat more benevolent Italian attitude towards the persecuted Jews. She describes the difference between general ideas and the real people:

> While most Italians could accept claims that Zionists were disloyal, that Jewish refugees caused price increases and crowded facilities, or that Leon Blum was a natural enemy of Mussolini, they could not accept the persecution of the family next door. Furthermore, with the racial program, average Italians realized more clearly than ever that Fascist laws did not demand unquestioning obedience; they could be and were being broken every day.[30]

There are several examples of high-ranking Fascists intervening on behalf of their Jewish acquaintances. There also was broader evidence of disapproval of the racial laws within the Fascist party. Between 1938 and 1943 over 1,000 Fascists were forced to relinquish their membership cards owing to 'pietism', the crime of sympathizing with Jews. The party members showed very little interest in studying the Jewish problem in special centres organized by the party. Only 864 people enrolled out of over four million members. There were also negative cases of humiliation by bureaucrats, of employers firing more Jewish employees than stipulated by law, and of businessmen eager to grab Jewish property. Yet the chief disappointment for the Jews was the attitude of the Church and especially the King.[31] Furthermore, during 'the forty-five days' of Badoglio's rule (from the fall of Mussolini on 25 July to the armistice signed between Italy and the Allies on 8 September), he neither revoked the racial laws nor ordered that they should be relaxed, later justifying this by fear of strong German opposition. He did not officially end forced labour, and as result of ambiguous orders concerning the release of prisoners, many refugees remained in prison. Despite appeals by Jewish leaders, Badoglio's officials refused to destroy the lists of Jewish names and addresses, and as a result nearly all of these fell into German hands after 8 September.[32]

The German occupation

The full history of the Holocaust in Italy is beyond the scope of this book, but it is important to relate some aspects concerning Italian reactions and activities. After the German occupation of central and northern Italy in September 1943, a puppet regime was established led by Mussolini, known as the 'Republic of Salò'. The new regime's political manifesto declared the Jews to be an 'enemy nationality' and its police and militia rounded up Jews and put them in Fossoli concentration camp.[33] Thousands of Jews received assistance from Italians after 1938 and especially during the German occupation and the Holocaust: 'acts of kindness here, moments of courage there, gratuitous assistance from total strangers somewhere else'.[34] Many Italians saved Jews, risking their own lives in the process. Steinberg quotes Blanka Stern, who escaped to Italy from Yugoslavia thanks to the humanity they found in Italy: 'When we arrived in Italy, the people gave us back our sense of being human … that we were again part of the human race.'[35] Italian society was divided in two during the Holocaust:

> A clear cut confrontation was taking place during those months between 'bad' Italians – the persecutors, the informants, the acquiescent, the indifferent – and 'good' Italians – the active rescuers, the charitable, the sympathizers, the just. Thus, it is not possible to place Italians as a whole in one or the other of the above broad categories.[36]

On 16 October the Germans raided the Jewish ghetto in Rome, and arrested 1,259 people, including 896 women and children, who had been transported to a detention centre near Vatican City (about 250 were released as non-Jews). Two days later they were taken to the train leaving for Auschwitz, where most of them were murdered immediately. The news of the round-up spread in Rome and the Resistance newspaper, *L'Italia Libera*, condemned the atrocities but no regular newspaper carried the story. No public protest was voiced by Italian government officials, nor by the Vatican, which may have had prior knowledge of the planned round-up.[37] However, according to German reports, the Italian population's passive resistance turned in many cases into efforts to hide Jews. It was the first time that the people of Rome had witnessed such a brutal attack on Jews. After five years of racial legislation, they began to realize the horrible result of this kind of repression as implemented by Germany.[38]

On the evening of 30 November 1943 the infamous police order no. 5 was broadcast on the radio. It declared that all Jews residing in Italy were to be arrested and interned in concentration camps within the country and their property was to be confiscated. Ten days later the order was amended to exclude people who were gravely ill, or over the age of seventy years, or members of mixed families. This was a preliminary stage, as the new government was powerless to resist the Nazis who proceeded to send deportation trains, whose cargos included sick and old people, religious converts, or members of mixed families, who should not have been deported according to the Italian regulations. Italian protests were ignored.[39] Approximately 37,100 Italians and 8,100 foreign Jews were living in Italy in September 1943. Of these, at least 4,439 Italian and 1,915 foreign Jews were deported and also another 447 that were of undetermined citizenship, or not yet classified; in addition, about 292 were murdered in Italy, totalling nearly 15 per cent of the Jewish population. Those who survived did so because of the help of the non-Jewish Italians, while the victims were also victims of Italian cooperation in the Holocaust: 'Their government

had abandoned them. Their countrymen had hunted them. Their neighbours had betrayed them. The Holocaust had not been a purely German affair.'[40] There are several explanations for this rate of survival: the Holocaust in Italy began late, in September 1943, at a point when German defeat was probable. The occupation in the north lasted for twenty months, until the end of the war, while Rome and Florence were liberated in the summer of 1944. An important factor for survival was the Italian Jews' assimilation into society, the similarities they shared in physical appearance, clothes and language. Another characteristic of Italian Jews, as of most Italians acting individually, was their inclination to ignore, or interpret the law, and their skills in fooling the authorities. This survival, however, would not have been possible without help. The determination to help to rescue Jews was usually an emotional decision, based on growing resistance to the war, the continuing suffering of the population and the German occupation of Italy. A prevalent factor, present in Italy but not in countries such as Poland and Hungary, was the absence of an anti-Semitic tradition, as there were few Jews in Italy, with a high degree of assimilation. Rescuers were less afraid of potential informers, unlike those living in more hostile countries. However, although the majority of Italians chose not to help the Jews, those who did were exceptional people, who differed from others in their altruism, 'their unnatural, irrational readiness to show compassion toward other human beings and to sacrifice their own interests to assist them. Altruism implies the possibility of real sacrifice, including, in this case, the loss of life.'[41]

The Italian protection of Jews in Croatia, Greece and southern France raised the question of the reasons for the different behaviour of the Italian army and diplomatic officials, in comparison to that of their Axis allies, primarily Germany, but also in consideration of the Fascist regime oppression of opposition at home and crimes committed against civilians in Ethiopia, Spain, Greece and Slovenia. This was described as the 'Italian paradox'. There was a vast difference between the severe official treatment of Jews inside Italy, where they were subjected to racial laws leading to arrest and and confinement, and the contrasting protection of Italian and foreign Jews in German occupied territories. The principal demonstration of this paradox was the exceptional measures taken by the Italian army, the Foreign Ministry and the diplomatic corps to protect all Jews in Italian occupied territories in Croatia, Greece and southern France in 1941 to 1943. Their behaviour was similar in all cases:

> They resorted to every imaginable scheme and subterfuge to resist repeated German demands for the deportation of Jews. They ignored Mussolini's directives, occasionally with his tacit consent. They neglected to pass on instructions, made orders deliberately vague and imprecise, invented absurd bureaucratic excuses, lied, and totally misled the Germans.[42]

Seeking an explanation for this behaviour, Zuccotti observes that most Italians dealing with Jews abroad knew almost no Jews at all and did not witness the racial laws in practice. On the other hand, while in the occupied territories, they faced the 'Jewish problem' every day and could not ignore the massacres, round-ups and deportations. Most officials and diplomats understood that deportation also meant murder. The 'Jewish problem' in the occupied territories was related to the Italian perception of their own honour, prestige and independence in the Axis partnership. In all areas where Italians resisted German demands to act against the Jews, they were determined to resist any encroachment upon their sovereignty. They realized that submission to German

deportation demands would reduce them to an inferior status as weak junior partners in the Axis alliance and weaken their authority over the occupied people. In 1943, as the Axis position in the war was declining, Italian officials were reluctant to share responsibility for the Holocaust with their German allies. However, following her analysis of the realpolitik reasons behind Italian policies, Zuccotti observes that the logical reasons were not enough and 'decency, courage, and humanity often tipped the balance'. This is clear when examining the behaviour of the regular soldiers who instinctively saved Jews and Serbs from the Ustasha (Croatian Revolutionary Movement), or went to internment camps in Salonika to claim their 'wives' and thus save them from deportation, or Italian peasant soldiers who carried Jewish children fleeing from France via the Alps to Italy.[43] Zuccotti offers a mixed evaluation of Italian efforts to save Jews:

> Italian soldiers, officers and diplomats in Croatia, Greece, and southern France restored a glimmer of honor to the shabby history of Fascist Italy. They proved that many Italians had not succumbed to twenty years of Fascist rhetoric. In the darkest hours of the Holocaust, they proved that some Christians in public positions cared about the fate of the Jews and were willing to act. They were brave, decent and far too few.[44]

During the summer of 1943 the Italian army and police protected thousands of Jews in Croatia, Greece and southern France because they knew that their German allies had begun to exterminate the Jewish people. It was a matter of national honour to continue to treat them humanely (they were guarding 33,464 people in Yugoslavia of whom 2,118 were Jews). Steinberg quotes from a draft memorandum by Major Prolo of the Civil Affairs Office in Yugoslavia, entitled 'The Treatment of Jews in the Rab Camp'. Prolo concluded that they must continue 'a treatment consciously felt to be "Italian", which they are used to from military authorities and with a courtesy that is complete and never half-hearted'.[45] His superiors agreed and they became part of a conspiracy that spread from Mussolini to the lowest officials, which rested on a certain assumption of what it meant to be Italian. These were the same people, however, who interned and tortured innocent Slovenian and Croatian civilians and many were involved in crimes committed in the name of Fascism or Italian imperialism, but they might have tried to impose a certain limit on their acts: 'They agreed out of a mixture of horror, humanity, prestige, sense of honor, military necessity and self-interest that there was a border beyond which they could not and would not go.'[46] The real explanation may have had to do with the characteristic features of a culture which permitted certain types of actions and forbade others.[47] The significance of these events was duly recognized by Italian officials at the time, primarily Roberto Ducci of the Foreign Ministry, who closely monitored the developments, along with the debate on the extradition of Jews to the German authorities, taking care to conceal the relevant dossier 'Jews in Croatia 1942–42' after the armistice and subsequent German occupation. On 1 September 1944, following the liberation of Rome, he suggested that they should be given due publicity, witnessing the human attitude always displayed by the Ministry of Foreign Affairs.[48] Another public relations effort was the publication of a volume on the work carried out by the ministry to protect Jewish communities during the period 1938–1943. It was published in 1946 and was part of the documentation presented by the Italian government to the Allies for drafting the peace treaty.[49] Schwarz's view is that the lack of Italian support for the Nazi extermination programme did not imply an absence of anti-Semitism, or an innate 'good nature', since 'Italy

had cultivated a different persecutory project of its own', according to her interests in the management of the territories by its military forces. Yet the official representatives of the Italian Jewish community, Rafael Cantoni, Carlo Alberto Viterbo and Chief Rabbi David Prato endorsed and confirmed the government exculpatory accounts.[50]

In the decade that followed the war Italian culture dedicated little attention to the anti-Semitic legislation, which had always been viewed as very foreign to Italian culture, history and national character. Count Carlo Sforza, who played a leading role in post-war Italy diplomacy, including as Foreign Minister (1947–1951), defined anti-Semitism as anti-Italian and explained the difference between the Italian and the German religious approaches:

[O]ur universalism had always made us reject an anti-Semitism which we had even refused to understand … Could it be that the Germans seriously believed in anti-Semitism because they had reached the Christian faith ten centuries later than us?[51]

Schwarz observes that the images of Italy and of the Italians were forged by leading politicians and intellectuals during the crucial period that began with the fall of Mussolini and concluded with the signing of the peace treaty (1943–1947). The Italian diplomacy contributed to the formation of the myth of the 'good Italian' and used what he called the 'Jewish trump card'. The first meeting of the Italian Zionists groups, gathered in Rome on 12–15 January 1945 and attended by the Jewish military units in the Brigade and the representatives of the American JDC, praised, in the first motion, the humanitarian example of the Catholic Church in the aid it offered to persecuted people in Italy and Europe. The text was circulated in Italy and forwarded by the Foreign Ministry to various Italian embassies abroad, with instructions to distribute and highlight it in the press, as well as in Jewish and Zionists circles.[52] It is important to note that the Italian Jews felt that their minority interests 'would be best protected by not rubbing Italy's nose in its misdemeanours'. They wanted to make peace with the Italian nation and government.[53]

The Italian reaction to the Fascist and later the Nazi treatment of the Jews was part of the complicated picture of Italy under dictatorship and occupation. One may find some explanation in Bosworth's summing up of the many aspects of the Italian identity:

> From 1922 to 1945 (and beyond) Fascism was in some sense an inescapable part of being Italian … Yet, throughout the generation of their experience of this dictatorship they and other Italians continued to draw their identities from and craft their behaviour around other strands of their lives, woven from their multi-layered comprehension of culture, class, family, gender, region, age, religion and a host of other factors, whether stable or shifting.[54]

Notes

1 Susan Zuccotti (1987) *The Italians and the Holocaust*. London: Peter Halban, p. 100.
2 R. J. B. Bosworth (2006) *Mussolini's Italy*. New York: Penguin Press, pp. 415–420. Rome had a Jewish mayor, Ernesto Nathan (25 November 1907–8 December 1913), Italy had two Jewish Prime Ministers, Alessandro Fortis (28 March 1905–8 February 1906), Luigi Luzzatti (31 March 1910–30 March 1911), and also Sidney Sonnino who was of Jewish origin (8 February 1906–29 May 1906; 11 December 1909–31 March 1910); he served as Foreign Minister during World War I (5 November 1914–23 June 1919).
3 Ibid.
4 Bosworth, R. J. B. (2002) *Mussolini*. London: Arnold, pp. 272–273.
5 Dan Vittorio Segre (1985) *Memoirs of a Fortunate Jew*. New York: Laurel, pp. 47–48.

6 The Stresa Agreement was signed in Stresa, Italy, by France, Britain and Italy with the aim of protecting the independence of Austria, and to oppose Adolf Hitler's announced intention to rearm Germany, which violated the terms of the Treaty of Versailles. It collapsed following the Italian invasion of Ethiopia in October 1935.

7 Zuccotti, *The Italians and the Holocaust*, pp. 28–32.

8 Daniel Carpi (1998) 'Zionists and Zionism in Italy in the Age of Turmoil: 1936–1948' (Hebrew edn). *Zionism*, vol. 21, pp. 121–155, cited on pp. 124–128. The last official meeting was on 4 May 1937 when Foreign Minister Ciano received Nahum Goldman, at that time the Zionist representative in the League of Nations. Roberto Farinacci was one of the founders of the Fascist party and belonged to its radical, hardline section. Ibid. On Italian policy in the Middle East see Nir Arielli (2010) *Fascist Italy and the Middle East, 1933–1940*. Basingstoke and New York: Palgrave Macmillan; Nir Arielli (2008) 'Italian Involvement in the Arab Revolt in Palestine, 1936–1939'. *British Journal of Middle Eastern Studies*, vol. 35, no. 2, pp. 187–204.

9 Michele Sarfatti (2006) *The Jews in Mussolini's Italy*. Madison: University of Wisconsin Press, p. 121.

10 Bosworth, *Mussolini*, p. 337.

11 Sarfatti, *The Jews in Mussolini's Italy*, pp. 122–125. In his view, Italy's anti-Jewish measures were the most draconian among the European state, after Germany, and for a period of time some were even harsher, such as the expulsion in early September of Jewish students from public schools and foreign Jews from Italy.

12 Bosworth, *Mussolini*, p. 338.

13 Ibid., pp. 339–342, cited on p. 342. Mussolini voiced his support for the *Kristallnacht* in November, but when informed that Italian opinion was disgusted by it, he backed off and spoke against the fine imposed by the Nazi government on the Jews, and against the German regime's negative attitude to the Catholic Church.

14 Sarfatti, *The Jews in Mussolini's Italy*, p. 129.

15 Ibid., pp. 126–130.

16 Ibid., pp. 138–139, cited on 139. See for example Daniel Carpi (1987) 'The Italian Government and the Jews of Tunisia in the Second World War (June 1940–May 1943)' (Hebrew edn). *Zion*, vol. 52, no. 1, pp. 57–106.

17 Sarfatti comments that the Chamber of Deputies was dissolved in December 1938, and the senatorial post was a royal appointment for life that the King thought it opportune to respect. Ibid., pp. 139–140.

18 Carpi, 'Zionists and Zionism in Italy in the Age of Turmoil: 1936–1948', pp. 133–134.

19 Annalisa Capristo (2005) 'The Exclusion of Jews from Italian Academies', in Joshua D. Zimmerman (ed.) *Jews in Italy under Fascist and Nazi Rule, 1922–1945*. Cambridge: Cambridge University Press, pp. 81–113, cited on p. 81.

20 Sarfatti, *The Jews in Mussolini's Italy*, pp. 141–143. Zuccotti writes that as the war continued, there was an improvement in the Italian treatment of Jewish refugees, and enforced residence became more common than internment. Zuccotti, *The Italians and the Holocaust*, pp. 56–57, 145–146.

21 The Union conveyed the information to the Ministry of the Interior concerning Jewish immigration: about 6,000 persons emigrated between 1938 and late 1941, of whom about 3,000 were Italian Jews, and the rest foreign Jews. Some 400–500 travelled to Palestine, but the majority went to the United States and Argentina, Sarfatti, ibid.

22 Zuccotti, *The Italians and the Holocaust*, pp. 65–66.

23 Sarfatti, *The Jews in Mussolini's Italy*, pp. 208–209.

24 Ibid., pp. 147–150, cited on 150. He lists several incidents of violence against Jews by the Fascists, claiming that in the early years there were isolated episodes of attacks, consisted of the breaking of shop windows, assaults and beatings by Fascist students in May 1940 in the Ancona region. During the war years there were attacks on Jews in Bengazi, killing two; and in Tripoli in April–May 1941. Later that year there was a series of violent attacks against synagogues in Ferrara, Turin and Trieste, which were accompanied by physical assaults and beatings. The showing of the German anti-Semitic film *Jew Suss* led to the violence in Casale and Trieste. However, the failure of the attempt to burn down the Trieste synagogue in October 1941 marked the decline of the wave of aggression, although Fascist squads continued to carry out isolated, sometime violent, attacks in Venice, Trieste, Pisa, Padua (torching of the principle synagogue) and Mantua. Ibid., pp.158–159. Zuccotti writes that about 4 per cent of the population of Trieste were Jewish, which was much higher than average in Italy; they held prominent roles in society, and anti-Semitism was stronger than in the rest of Italy. The explanation might be that 'Italian tolerance and skepticism of government had never prevailed there. Trieste shared the Austrian tradition of taking laws seriously, and the law sanctioned anti-Semitism'. Zuccotti, *The Italians and the Holocaust*, p. 59.

25 Sandro Servi (2005) 'Building a Racial State: Images of the Jew in the illustrated Fascist Magazine, La Difesa della Razza, 1938–1943', in Joshua D. Zimmerman (ed.) *Jews in Italy under Fascist and Nazi Rule, 1922–1945*, pp. 114–157, cited on p. 147.

26 Ibid., pp. 147–150.

27 Bosworth, *Mussolini*, p. 344.

28 Sarfatti, *The Jews in Mussolini's Italy*, p. 160.

29 Michele Sarfatti (2005) 'Characteristics and Objectives of the Anti-Jewish Racial Laws in Fascist Italy, 1938–1943', in Joshua D. Zimmerman (ed.) *Jews in Italy under Fascist and Nazi Rule, 1922–1945*, pp. 71–80, cited on p. 78.

30 Zuccotti, *The Italians and the Holocaust*, p. 47.

31 Ibid., pp. 50–51. The House of Savoy was venerated by the Jews, nearly every Jewish home, shop and synagogue had a portrait of King Victor Emmanuel III.

32 Ibid., pp. 71–72. She points out that Badoglio also made two positive decisions concerning the Jews: he issued an order that interned Jews should not be released to the Croatians; and allowed Jews in Italian-occupied France to follow the retreating army into Italy.
33 Jonathan Steinberg (2002) *All or Nothing: the Axis and the Holocaust, 1941–1943*. London: Routledge, p. 7.
34 Ibid., p. 228.
35 Ibid., p. 229.
36 Sarfatti, *The Jews in Mussolini's Italy*, p. 209.
37 Zuccotti, *The Italians and the Holocaust*, pp. 116–127.
38 Meir Michaelis (1986) 'The German Extermination Policy in Italy' (Hebrew edn). *Peamim*, Jerusalem: Yad Yizhak Ben Zvi, pp. 4–27, cited on p.11. Robert Katz (2003) *Fatal Silence*. London: Weidenfeld & Nicolson, pp. 100–116. Amadeo Osti Guerrazzi (2005).*Caino a Roma*. Rome: Cooper, p. 35.
39 Zuccotti, *The Italians and the Holocaust*, pp. 166–171. On the German extermination policy in spite of agreements with the Italians and the latter's protests see Michaelis (1986) 'The German Extermination Policy in Italy'.
40 Zuccotti, *The Italians and the Holocaust*, p. 200.
41 Ibid., pp. 272–287, cited on p. 282.
42 Ibid., p. 75. On the Italian efforts in the three area see pp. 74–89. See also Daniel Carpi (1977) 'The Rescue of Jews in the Italian Zone of Occupied Croatia'. *Rescue Attempts during the Holocaust*. Jerusalem: Second Yad Vashem International Conference.
43 Zuccotti points out that officials in Hungary who knew that the war was lost delivered Hungarian and foreign Jews for deportation, while on the contrary Italian consuls issued passports to Greek Jews in Salonika claiming some connection to Italy whenever possible, even as Salonika was in the German occupation zone. Ibid., pp. 99–100, cited on p. 99.
44 Ibid., p. 100.
45 Steinberg, *All or Nothing*, pp. 132–133.
46 Ibid., p. 133.
47 Ibid., pp. 133–134. He describes the conspiracy as having a natural fascination in Italian culture, dominated by Machiavelli, with its vast network of freemasons, Jesuits, Mafiosi, circles of clients and patrons that spread a web of intrigues and influence. He admits that there is no adequate explanation, and often refers to the national character.
48 Guri Schwarz (2008) 'On Might Making and Nation Building: The Genesis of the "Myth of the Good Italian", 1943–1947'. *Yad Vashem Studies*, pp. 1–33, 12–13.
49 Ibid., p. 19. It is entitled *Relazione sull'opera svolta dal Ministero degli Affari Esteri per la tutela delle comunita ebraiche (1938–1943).*
50 Ibid., pp. 21–24. In his first speech on returning to Italy on 19 December 1945, Prato contrasted Nazi Germany with the Italian people who were incapable of racial hatred, and, following the shining example of the Church, 'was outstandingly generous in its succour of the persecuted.
51 Ibid., p. 4. Sforza's quote is from the preface he wrote to Giacomo Debenedett's essay, *Otto Ebrei*.
52 Ibid., pp. 7–8.
53 Ibid., p. 31.
54 Bosworth, *Mussolini's Italy*, p. 562.

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8 Jewish refugees in Italy

> Genuine human feelings and even friendships developed between the guards and the Brichah operatives … the Italian Carabinieri and border guards sometime closed their eyes to the traffic and when this did not happen, the *shlichim* believed it to be due to British pressure.[1]

The arrival of Jewish refugees in Italy, hoping for a friendly welcome, was the crucial last step before their voyage to Palestine. Both the Italian and the British governments understood this, but their diplomatic manoeuvres were not necessarily shared by the Italian border guards. This chapter examines the British and Italian arguments about the clandestine immigration to Palestine, as well asthe sympathetic attitude adopted by Italian officials and the common people towards the predicament of the Jewish refugees.

The infiltration of foreign refugees into Italy after the war was welcomed neither by the Italian government nor UNRRA.[2] It was clear that the destitute refugees would be a burden on impoverished Italy. As to the Jewish refugees, there was also relentless pressure from Britain to close the borders to the entry or exit of Jews. Nevertheless, the Italian government aimed to support the Jewish refugees for normative and political reasons. It chose to turn a blind eye and facilitated their entrance in a greater number than that officially permitted. The British repeatedly complained about Italy's lack of effort to prevent the refugees' infiltration into the country, which was mostly organized by the Brichah. The Italians blamed this on the insufficient number of border police due to budget limitations and also pointed out that until April 1946 the border checkpoints were under Allied control. They promised that when they could assume responsibility for their own borders they would do their utmost to limit the illegal entry of refugees. In late 1946 the British continued to demand greater efforts by the Italian security services. Giuseppe Migliore, Head of the Public Security Department at the Italian Ministry of the Interior, investigated the British complaints while visiting the border posts in the northern Bolzano-Resia region. Although he stressed the importance of preventing the entry of illegal immigrants no new orders were issued and there was no increase in the actual manpower in the border areas that could have limited the flow of refugees.[3]

The government hardened its policy towards DPs and foreigners in general in 1947, taking measures to limit their presence in the country which included collecting a census of aliens, in order to intern or expel those without the requisite papers, and establishing limitations on movement. The resentment towards foreign infiltrators also applied to Jews in some cases. For example, when the Prefect of Lecce wrote to the Ministry of the Interior on 1 December 1946 he blamed the Jews for harming the local tourist industry by monopolizing the beaches, reporting a growing dislike of the Jews, who were held responsible for the difficult living conditions and for being involved in dishonest activities. They were 'all said to be smugglers, usurers, speculators' and the local population wanted them to be removed from the province.[4] The Italian government

declined to take any responsibility for the DPs who were said to be 'unacceptable' to UNRRA, and although this justified the Italian policy for economic reasons, Salvatici writes that the reasons were ultimately political. The Minister of Post-War Relief, the Communist (and Jewish) Emilio Sereni, stated that the armistice terms of 1943 did not even mention foreign refugees. His position was supported by Prime Minister De Gasperi. The Italians also claimed that the DPs were not under their jurisdiction but fell under Allied protection, as the Italian police could not enforce national laws on foreign refugees. Italy, seeking to reaffirm its national sovereignty and membership of the international community, also argued that it was not a member state of the organizations in charge of international relief and thus had no obligation to assist the DPs.[5] However, there was also a positive response: Giuseppe Nathan, one of the leaders of the Jewish community, wrote to Prime Minister Ferruccio Parri, a former partisan leader, on 6 November 1945, asking permission for 3,000 Jews from Central and Eastern Europe to come to Italy, emphasizing the level of anti-Semitism in this area. Parri's response was that the Italian government considered it right and proper to aid Jews fleeing from persecution. He was afraid that the current conditions in Italy did not allow the government to offer assistance to them but he was confident that the immigrants could find in Italy the spirit of freedom and human solidarity. He added that there would be no difficulty in giving permits for a limited stay and that the refugees would not burden the state's budget. Nathan gave assurance on both points, writing that UNRRA and the JDC would provide the necessary assistance.[6]

An attempt by the Italian government to offer assistance to Jewish orphans seeking to leave Poland met with strong British opposition. On 1 May 1946 the JDC approached the Italian embassy in Warsaw and requested visas for 500 Jewish orphans so that they could travel to Palestine via Italy. The embassy in Warsaw presumed that the orphans would not be held in Italy for more than six months. On 23 August the Foreign Ministry sent a telegram to the Italian embassy in London asking for assurance that the transfer permits for the 500 Jewish orphans would be available within a few months. On 18 September the response was given that the Foreign Office was unable to commit itself to granting the transfer certificates within that time frame.[7]Count Zoppi of the Foreign Ministry wrote to Malcolm at the British embassy on 26 September 1946 to request entrance permits to Palestine for 100 of the 500 Jewish orphans for humanitarian reasons.[8] Malcolm's response arrived almost one month later. He took care to thank Zoppi for acknowledging that this humanitarian step did not represent a change in Italian policy on the question of the entry of refugees into Italy but refused to ask the authorities in London to reconsider the matter: 'The visa policy which they are following is already difficult enough and I am afraid it would rapidly lose all meaning if exceptions to it were made on purely humanitarian grounds'.[9] With the approval of the Prime Minister and the Minister of the Interior, the Foreign Ministry informed the embassy in Warsaw that the present difficult internal Italian situation and the British government's attitude towards Jewish issues in Palestine obliged them to limit the number of visas issued to foreign Jews as much as possible. Therefore, on an accountable basis and out of consideration for the country's humanitarian character, the request of the JDC was finally accepted but it was limited to a mere 100 orphans and five guardians.[10]

Towards the end of 1946, even before the signing of the peace treaty in February 1947, there were about 47,000 'national refugees' under the care of the Italian government, 3,000 from Venezia Giulia and 11,500 from the African colonies. The situation was expected to deteriorate after the signing of the treaty. The Italian government declined the request for further

contributions not just because of a lack of funds but because demanding care for foreign refugees was seen as an infringement of Italian sovereignty:

> We will never insist enough on the point – it is stated in the memorandum drafted in July 1947 – that the Italian Government is not responsible for the presence of refugees in Italy; displaced person assistance was a specific duty first of the Allies, and then of the international organizations that replaced them.[11]

The Italian government's refusal to accept responsibility for the 'international refugees' was connected to its repudiation of the memory of the role of the Fascist regime in the war. The government wanted to make a fresh start but was aware of the risk of remaining internationally isolated. According to the agreement between Italy and the Preparatory Commission of the International Refugee Organization (PCIRO), signed in October 1947, Italy was only to contribute services and facilities. The continual influx of DPs strengthened the Italian resolve to protect law and order in the country. By the end of 1947 the majority of the recently arrived DPs were Jews, about 18,000 out of the 22,000, assisted by the PCIRO. Italy increased its border controls in order to reduce the number of entries and continued to turn a blind eye to the illegal departure of ships to Palestine.[12] In April 1947 Paolo Contini, special assistant to Spurgeon Keeny, observed the difficult and contradictory situation faced by Italy as a result of the continued Jewish infiltration:

> The Italian government is seriously concerned about the illegal entry into Italy of Jewish infiltrates because of the precarious economic conditions of the country and because of the possible political repercussions, especially in the relationships between Italy and the UK. Italian government officials have informally asked for UNRRA's help in stopping the influx and oral requests have been also made that illegal infiltrates be excluded from UNRRA's assistance … However, no official written request has yet been received from the Italian government, which, apparently, hesitates to take a very strong position for humanitarian and political reasons.[13]

Italy was one of the three DP countries, together with Germany and Austria. In 1945–1946 the DPs who entered Italy illegally officially numbered about 25,000 but a smaller number remained. In late 1946 there were an estimated 14,000 Jewish DPs in separate camps (in addition some 5,400 people infiltrated the country with the help of the Brichah). The DPs were settled in UNRRA camps in several regions, near Rome, in the north and in the coastal area in the south. The British government applied pressure to transfer them to northern Italy, as immigration was easier from the south and as a result 4,000 people were moved in February 1947. The situation was aggravated when the IRO replaced UNRRA in July 1947; the rations were reduced and were of lower quality, and the new camps were not equipped for winter. The JDC established its own camp at Chiari near Milan because Jewish infiltrators refused to go to the IRO camps.[14] When UNRRA pulled out in 1947, the Italian government declared that it would close its borders, but the Carabinieri and other border guards did not manage to halt the flow of refugees.[15]

As Italy was gradually becoming more independent of Allied control, it suffered from unemployment and economic disorder. Although the government was concerned about Jewish refugees coming into the country, the Italian people were prepared to let human considerations

take precedence:

> However, there were kind and humanitarian Italians who did not take official policy too seriously. Many Italian officials knew exactly what Brichah was and helped it, in defiance of explicit orders and without receiving any kind of compensation. The problem for Brichah therefore was to find the right type of border and, more important, *the right kind of Italian official or policeman.* [16]

Dekel writes that Brichah received moral and practical support from the Italian population: 'Villagers would inform Brichah workers about border patrol movements and would help find homes where the refugees could be sheltered. They did this without any compensation, or in exchange for no more than some cigarettes or a food package.'[17] The Italian police, who disliked the British, often told Brichah workers about the activities of British intelligence officers who were attempting to prevent Jewish refugees from entering Italy. In cases when refugees had been stopped by British border patrols and turned over to the Italian police, the police would take care that the refugees would be placed in the hands of the Brichah, and in some cases the Carabinieri themselves would guide the refugees across the border into Italy. In one event, the Italian police did stop the refugees in Merano owing to British pressure. The story reached the newspapers which protested against the inhumanity of exposing the refugees to the bitter cold. It appears that the British did not get much help from the Italians because of their condescending attitude: 'they insisted on behaving like conquerors and treating the Italians like the natives in one of their colonies'.[18] The easy movement of refugees into Italy caused the British embassy to blame the Italian border guards of taking bribes but, according to the Jewish accounts of both emissaries and refugees, the Italian guards helped the DPs out of a sense of humanity and bribes were hardly ever offered. Kokkonen emphasizes the development of the unique attitude of the Italian border guards, supposedly in a mission to stop the refugees:

> [I]nstead, genuine human feelings and even friendships developed between the guards and the Brichah operatives … the Italian Carabinieri and border guards sometime closed their eyes to the traffic and when this did not happen, the *shlichim* believed it to be due to British pressure'.[19]

The British embassy in Rome accused UNRRA of supporting the Jewish refugees and encouraging their extremism, warning the Italian government against the agency and its links to terrorism. The British complaint may have been a result of UNRRA wanting the refugees to leave the camps. In addition, directors at the local level who had good relationships with the refugees were supportive of the idea of Jewish immigration to Palestine. The British were determined that the IRO would have a different policy.[20] Another unsuccessful effort was suggested by Britain's representative to UNRRA, George Rendel, who protested at a meeting of the Committee of the Council for Europe, UNRRA, in mid-December 1946, that the Jews were given most of UNRRA's assistance even when they constituted a small percentage of the refugees and DPs in Italy. In his view, Jews should be classified as 'non-repatriables' entitled to limited assistance from the UNRRA and for a short period only, according to its policy, implying that aid to such Jews must stop. Underlining the topic that was of particular concern to his government, he warned against the camps becoming bases for illegal sailings to Palestine and

thus UNRRA should avoid suspicion of abetting illegal immigration.[21] Continuing pressure from the British led to the establishment of an Allied committee for the prevention of Jewish immigration to Italy in early 1947. The committee published a report whose recommendations included the strengthening of internal cooperation among the Italian authorities; improving the policing of the border areas; and giving emergency powers to the border police. As a result the government instructed the border control units to increase their efforts to prevent illegal infiltration. However, the British exhortations were unsuccessful and the Italians complained of a shortage of manpower and non-cooperation by the American and French authorities in their occupation zones in Austria, thus encouraging the movement of refugees out of Austria and into Italy.[22]

The Jewish refugees' illegal stay in Italy was temporary, however, as the country was the transit point for the clandestine voyage to Palestine. The Italian Alps offered convenient border-crossing points, and Italy's treatment of the refugees was more humane than that in Germany and Austria. Italy, with its long coastlines, was soon recognized by the Jewish Agency to offer the best ports of departure. Between 15,000 and 18,000 Jewish refugees were present in Italy at any given time from mid-1945 to 1948.[23]

The Brichah operated about fifty trucks and a smaller number of jeeps between Austria, Germany and Italy. However, the last part of the journey was mostly made on foot. The refugees, men, women and children, had to cross fields, rivers and mountains, even crossing the Alps. The road to Italy from Austria via the mountain village of Krimml was very dangerous. The refugees had to climb a steep mountain, following narrow paths. Having ascended for one mile, they were able to rest at a small inn, where Brichah kept food for them. They continued for another five miles and then came the most difficult part of the journey – the crossing of a chain of Alpine mountain ridges that were over 12,000 feet high. The refugees made the ascent on their hands and feet, using ropes to give at least a semblance of security. They were met on the Italian side of the mountain by Brichah men. In view of the danger of this route, Brichah only took refugees aged 16–30 years. Following a medical examination, the group would be briefed by the Brichah commander who emphasized the rule that no sick and weak individuals or pregnant women would be permitted to make the journey, as the rigours of the Alpine crossing might become too difficult for them and they might endanger the success of the transport and maybe even the lives of their fellow travellers. However, hundreds of pregnant women ignored the warnings and managed to cross the Alps; some went into premature labour and gave birth during the journey.[24]

The illegal flight was mainly supported by three Jewish organizations: DELASEM, the Jewish Brigade and the 'Centre for the Diaspora' (Mercaz Lagola). As noted in Chapter 7 in this volume, DELASEM was founded as a department of Italy's Jewish communities. In June 1940 most of its members were arrested. The organization resumed its activities in Bari after the Allies invaded southern Italy in mid-1943. Supported by the JDC, it played a major role as it channelled the flow of refugees through Italy and provided them with food and papers.[25]

As far as life in the camps was concerned, the survivors were supervised by three different forces: the paramilitary police (the Carabinieri); the security police (Pubblica Sicurezza); and the customs police (the Dogana), who were stationed near the borders. The security forces were suspicious that the refugees in Italy had possible connections with Communism, terrorism, war criminals, disturbance of public order and other crime, and any of these carried security risks. Fear of terrorism was also related to the political situation in Palestine and was highlighted by

the bomb attack on the British embassy by the Irgun (see Chapter 9 in this volume).[26] The Italian government's visa policy resulted in arrests and incidents. Refugees who had entered the country before 1947 were allocated a white *soggiorno* (visa) that gave some of them an unlimited stay. Foreigners who entered with a consular visa after 1947 needed an additional IRO document and were not always allowed to stay. Illegal refugees could obtain a yellow *soggiorno* and a refugee document from IRO, but severe restrictions were placed on their freedom of movement. The replacement of UNRRA by the IRO was problematic for the Italian government, as the IRO was primarily a repatriation organization and the government was worried about the large number of non-repatriable refugees. In 1947, at the height of the flight to Palestine, the government took more active steps to limit the refugee population. It decided that all aliens had to be registered by 31 March 1947. In addition, undesirable aliens were to be sent to the camps of Fossoli and Lipari and some back to the frontier. This was followed by a policy of arrests of refugees that were reported to be 'in a constant state of panic and fear'.[27] However, the Italian government continued to issue reassuring statements. Foreign Minister Carlo Sforza wrote to Keeny on 2 April 1947 that the government would not alter its previous policy concerning DPs. De Gasperi met Moses A. Leavitt from the JDC on 16 June 1947, and assured him that while the Italian government would have to adopt a number of measures regarding the foreign refugees in Italy, these measures would not change the conditions of the Jewish refugees who 'would continue to enjoy the benevolence and human hospitality they benefited by up to date, whilst they are waiting for the possibility of being transferred to other countries'.[28]

In general, relations with ordinary Italians were cordial in the immediate aftermath of the war. For the public, Jewish refugees were not an important concern, as can be viewed in the local press.[29] The national press rarely wrote about the refugees. It was initially sympathetic to their plight and the political struggle for a homeland, and they were assumed to be staying in Italy temporarily while waiting to immigrate to Palestine. On 17 July 1946 *Il Messaggero* quoted a letter sent by Jewish refugees to President Truman in praise of Italian hospitality: '*We owe our lives solely to the loving hospitality of the Italian people to their neighbour*'. [30] On 10 January the Catholic newspaper *Osservatore Romano* shared the common Italian view of the human dimension to the Jewish refugees' situation in Germany. It was recognized that they were in an extremely difficult position, given that most of their relatives had died and that they were unable to return to their former homelands. On 7 April *Il Corriere della Sera* observed that 'Anti-Semitism is the only common nominator between the Germans and the Poles', while describing the refugees' hardship with sympathy.[31]

The initial stages of the refugees' self-organization took place in the various camps they were sent to upon arrival in Italy. Camp committees were formed immediately and the refugees from pre-war Zionist movements planned the establishment of a representative organization of the Jewish refugees' interests both to the British and Italian authorities. The first conference of Jewish DPs in Italy took place in Rome on 26–28 November 1945, following elections in all the camps for 140 delegates. The main aim was to prepare the people for immigration to Palestine, promoting re-education, training and cultural activities. The leadership conducted a survey that was answered by 9,174 persons out of a total of about 12,000 refugees residing in Italy at that time. Kokkonen underlines the political importance of the survey: 'The fact that a survey was conducted reflects the awareness the refugee leadership in Italy had about the Jewish survivors' historical role and predicament.'[32] Of the respondents, 98 per cent wanted to go to Palestine,

while 33 per cent defined themselves as Zionists. Some 16 per cent of the refugees stated that after the war they realized that the Jewish people needed their own country, namely Palestine. Another 20 per cent responded that fear of their current hostile surroundings had influenced their wish to immigrate to Palestine. An additional 22 per cent wanted to create a Jewish national and cultural life. For the refugees, post-Holocaust Europe had nothing to offer. It can also be argued that the refugees who struggled to reach Italy and thence a seaport from which they could sail to Palestine were the Zionist vanguard. Figures illustrating the trends in post-war refugee migration suggest that about two-thirds of all DPs in Germany, Austria and Italy immigrated to Palestine.[33]

The political activity in the camps in Italy, similarly to that in Germany (see Chapter 3 in this volume) was rather intense and maybe even more so when the ships of the clandestine immigration were leaving from Italy, for it was at this point that the decisions on the priorities of immigration were made. In order to avoid elections that would increase tensions, the parties reached an agreement on the representatives of the refugees in Italy to the World Zionist Congress in Paris, in December 1946.[34] The intensive political debate continued, especially the tense relations between the labour Zionist parties and Betar, the revisionist centre-right movement.[35] In general, many of the refugees had been members of Zionist organizations before the war and continued to support them. Political activities may have been part of the rehabilitation process but also encouraged unnecessary controversies.[36]

Daily life in the camps was hard and the DPs became demoralized and increasingly apathetic. The camps run by the Italian authorities were worse than the UNRRA camps. The Italians were not trained to deal with the refugees and they were worried about the refugee movement in Italy and wanted to discourage it. There were virtually no jobs available and only about 15–20 per cent of all the refugees in the camps were employed. As a result a number of refugees engaged in black market activities, which put all the occupants of the camps under suspicion and the Italian police were called in to investigate. Social problems existed within the camps, and the UNRRA administrators and other American personnel tended to attribute the DPs' unruly behaviour to their characters rather than to their wartime experiences, while a social psychologist who conducted interviews with the refugees ascribed the behavioural changes that he witnessed to ill treatment and stress caused by constant exposure to danger. Italy was supposed to be a step on the road to Palestine and as time passed the refugees lost hope and became increasingly demoralized owing to unemployment.[37] In contrast to the policy in the British occupation zone in Germany, Jewish refugees were recognized as a nationality and had their special camps.[38] However, another source of tension was the camp commanders, most of whom were British army officers. It was reported that they sometimes treated the refugees brutally, and were usually discharged from their duties as a result.[39] The JDC's aim was to supplement UNRRA's assistance to the Jewish refugees. It also provided finance for about forty-five training farms (Hachsharoth) that were a way of avoiding the strong British control of the UNRRA camps as well as serving as illegal sailing points.[40]

Soon after the establishment of the State of Israel in May 1948, the DPs in Italy were on their way to their new homeland so that by October 10,489 refugees had left, according to JDC data. By the end of the year just 6,000 refugees remained in Italy.[41]

Notes

1 Susanna Kokkonen (2011) *The Jewish Refugees in Post-War Italy, 1945–1951: The Way to Eretz Israel*. Saarbrücken: Lap Lambert Academic Publishing, p. 29. *Shlichim* means emissaries.

2 UNRRA's work in Italy began in 1944. It took care of the DPs and also aided Italian citizens in cooperation with their government. The agreement with Italy was signed by Prime Minister Ivanoe Bonomi and Spurgeon Keeny, head of UNRRA's Italian mission in March 1945. It granted diplomatic immunity to UNRRA's non-Italian workers. This meant that the Italian military had no control over UNRRA's vehicles, thus facilitiating the entry of refugees into Italy in vehicles mostly registered with false UNRRA tags. The diplomatic clause was extended in practice to the American-Jewish JDC. Ibid., pp. 181–185.

3 Jacob Markovizky (1996) 'The Italian Government Response to the Problem of Jewish Refugees' (Hebrew edn). *Holocaust Research*, vol. 13, pp. 129–147, cited on pp. 129–133. A British inspection in July 1946 of the Resia Pass near the Italian–Austrian border showed that the Italian border authorities had no idea who was permitted to enter the country and what documents were required of Allied military personnel. Any person wearing a uniform of one of the Allied powers and presenting a document that appeared to be official was allowed to cross the border, as was any civilian showing the guards a document signed by British or American officers. Arieh J. Kochavi (2001) *Post Holocaust Politics*. Chapel Hill, NC and London: University of North Carolina Press, pp. 243–244. For the Italians, the Jewish refugees were not the main problem; of about 158,000 refugees and DPs in Italy at the end of 1946, only about 20,000 were Jews.

4 Pamela Ballinger (2007) 'Borders of the Nations, Borders of Citizenship: Italian Repatriation and the Redefinitions of National Identity after World War II'. *Comparative Studies in Society and History*, vol. 49, no. 3, pp. 713–741, cited on p. 736. See also Pamela Ballinger (2012) 'Entangled or "Extruded" Histories? Displacement, National Refugees, and Repatriation after the Second World War'. *Journal of Refugee Studies*, vol. 25, no. 3, pp. 366–386. Mario Toscano (1990) *La 'Porta di Sion'*. Bologna: Il Mulino, p. 136.

5 Silvia Salvatici (2014) 'Between National and International Mandates: Displaced Persons and Refugees in Postwar Italy'. *Journal of Contemporary History*, vol. 49, no. 3, pp. 514–536, cited on pp. 527–528. Emilio Sereni was the brother in law of Ada Sereni, a central leader of the Mossad in Italy.

6 Cinzia Villani (2006–2009*). Infrangere le Frontiere: l'arrivo in Italia delle displaced persons ebree 1945–1948*. Universita degli Studi di Trento, PhD thesis, p. 102.

7 Haganah Archives 123/Ital/4, n.d.

8 Ibid., 26 September 1946.

9 Ibid., 22 October 1946.

10 Ibid., 23 October 1946.

11 Salvatici, 'Between National and International Mandates', pp. 529–530, cited on p. 530.

12 Ibid., p. 531. An 'Agreement for the Identification and Control of Displaced Persons' was signed in December 1948 with the PCIRO, which provided for a special identity document for the DPs, limited the DPs' freedom of movement, and imposed curfews. By that time the number of 'foreign refugees' had been greatly reduced.

13 Villani, *Infrangere le Frontiere*, p. 200.

14 Yehuda Bauer (1989) *Out of the Ashes*. New York and Oxford: Pergamon Press, pp. 245–248.

15 Bauer makes the following observation about the Italians' positive attitude towards the Jewish DPs: 'Beyond orders, however, there was the almost total absence of any anti-Semitism on the part of the Italian population, and the real desire to help the Jewish refugees, which conflicted with the political attitude dictated by overall economic consideration on high government level.' Ibid., p. 249.

16 Yehuda Bauer (1970) *Flight and Rescue: Brichah*. New York: Random House, pp. 280–281, cited on 281, my emphasis. He added that the Brichah wanted the regional officers to be convinced of the moral right of the Jewish refugees to cross borders on their way to Palestine, and that bribes, which were often given in Poland or Hungary, were not used in Italy; instead, only some favours or presents that were above board were offered. Ibid., pp. 313–314.

17 Ephraim Dekel (1973). *B'riha: Flight to the Homeland*. New York: Herzl Press, pp. 276–277.

18 Ibid., pp. 276–277, 285–286, cited on p. 285. See also in Ephraim Dekel (1958) *In the Routs of the Brichah* (Hebrew edn). Tel Aviv: Maarachot, pp. 478–481. He mentions the wife of an Italian commander stationed on the Brenner Pass between Italy to Austria who, when seeing a group of frail, captured refugees, including women and children, about to be returned again to Austria, scolded her husband saying that he should not fight against the refugees, whatever the law or the demands of the British demand. She justified the refugees' activities and declared that in their place she and her family would have done the same, concluding by threatening to join the Brichah herself. The commander and his wife became friends with and assisted the Brichah.

19 Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 28–29, cited on p. 29. Kokkonen comments that an overwhelming body of research and testimonies by refugees and Jewish emissaries all testify to the good conduct of Italian officers and border guards. Ibid., p. 30. Dan Vittorio Segre, an Italian Jew who served in the Jewish Brigade of the British army and who worked with the Italian military intelligence as a translator of their reports into English (see Chapter 7 in this volume), described the Italian attitude towards the Zionists' clandestine work: 'Since the activities of the Zionist agents presented no danger to Italy, the officers in counter-espionage operated a moving system of silent complicity with me. Most of them were officers of the Carabinieri. When they brought me reports on the agents of the Zionist organization, they usually added a note saying that the information presented was of "little interest to the top echelons ", which was their way

of telling me that I could make whatever use I wanted of their reports, including throwing them in the waste-paper basket.' Dan Vittorio Segre (2005) *Memories of a Failed Diplomat.* London: Halban, p. 32.

20 Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 182–185, 190–191. See also in Markovizky, 'The Italian Government Response to the Problem of Jewish Refugees', 1945–1948', pp. 135–136. The UNRRA delegation in Italy and the Italian Foreign Ministry claimed that they provided humanitarian assistance to refugees who infiltrated to Italy or were in no-man's-land near the border.

21 Kochavi, *Post Holocaust Politics*, p. 246.

22 Markovitzky, 'The Italian Government Response to the Problem of Jewish Refugees', 1945–1948', pp. 140–144.

23 Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 13–20.

24 Dekel, *B'riha: Flight to the Homeland*, pp. 153–154.

25 Eva Pfanzelter (1998) 'Between Brenner and Bari: Jewish Refugees in Italy 1945–1948'. *Journal of Israeli History: Politics, Society, Culture*, vol. 19, no. 3, pp. 83–104, cited on p. 88. For a detailed history of the Brigade's assistance to the refugees see Yoav Gelber (1983) *Jewish Palestinian Volunteering in the British Army during the Second World War*, vol. III. *The Standard Bearers: The Mission of the Volunteers to the Jewish People* (Hebrew edn). Jerusalem: Yad Yizhak Ben-Zvi.

26 The fear of Communism led to an anti-Communist campaign, which reached its peak during mid-1947, concurrently with the peaking of illegal immigration to Italy. Some 12,500 Communist men and 300 officers were purged from the police force, and the refugee camps were believed by the authorities to be home to left-wing extremists, terrorists and saboteurs. Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 57–60.

27 Ibid., p. 70.

28 Villani, *Infrangere le Frontiere*, p. 219. Toscano, *La Porta di Sion*, pp. 160–161.

29 See for a review of articles that appeared in the local press, Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 80–85.

30 Ibid., my emphasis.

31 Ibid., pp. 85–87; Toscano, *La Porta di Sion*, p. 106.

32 Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 106–112, cited on p. 112.

33 Ibid., pp. 112–116, 118.

34 Ibid., pp. 119–125.

35 Jacob Markovizky (1987) 'Betar and the Survivors in Italy 1945–1946' (Hebrew edn). *Iunim b'tkumat Israel*, vol. 7, pp. 232–284, cited on pp. 280–281. Betar's educational farms were also a base for the Irgun activities, which were occasionally investigated by the police. It created conflict between the two organizations.

36 Kokkonen, *The Jewish Refugees in Post-War Italy, 1945–1951*, pp. 126–129. The emissaries from Palestine worked to prepare the refugees for life in Palestine through Zionist education and training on special farms. However, the attitude of the emissaries towards the refugees was complex, and feelings of guilt and glorification were mixed with scepticism about their desire and ability to take part in a future Zionist struggle. The emissaries sometimes even referred to the survivors as 'human dust' and unsuitable for immigration.

37 Ibid., pp. 156–171.

38 Ibid., pp. 172–176.

39 Ibid., p. 177. Kokkonen also mentions an incident when British officers came to a camp in Turin and demanded to search it for military deserters. The brutal search proceeded in violation of Italian sovereignty without any protest from the UNRRA camp director. She concludes that the refugees were not safe: 'The incident shows how vulnerable the refugees were and how incapable UNRRA was of protecting them'.Ibid.

40 Ibid., pp. 192–201. The JDC was occasionally subject to criticism from the refugees in *Baderech* ('On the Way'), the official newspaper of the Organization of Jewish Refugees in Italy which was published in Yiddish. The JDC director, Jacob Trobe, criticized the paper, but the editors responded that the paper must allow opinions of the refugees to be heard. Ibid., p. 211. Under British pressure, the police requested the JDC to supply the list of the training farms. According to the Italian police, the organization was also involved, in clandestine ways, in the migration of Jewish DPs to Palestine, but US influence gave it immunity.

41 Villani, *Infrangere le Frontiere*, p. 235. There were 3,500 persons in camps, and 1, 550 in Hachsharoth. About 700 were living outside of the camps; the majority immigrated to Israel and the United States.

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9 Britain and Italy

Politics and pressures

> Their whole administration is chaotic and corrupt by our standards and their police force is inadequate. There are Communists and other elements in the Italian administration who to put it no higher are most glad to see the Allies embarrassed in this way.[1]

The British struggle against Jewish illegal immigration in 1945–1948 focused on the Mediterranean and Eastern European seaports. Italy was the target of extensive British diplomatic efforts to counter the Mossad's' plan to send more and more ships from Italian ports to Palestine. The Italian government, which was gradually establishing its authority during this period, was caught between these struggling rivals. In this chapter I will examine the political developments in this triangle, which were destined to influence the lives and human rights of the distressed Jewish refugees. The chapter will look at the British-Italian diplomatic drama as it evolved month by month, culminating in the 1947 *President Warfield-Exodus* affair. The most important political event of Jewish immigration in 1946, the La Spezia affair, is dealt with in Chapter 10 in this volume.[2]

On 30 January 1946 the British embassy in Rome sent a confidential message to the Italian Ministry of Foreign Affairs, expressing the preoccupation of the British government with the increasing level of illegal immigration from Italy and calling for the first time for punitive measures against any Italian citizens implicated in this activity as well as those who abetted the clandestine transfer of Jews to Palestine without the necessary visas.[3] This act of British diplomacy seemed to require that Italy assume a less ambiguous attitude, abandon the double-track policy that *officially* ignored the problem but unofficially provided a tacit endorsement of an activity that, apart from its humanitarian value, had the double advantage of removing thousands of refugees from Italy and hampering the British Mediterranean policy.[4] Legal arguments and subtle political evaluations revealed a negative Italian attitude to English requests. This marked the start of an elusive and complicated game of words in regard to Jewish clandestine immigration, aimed at highlighting the difficulties confronting Italy, its humanitarian issues, and the need to alleviate the burden of the refugees. Italy claimed that its desire to meet British demands was frustrated by the level of political inferiority to which the occupying powers had reduced the country. Italian diplomats tried to communicate to the British that Italy could not be considered a negligible pawn in the future Mediterranean equilibrium. At the beginning of 1946 the focus of Italian foreign policy was on regaining the country's independence, on the back of the British decline and the advance of the United States in Europe.[5] During the second half of 1946 the peace treaties were outlined, there were growing tensions among the Allied powers and Britain appeared to be increasingly incapable of controlling the situation in difficult and explosive Palestine. In this context, Jewish immigration, without forgetting its humanitarian

connotations, was seen by Italy to haves complex international implications.[6]

The bombing of the British embassy in Rome on 31 October 1946 was a blow to both the British and the Italians. It was first reported by a handwritten urgent message: ‘at 02:45 this morning H. M. Embassy building was heavily damaged by explosion of bombs contained in suitcases placed against the main entrance’.[7] A report was issued by the embassy at 5.45 a.m., informing the Foreign Office of the Italian involvement. By 12.50 another telegram was sent describing the damage to the building as ‘worse than appeared at first’ and equivalent to the destruction caused by a 1,000-pound aerial bomb. The ambassador’s residence took the brunt of the attack. The main walls were deeply cracked and if the building did not fall down owing to the current heavy rainfall it would have to be pulled down in any case. None of the embassy staff were injured, and the only serious casualty was a young Italian who happened to be passing at the time. The Italian authorities offered to give their full help in effecting repairs.[8] Prime Minister Attlee had cabled the embassy by noon of that day pointing out that staff should thank the Italian Minister of Foreign Affairs, Pietro Nenni, for his offer of assistance but at the same time impress upon him that the British government expected that the Italian government would prevent any repetition of attacks on the embassy or any other British building and provide embassy staff with full police protection, while conducting vigorous enquiries regarding the attack to be followed by the possible arrest of the perpetrators.[9] Prime Minister De Gasperi sent a telegram to Attlee on the following day, 1 November 1946, expressing his solidarity with the British government and its citizens against ‘this hateful and stupid act … deplored by the whole of Italian public opinion’.[10] The Irgun claimed responsibility for the attack in a statement published in the media on 2 November, calling the embassy ‘one of the centres of the anti-Jewish conspiracy’, and a ‘main centre in the activity of stifling Jewish immigration’.[11] The message went on to explain that in order not to cause casualties among the Italian population, the attack was carried out at night, warning signs were put in the surrounding streets, and passers-by were also forewarned. The attack on the embassy signalled the emergence of the Hebrew military front against Britain in the diaspora.[12] The Irgun also sent a letter to Prime Minister De Gasperi on the same day, giving its reasons for the attack, which included the struggle for immigration and the role played against it by the British embassy in Rome, and stating the hope that the Italian people and government would sympathize with their actions.[13]

Figure 9.1 Sir Noel Charles and Lady Charles at the British Embassy, Rome

Following the bomb attack, the Italian press presented to the public the key difficulties connected with the refugees and the event became a major turning point for the refugees in Italy: 'whatever the motivation for choosing Italy, a relatively refugee friendly country was now turned into a stage for terror *and all the Jewish refugees became suspects*. [14] As a result, the British gained moral authority, at least temporarily, that they did not have previously with the Italian authorities.'[15] On 4 November the embassy in Rome reported to the Foreign Office the arrival of

two police officers from Palestine to investigate the involvement of the Irgun in the attack. The embassy also received a letter from Dr Nahon, a representative of the Jewish Agency in Italy. Referring to the Irgun's statement he was unable to refrain from expressing his horror at the attack, whose violence was of a type already condemned by the Jewish Agency.[16] The Union of the Italian Jewish Communities also sent the embassy a copy of its message, which had already appeared in the press, concerning the attack. It expressed its traditional love and gratitude for Britain and explained that the youth of the Irgun had been driven to this desperate act owing to the British policy against Jewish immigration to Palestine. The British ambassador, Sir Noel Charles, refused to acknowledge this message.[17] J. G. Ward, the councillor at the British embassy, kept the Foreign Office abreast of the Italian investigation into the attack. He informed it that the Italian police were displaying considerable energy in the pursuit of suspects in the various Jewish organizations. He commented that this line of work was new to them but with direction from Allied agencies and the provision of background information on Jewish organizations 'they are beginning to get a grip on the subject'.[18] It was discovered that at least three men known to be members of the Irgun had arrived in Italy on 21 October on board the ship *Cairo*, sailing from Alexandria and Haifa, and that one of them was traced to a hotel in Rome where two other suspected Palestinian Jews were subsequently found and arrested.[19]

The British applied intense pressure on the Italian government, hoping to improve the Italians' control of Jewish immigration but encountered continuing disappointments. Ward wrote to Foreign Minister Nenni, reminding him of an earlier letter from Renato Prunas, the General Secretary of the Italian Ministry of Foreign Affairs (until November 1946) to the British ambassador, Charles, sent two months previously, on 27 August 1946, that had not brought about the hoped-for results: 'the situation … far from improving, has if anything become still more serious'.[20] Ward appealed for Italian cooperation in accordance with Bevin's instructions:

> [I have been asked] to request that if any further vessels loaded with illegal immigrants should succeed in eluding the vigilance of the competent Italian authorities … I should immediately be given all possible information in order to facilitate the interruption of the ships before they reach their destination.[21]

He reiterated the British belief in the Italians' competence and his appreciation of the information given by them, especially the Italian navy. Referring to the future he expressed his hope that there would be no deviations from the Italian policy described in the above-mentioned letter.[22] The Minister of the Marine sent a full report to the Italian Prime Minister, the Minister of Foreign Affairs and the Minister of the Interior, detailing his activities, and recommending patrols around Italy's coasts.[23]

In January 1947 a list of proposed measures against ships suspected of being involved in clandestine Jewish immigration was discussed by the Italian authorities and the British embassy. The list contained ten points, including the carrying out of a full examination of all ships and their passengers' documents; strict inspections of the safety of ships according to the International Convention for Safety of Life at Sea (1929) and ensuring that ships were respecting load lines established by international convention in 1930; sanitary inspections of ships; and giving police complete control of areas known to be used as illegal embarkation points.[24] In 1947, however, Britain's influence was on the wane. A British policy circular on the effects on

foreign policy of Britain's precarious financial position recognized that although Britain might now find herself in the role of junior partner to the United States, she must still understand that the partnership was worth the price.[25] The British ambassador in Rome, Charles, stated to the Foreign Office that Britain's present economic and financial difficulties were being given full coverage in the Italian press, which was causing a 'certain diminution' in British prestige, noticeable for some time. The Italians had expected British economic assistance but now turned to the United States. The ambassador tried to see the positive side of these new developments: 'It is of course unpalatable to see the United States take over our traditional priority in Italy's foreign relations', but, he observed, given that this had happened in Greece and Turkey so it was logical, and indeed in British interests, that it would happen in Italy too. His suggestion that Britain's influence would increase if she showed friendliness towards Italy in the execution of the peace treaty was not necessarily followed.[26]

The telegram from Bevin to Rome concerning the arrival of the *Susanna* (*Shabtai Luzinski*) in Palestine, a few days after the ship had left Italy, adopted an unusually tough line. The ambassador was ordered by Bevin to tell the Italians that they were expected 'to take the most active measures to prevent this traffic from Italy … if further ships reached Palestine from Italy, passengers would be returned to the port from which they sailed'.[27]

Charles replied that in his response to the Italian government he had omitted the threat to return the immigrants to Italy as he did not understand how the threat could be implemented. He asked Bevin if he intended to use the powers of the Allied Military Authorities under the Armistice, whose acting commander was the US General, John Lee. He added that no such threat was being made to the French government.[28] In the Foreign Office internal correspondence, John Beith pointed out that if the government believed that the advantages of such an action outweighed the disadvantages, in regard to relations with the Italian government, Britain should take care of it herself and not get involved in consultations with the Americans. If she was not prepared to do so, Charles's instructions should be similar to those sent to Duff Cooper, the British ambassador to France, 'that he should *request* the Italian government to take back illegal immigrants'.[29] Bevin's response to Charles was that he agreed that Britain should not threaten to return the immigrants sailing from Italy to Palestine, but gave an indication for the future: 'you should, however, inform the Italian government that, in the cases of further arrivals from Italy, we shall have to insist on the Italian government taking these people back'.[30]

The Italian government continued its efforts to placate the British. For example, on 20 March 1947 the Minister of Defence, Luigi Gasparotto, sent a telegram to the commander of the Italian navy, stating the need for the utmost vigilance when conducting patrols, in order to exclude any suspicion of complicity on the part of the navy in the Jewish immigration. He added that consequently it was possible to feel pity for some miserable isolated cases but that it was absolutely necessary to prevent the transfer of groups of Jews to Palestine.[31] On the following day, a copy of these instructions was sent by Sforza to the British ambassador, Charles.[32] Charles wrote a long letter to Sforza, referring to his letter to Nenni on 15 November 1946, asking for information on ships leaving Italy for Palestine and the assurance he received on 11 December that every possible step had been taken to prevent their clandestine departure. Charles noted that from time to time the British received valuable information, including the above-mentioned instructions to the navy. However, he reminded the minister that two ships had slipped past the Italian patrols, one of which carrying some 900 Jewish immigrants, and had succeeded in

reaching Palestine. Furthermore, the Italian authorities had failed to remove the ships' passenger transport gear despite the orders of the Ministry of Mercantile Marine. The ships were not forced to return to their respective ports of registry, despite reports to the contrary. Their subsequent movements were not properly supervised and they were not detained. Charles referred sarcastically to the embarrassment that the illegal traffic was causing to the governments of Britain and Palestine: 'The situation which this traffic has already caused in Palestine must be plain to any reader of the daily press'.[33] He warned that reliable reports suggested that plans were afoot to increase this traffic in the coming months with the object of forestalling whatever recommendations the UN might make concerning Palestine. The final paragraph of Charles' letter contained a stark warning to the Italian government: 'I am instructed to warn you that, if further illegal Jewish immigrants reach Palestine after sailing from an Italian port, His Majesty's government will have to insist that they be re-admitted to Italy.'[34] Francesco Fransoni, the Secretary-General of the Ministry of Foreign Affairs, responded by claiming that the Italian government was as desirous as the British to bring to an end the Jewish infiltration via the northern frontier, blaming also the US and French military authorities in Germany and Austria for encouraging Jewish illegal immigration to Italy. However, Italy was restricted by the armistice and peace agreement which forbade it to maintain a large military and police force, which prevented it from guarding its borders as well as monitoring the coastlines.[35]

Fransoni evaluated the situation concerning the debate on Palestine in the UN in a telegram sent on 9 April 1947 to the Italian embassy in Washington. He wrote that at the time there were more than 20,000 Jews in Italy and that the number was constantly rising as a result of illegal entry into the country. The influx was facilitated by organizations with a wide range of resources at their disposal, which were motivated by the desire to reach Palestine. The British continued to insist that these efforts should be repressed. The Italian authorities claimed to have done as much as possible, given their shortage of surveillance forces. Fransoni continued that the Italian government had informed the British embassy in Rome that although to continue acting on the policy at the British insistence was for the obvious reasons not in Italy's interests, it particularly wished to be assured that when immigration to Palestine resumed, the departure of Jews currently living in Italy, at least those who had arrived before a certain date, would be prioritized. He recommended that the members of the UN committee should also consider the immigration situation in Italy and try to prioritize to the immigration to Palestine of the Jews currently stationed in Italy.[36]

One of the methods used by the British government to prevent immigration was the refusal to allow oil bunkering for ships involved in the transfer of immigrants to Palestine. Charles informed Bevin that although he was negotiating with leading suppliers such as Shell, it was possible that oil might be obtained from unofficial or black market sources in any of Italy's small sea ports. Charles hoped that the Italian government would be rigorous in countering such activity.[37] He wrote to Sforza again on 25 April, drawing his attention to the possibility of denying oil bunkering to the ships engaged in the clandestine immigration. He informed Sforza that the Portuguese government had also agreed not to supply oil to vessels belonging to shipping companies with which they did not have standing contracts until their identities had been verified. The British hoped to secure the cooperation of other governments concerned, in order to complete the boycott of clandestine shipping. Charles requested Italian cooperation and promised to supply the names of ships suspected by the British to be involved in this practice.[38]

On 3 May Charles wrote to Sforza again with a personal message from Bevin requesting in particular that the *President Warfield* should be prevented from sailing from any Italian port to Palestine.[39] Fransoni contacted the ministries responsible for defence (navy), for the merchant navy, and for the interior, informing them of the British request and asking them to keep the ship under surveillance and to report back to his ministry.[40] He then wrote to Charles assuring him that his ministry had promptly informed the relevant offices about the British proposals, and that the situation would continue to be closely monitored.[41]

Bevin's personal massage to Sforza stressed the need to prevent immigration. Nevertheless, he voiced Britain's understanding of the Italian position and why Italy should not wish to harbour any more persons that it could feed, but explained that it was in its own interest too not 'allow theses Jews into Palestine', pending the UN decision.[42] Sforza gave his personal assurance to Bevin that he would do his utmost to bring a halt to the Jewish immigration.[43] Charles wrote again to Sforza on 7 May concerning the *President Warfield*, and appealed for the goodwill of the Italian government. He pointed out the grave risk to lives in the ships involved in illegal immigration, given that they lacked the essential requirements for passenger traffic and safety devices. He quoted a declaration made by Viscount Hall, Secretary of State for the Colonies, in the House of Lords on 23 April in which he described the methods adopted by the organizers of immigration 'criminal', claiming that had it not been for the good offices of the royal navy, many of the ships would never have reached their destination, 'and thousands of these poor deluded people would have lost their lives'.[44] The British government would take no responsibility for lives sacrificed in a possible future disaster. Charles added that the traffic could be 'amply compared to a slave trade' and concluded by stating his confidence that the Italian government would like to play a part in suppressing the traffic in the interests of humanity.[45]

In a telegram sent the following day Charles informed his government that British consular officers had been instructed by him to prioritize the immigration situation. He observed that following his efforts to achieve Italian cooperation, their attitude seemed to have changed for the better, as he believed that the Italian reluctance to stop Jewish refugees from leaving Italy was changing. They also realized that the only way to halt the Jewish influx from Central Europe was to make it difficult for them to use Italy as 'a jumping off place for Palestine'.[46] He then referred to Sforza's assurance stating that 'I had to work hard to get it out of him'. In a more realistic note, Charles cautioned against over-optimism, criticizing the Italian government which he perceived to be less efficient than the British government (it is possible that he was trying to justify his lack of success):

> Their whole administration is chaotic and corrupt by our standards and their police force is inadequate. There are Communists and other elements in the Italian administration who to put it no higher are most glad to see the Allies embarrassed in this way.[47]

Charles concluded by pointing out that the Italian government was terrified of annoying the US government or public opinion upon which Italy depended so much.[48] Charles' telegram was rapidly followed by another, this time to Sforza, concerning the developing crisis of the *President Warfield*. The ship was reported to be docked in the small harbour of Portovenere near La Spezia, having arrived from Marseilles on 24 April.[49] Charles informed Sforza that the ship was not a test case 'since it is obviously possible for the Italian government to detain it and

prevent further abuse of Italian territory'.[50] On the following day, Charles cabled Bevin that Fransoni had told him of Sforza's pledge to do everything in his power to prevent the ship from sailing. Fransoni called the naval Chief of Staff as well as the Minister of the Merchant Navy in the ambassador's presence, instructing them to find a pretext to stop the ship from leaving, although there were no passengers on board, its papers were in perfect order, and the owners were already threatening to claim compensation for the delay. Fransoni was concerned that the Italian government would irritate foreign governments if ships were held up without legal grounds and asked if the British navy could take action. He warned Charles that they could not hold the ship for more than five days at the most.[51] In a telegram sent that evening, Charles urged Bevin to supply evidence for the Italians' use that the ship was intended to pick up illegal immigrants and break the Italian law. In the meantime, the ship's Jewish master swore that he was sailing directly to Istanbul.[52] The Foreign Office, however, had managed to procure further information about the ship's eventual destination and cabled Charles that according to the *New York Times* the ship was fitted out in Norfolk, Virginia, most of the crew were Jewish, and that some of them had admitted that its destination was Palestine. Bevin instructed Charles to put pressure on the Italian government, stressing that the British had the strongest evidence that the ship was to be used for the purpose of illegal immigration and that the Italian authorities should ask the ship's master and owner to produce evidence that the ship was engaged in bona fide trade, as 'the mere assurance of the Jewish master that he is proceeding to Istanbul (Constantinople) is hardly sufficient'.[53] Contrary to Charles's letter to the Italian authorities just two days earlier, Bevin believed that the Italian government would now realize that this was a test case. The authorities could use various ruses for delaying the ship, including examining certificates, searching for structural defects for which the ship could be delayed for health reasons, such as inadequate sanitary arrangements. At this point, Bevin turned to the real threat of refoulement:

> If she sails and reaches Palestine waters with illegal immigrants from Italy, we shall… have to insist that the Italian government take back these people with all the resulting publicity and damage to Anglo-Italian relations, not to speak of the pressure which will be put on the Italian government by Zionists interests.[54]

Charles cabled on that day that 'the Italian authorities … are quite anxious to please', and that the Prime Minister and the Minister of Foreign Affairs, as well as other high-ranking officials, appeared to be prepared to be cooperative but that Italy did not want to risk a conflict with other countries. 'They blame the Allied officials (French and American) in Germany and Austria for allowing overt circulation of Jews and they say that they have not enough frontier guards or police in the country to be really effective'.[55] Charles seemed, however, to have very limited expectations of the Italians. He wrote to Bevin that if a British warship was to shadow the *President Warfield* after it left port, it would be much more effective than relying on the Italian navy.[56] Charles's letter to Sforza dated 11 May discussed the whereabouts of the *President Warfield* and Fransoni's warning that the ship's departure could not be delayed beyond Monday 12 May, unless the British could furnish further reasons for detaining her. The ambassador then presented evidence that proved 'beyond possibility of doubt' that the ship intended to carry illegal immigrants to Palestine, who would embark from Italian ports in defiance of Italian law.

The evidence included reports in the US press and statements by members of the crew that the ship would outrun the British blockade of Palestine. The owners of the ship, the Western Trading Company of 35 Stone Street, New York City, also owned other ships which were strongly suspected to be engaged in the 'same nefarious business' of illegal Jewish immigration. The crew of the ship were all Jewish and not bona fide seamen. In light of these facts, he suggested that the Italian authorities might require the ship's master to produce further evidence of his statement that he was proceeding on a normal commercial voyage to Istanbul. The ambassador turned to the ship's safety claiming that she was unsuitable for an ocean voyage and certainly not properly equipped to take on board some 5,000 passengers, according to the British information, and warned that the ship might capsize. Charles referred to his letter of 7 May concerning the grave danger to human life implied by the illegal traffic and in view of all the available information suggested that the Italian marine experts should subject the ship to an exhaustive examination in order to ascertain whether or not she was seaworthy. Charles concluded his letter by revealing the real implications for Italy should the ship leave port and reach Palestine – the British would insist that the Italian government take back the ship's passengers, in accordance with the policy he informed Sforza about in his letter of 1 April. He recognized the existence of pressures 'of an embarrassing character' from Zionist interests on the Italian government, but made it clear that Italian and British interests called for firm measures to be taken to prevent the ship's departure now, rather than to risk at a later date the damaging consequences described above.[57]

In a meeting of embassy representatives with Italian naval officials and the Ministry of Merchant Marine, the British insisted that the Italian authorities should detain the ship. The Italians were courteous and helpful but said that the government could not afford to be charged with violating its own and international law, particularly when Italy was applying for membership of the UN. Moreover, it was clear, as noted above, that the Italian government was anxious not to upset the US government and their powerful American interests, and according to the Secretary-General of the Foreign Ministry, it envisaged that a pro-immigration press campaign was already being prepared by American Jews. They were ready to take a fresh and most rigorous technical investigation of the ship, looking for grounds of holding her unseaworthy or to order further repairs. The Italian navy would continue to watch the ship closely and the embassy would be given due warning before permission was given to the ship to leave the harbour. Referring to Bevin's idea that the Italians should ask the ship's master and owner for proof that their activities were legal and thereby detain the ship indefinitely, the Italians declined to engage in illegal policy: this line was impossible, since it was not in accordance with the maritime law of their own or any other country to require merchant ships whose papers were in order to prove and justify theirs onward movements. The British government then pressed for action under general police powers. The Italians replied that they could do so only if the ship was Italian.[58] In a telegram sent that evening, Charles apprised Bevin of his conclusion that the Italian government could not bring an end to the immigration traffic. There were several reasons for this: Italian law precluded the government from placing ships under arrest as a preventive measure; the French policy of allowing thousands of Jews to embark and the free departure of foreign ships including the *President Warfield*; and the Italian inclination to discount the British threat as it was not a joint Anglo-American directive, 'which is to say the least, not apparent in this case'.[59] He added that the Italians were nervous about the idea of detaining an increasing

number of ships in their ports on various pretexts, with the ensuing costs and fear of having to answer queries from the UN or the International Court of Justice. Charles, however, reported to Bevin that he would try to appeal personally to Sforza, in the hope of persuading the Italians to hold the ship 'by police action even if technically extra-legal'.[60] The ambassador also suggested a number of steps to bolster the Italian government's courage such as a formal promise of British political and financial support should Italy become involved in an international dispute as a result of action taken against suspected ships. More complex suggestions included trying to convince the US government to declare or at least intimate to the Italians that it was opposed to Jewish illegal immigration and even to persuade the UN General Assembly to pass a resolution at the current session on Palestine 'condemning illegal immigration and calling on governments … to prevent it'.[61] Bevin's response was resolute; he ordered Charles to request that Italy urgently insist that the *President Warfield* should return to Marseilles, with British ships shadowing her after leaving Italian territorial waters.[62] Bevin cabled the British ambassador in Washington, Lord Inverchapel, stating his view that there was little hope of an American public declaration against Jewish illegal immigration. He proposed to urge the US State Department to communicate this position to the Italians, or at least to intimate to them that cooperation with the British would not harm the goodwill of the United States.[63] The British pressure had some results as Charles conveyed to Bevin on 15 May that an official circular was being sent to all the harbourmasters in Italy instructing them to report any ship suspected of illegal traffic of Jews to the Ministry of Mercantile Marine. The Italians decided to delay the *President Warfield* by conducting a thorough inspection to ascertain whether she could past the tests required for the safety certificate. This would enable the Italian authorities to hold her for at least four or five days. Two Italian mine sweepers were to prevent her from leaving her mooring without warning.[64] However, the technical examinations gave no reason to detain the ship under Italian or international law. The Secretary-General of the Ministry of Foreign Affairs, Fransoni, told Ward that 'Italy could not at this delicate juncture in her fortunes afford to risk being linked with an illegal act'.[65] Nevertheless, in order to help the British, the Italian authorities gave the ship clearance only to return direct to Marseilles. The councillor kept up the pressure and added a not-so-subtle warning:

> He suggested that at this moment when Italy was seeking to enter the United Nations it was more important for her to protect herself against a charge of facilitating illegal immigration and further disturbances in Palestine whose case was sub judice.[66]

Fransoni's response was that the Italian government had given the British every opportunity to show it how the ship could be legally detained yet further, but they had failed to do so. He asked again why the British could not themselves take effective action against the ship after it had left Italian territorial waters. Charles pointed out to Bevin that the Italian position had hardened and speculated as to the reasons behind this. Fransoni referred to the protests that had been received from the ship's owner and master, but Charles did not think that this was the real reason:

> An explanation may be that pressure has been brought to bear by New York Jewish interests through the Italian embassy in Washington. It may not be far-fetched to suspect a connexion with Italian interests for success of their financial mission under Signor

Lombardo now in New York.[67]

In another cable Charles posited that the impending entry to the UN was of utmost importance to the Italians, 'and could embolden them to take the necessary measures without too strict a regard for the letter of the Italian law'.[68] Bevin cabled Charles with his urgent instruction to ask for a two-day notice of the ship's departure.[69] The ambassador spoke to Fransoni, but it seemed to be a rather difficult task. He cabled to Bevin: 'after an hour and a half did not make great progress until I said that I had your definite order to insist that the ship was not to sail even though it meant the use of force'.[70] He pointed out the possible embarrassment to Italy if the ship arrived in Palestine 'full of Jews'. Prime Minister De Gasperi assured Charles of Italian help short of the use of force: Italian battleships would escort the ship to the limits of Italy's territorial waters, but no further as Italy was under considerable pressure from both the American Jews and the ship's owner.[71]

Sforza sent a long secret telegram on 15 May to the Italian ambassador in London, Bartolomeo Migone. This outlined the Italians' efforts and concerns as well as the latest developments and the British insistence that the *President Warfield* should not leave Italian territorial waters. The Foreign Ministry, in agreement with the authorities, had carried out every possible option to meet the British request and suspended the departure of a steamer which had been subjected to inspections and visits by the port authorities. These experts had repeatedly established the lack of a legal basis for the intervention of the Italian authorities. The captain of the *President Warfield* had lodged a protest, and stated that the Italian government would be held responsible for any damages accruing from the unjustified delay in releasing the ship. Charles sent a note (see above) in which, attaching irrelevant juridical reasons, he reaffirmed the peremptory British request to indicate to the Italian government the political result the departure of the ship would have on Anglo-Italian relations. In agreement with the Prime Minister, Sforza arranged for a two-day delay in the ship's departure. The ministries responsible for defence, the navy, and the merchant marine insisted on declining any responsibility for the events or incidents that could follow the decision of the ship's captain to leave at any cost. Sforza asked the ambassador to explain to the Foreign Office that the Italian government had done its utmost to fulfil the initial British request and to accommodate the pressure exerted by Charles, but that any further intervention would not only be in breach of maritime law, but would also be unjustified and possibly susceptible to complications created by European and North American Zionist organizations. Migone was to appeal to British common sense, and emphasize that the Italian government did not see the link between the problem of the *President Warfield* and the threatened political consequences which the British ambassador insisted would ensue. Sforza concluded that he even told Charles that, eager to meet British demands, Italy would find quite natural if the British were to take as much action as permitted by the armistice rather than continuing to press it to take illegal action itself.[72] Migone did indeed emphasize to the Foreign Office that regarding the need to follow Italian and international law, the Italian opinion was that they had done more than they considered they were entitled to do in order to meet British demands.[73] In an attempt to placate the Italian government, Ward wrote to Fransoni, following the suggestions made a few days previously by Charles, promising British support in the event of Italy becoming involved in international disputes as a result of action taken to control the activities of ships suspected to be engaged in illegal immigration:

> [I]n any such circumstances they could count on the full political support of His Majesty's government … in the case of *President Warfield,* His Majesty's government are prepared financially to indemnify the Italian Government against any damage which may be claimed by the owners of this ship as result of its detention in harbour.[74]

Sereni describes her meeting with an Italian high-ranking official who sternly warned her not to put passengers on board the *President Warfield* and she was considering whether to do just that and prepare for an encounter similar to the La Spezia affair a year ago. However, the Mossad approached the French government and received permission to sail from Port de Boue but since the ship was to stay there only for a short while, all the preparation still had to be in Italy. Sereni comments that after she promised the authorities that the ship would not sail with immigrants from Italy on board they promised not to stop her from leaving, acting against the British pressure. However, the Italians adamantly refused to supply the ship with petrol, fearing that otherwise she would eventually try to sail with the immigrants on board.[75]

Charles recounted to the Foreign Office his efforts to prevent another ship suspected of involvement in clandestine immigration from sailing from Bari. He met Fransoni, who referred to his efforts, which included sending telegrams, as unfortunately telephone communications to Palermo had broken down. Fransoni told the ambassador that he hoped that the ship was not being supplied with fuel to go to Malta or Tunis. The ambassador's reaction was somewhat dramatic: 'I said that I could not accept that at all and the ship must be stopped at all costs on the same basis as the *President Warfield*. Signor Fransoni is, I am sure, doing *his* best.'[76] However, this was not the end of the affair, as Charles cabled to the Foreign Office. Councillor Ward at the British embassy followed up the case with the Director of Political Affairs in the Italian Foreign Ministry, Count Vittorio Zoppi. Ward complained that, despite Zoppi's promise that the police in Bari had been instructed to take all possible steps to prevent illegal embarkation, apparently it could not run the risk of creating serious incidents with 'privileged' protégés of UNRRA. The councillor told Zoppi that he had been informed that the Jews had organized something akin to a military occupation in the village of Cozze and even restricted the movement of the local Italians during times of embarkation; this occurred again when some fifty Jews were ferried out from the shore in rubber dinghies. Again, Zoppi promised a full investigation into the matter, but added a somewhat cynical insight regarding the Italians' state of mind at that time: 'The Italian people had been browbeaten by Fascist and successive foreign armies … [so] that they were unfortunately prepared to put up with almost anything provided that it was forced upon them with vigour and determination'.[77] Ward sent Zoppi a letter following the meeting in which he suggested that they should agree on a list of measures to be applied by the Italian authorities.[78]

In the meantime, Charles reported more positively on the progress in cooperation with the Italian government. His intelligence experts had obtained secret information that a communiqué had been circulated by the Ministry of Marine with the approval of the Ministries of Foreign Affairs and of the Interior, instructing all port authorities of measures to control the activities of suspected ships. They included intensifying vigilance at ports and along the coast; delaying the supply of fuel; examining suspected Italian vessels; maintaining a close liaison between all the authorities including the police; and reporting any suspicions to Rome.[79]

Charles' telegram to the Foreign Office proposing a public campaign in Italy was sent to the Illegal Immigration Committee. He wrote that the secrecy and atmosphere of mystery

surrounding the 'highly organized traffic in Jews' was of moral benefit to the organizers. In his view the time was ripe for publicizing these activities in Italy, as the Italians were becoming increasingly restive about the abuse of their territory and public opinion should be receptive to detailed explanations of the current events. The campaign could also be expected to put pressure on Italian policy makers which 'should also make it more difficult for the Italian government not to play its part in putting an end to this traffic'.[80] He emphasized that the Italians were desperate to join the UN, and that the campaign would be more effective if combined with resolutions passed in the UN General Assembly to combat the traffic.[81]

In another detailed letter to Sforza on Jewish illegal immigration Charles urged Sforza to take urgent steps to protect Italy from further influx. In his view, there was still a great deal to do as 'preventive action can only be successful by a radical improvement and strengthening of the present system of controlling entry through the northern frontiers of Italy'.[82] He cited the Italians' claim that they did not have a sufficiently large navy and police force to guard its long coastline and that it was also is in Italy's interest to reduce the number of refugees in the country. He then turned to some criticism:

> But it is all the more surprising to me in view of these difficulties, that the illegal entry of Jews to Italy would still be allowed to continue in its present scale and that effective measures are not taken to chock this *evil* at its source in the small "bottle–neck" at the frontier, through which these immigrants are obliged to pass.[83]

In conclusion, he warned Sforza that unless timely and drastic action was taken to meet the threat of organized mass immigration, the situation could deteriorate rapidly. In view of their mutual interests, he pledged British support for Italian representation to neighbouring countries in order to prevent illegal entry into Italy.[84] The ambassador wrote to Fransoni to voice his disappointment concerning the ship *Anal* (*Yehuda Halevy*) that had left Algiers and arrived in Palermo on 16 May. The ship was detained for twenty-four hours and permitted to take on thirty-four metric tons of coal. The ship was discovered by the British and reached Palestine circled by five British destroyers. The British forces took control of the ship by using tear gas on 31 May; its 400 immigrants were deported from Haifa to Cyprus on the following day. Charles wrote that according to information given to him previously by Fransoni, the ship was allowed to sail from Palermo but as result of instructions, it had only been supplied with sufficient coal to reach Tunis. Thus, he was surprised to learn that

> the ship arrived at Haifa in Palestine, without having put in at any intermediate port of call … apparently as result of failure by the Italian port authorities to detect the full stocks of coal which she was already carrying, the ship succeeded in obtaining sufficient additional coal at Palermo to enable her to complete her journey to Palestine.[85]

Charles described the shock of the British government following the event:

> Not only were the British authorities wrongly informed that the *Anal* could not reach Palestine without refuelling but the supply of coal at Palermo granted to this ship, which was openly engaged in the illegal traffic of Jews, contributed directly to the arrival of a new continent of illegal immigrants in Palestine, to the detriment of the situation there

and the embarrassment of British interests.[86]

Charles then urged Fransoni to conduct an immediate enquiry into the event and to take precautions in future to ensure the thorough inspection of suspected ships.[87] This put the Italian authorities in a very difficult situation, in that British pressure was intertwined with internal problems and the connection between the illegal entrance points of the refugees and the illegal departures for Palestine was evident. Therefore the authorities adopted new, repressive measures, or in any case restrictive compared to the liberalization with which the issue was dealt with in the first months of the post-war period. On 6 June 1947 Fransoni informed the Italian representatives in Warsaw, Prague and Vienna of the government's decision to suspend the distribution of entry visas to Jews from Eastern Europe, who were already present in large numbers in the country. He stated that they represented an internal problem because of the illegal activities, taking work from Italians, and also an international problem, since attempts to pass illegally into Palestine were provoking increasingly harsh English protests.[88] The decision that was reached, however, was provisional while waiting for the UN to give a solution to the question of Palestine. The Italians hoped that most of the Eastern European Jews currently in Italy would leave. On 27 June Migliore, head of Public Security (Publica Sicurreza) in the Ministry of the Interior, told Ward that, despite the predictable complications and in the absence of better solutions, the Italian authorities would soon establish a centre for Jewish refugees on the island of Ustica. He reiterated the impossibility of carrying out effective border controls and that it was useless to send the illegal immigrants back across the border to their homelands. The success of this proposal, however, was limited in its ability to hand over the arrested Jews to the British occupation authorities in Austria. It highlighted the divergence of interests from which emerged the Italian resistance to comply with the British demands.[89]

A Ministry of Foreign Affairs' memorandum on the Jewish question stated that it was closely involved not only in the most tangible and most visible developments in Palestine but also it had international aspects that were being monitored by Italy's representatives in London and Washington. The developments across the whole region were important and deserved their attention. There was the main problem of Anglo-Soviet relations and two further problems were connected and dependent on these:

1 The attitude of Britain and the United States towards the Arab countries and the Palestinian question.
2 The activity of the Soviet Union in some regions. The view that the first conflict of interests between Anglo Saxons and Soviets would be in Asia, Near, Middle and Far East. For Italy, the questions of the Arab States and Palestine were of direct and immediate importance, while the Italians prepared to renew their relations with countries in the region. They needed to study the Jewish problem and Zionism in particular. The question of Palestine was more and more alive, given Italy's positions in the Mediterranean.[90]

Bevin's message of 27 June 1947 to Sforza requested Italian support in the new framework opening in the UN on the Palestinian question. The British position was strengthened by the Americans' positive attitude towards the UN resolution that invited peoples and governments to refrain, during the UNSCOP deliberations, from any action that would jeopardize the solution of the problem, and an appeal by UN Secretary-General Trigve Lie, who actively discouraged

illegal immigration. The organizers, wrote Bevin, were using the Jewish refugees as a means of exerting political pressure on the government of Palestine, a matter that was now under consideration at the UN.[91] Another source of British frustration was the affair of the ship *Bruna* that was intercepted on 28 July.[92] The British protest came a month later, on 29 August. The verbal note claimed that the embarkation was reported by the local press and denied by the public security authorities in the area. However, the Jews who disembarked from the *Bruna* in Haifa were interrogated, and it is clear that they were not detained in any way by the Italian authorities. The British embassy voiced its dismay that illegal activity of this nature was taking place on Italian soil and also indicated their surprise that at a time when Italy was seeking to expand its merchant navy, Italian shipping should be allowed to be used for such an unsuitable purpose.[93]

The Jewish refugees organized anti-British demonstrations in the camps near Bari, Turin and Cremona on 22 July during the *President Warfield*/*Exodus* affair, while it was prohibited from doing so in Milan. Protests against the British had been staged by refugees previously but without causing any problems, but in this case the context was less favourable. In correspondence between Migliore and Zoppi at the end of July, Migliore wrote about some of the demonstrations that had taken place and described the British pressure directly on him although they were assured that nothing would happen, given the measures taken. Zoppi responded that he thought it intolerable that foreign refugees were prepared to take part in public demonstrations of a political nature instead of living quietly in the country that had offered them asylum. The Minister of Foreign Affairs issued a warning that they should seek to identify the organizers of the demonstrations and expel them from Italy.[94] Sforza replied to Bevin's letter about a month later, on 29 July. On this occasion, the minister confined himself to re-establishing the official line that Italy had long supported, which ensured its collaboration with the British and with the UN resolution of the need to refrain from any steps that might prejudice the solution of the Palestine question. In a message to the British ambassador that was attached to the letter to Bevin, regarding the collaboration granted by Italy, Sforza added that he must emphasize that the approach the Italians had taken to meet the British demands was detrimental to their interests with regard to the specific issue of foreign refugees in Italy and their outflow to other countries.[95]

The Italian Ministry of Foreign Affairs had been warned by the British on 1 August about the ship *Pan Crescent* and was asked to detain it. Zoppi promised to do what he could but again stated that ships could not be detained indefinitely without legal force. The full and somewhat hilarious story was that the *Pan Crescent* docked at a shipyard in Venice to prepare for its voyage. The owner was told that the 6,500-metric-ton ship was to sail to Australia to collect a cargo of sheep. This could explain the need for water tanks, air ventilation and shelves, but the showers and toilets that were also required on the ship were more difficult to explain. The workers were keen to continue their employment, however, and ignored the peculiar arrangements. The British visited the vessel and began to apply pressure on Rome, yet Sereni wrote that the Mossad's people failed to understand why this time the British pressure was relatively mild, even as they continued to monitor the ship's refurbishment. The ship's departure was planned for 30 August at 7 a.m. but was postponed to 11 a.m. When the captain started to manoeuvre the ship out of the shipyard there was a big explosion in the bow, caused by a naval mine, and the ship started to take on water. The ship tilted forward and its bow became stuck in

the one-metre-deep floor of the shipyard, but at least this meant that a serious disaster on the open sea had been averted. The British then put pressure on the port authorities and insisted that the ship should not be allowed to sail. The ship agent managed to convince the port authorities to release the ship after explaining that otherwise it would remain in the only working dockyard in Venice, with a long queue of ships waiting to get in. The *Pan Crescent* was thus given permission to leave for Romania where she was expected to take on passengers. The officer who was paid by the British to plant the mine confessed after realizing that his actions could have caused many deaths had the bomb gone off during the voyage.[96]

The results of the Italian investigation into the *Pan Crescent* attack highlighted the extent of British responsibility for the affair and the need for new policies. On 5 September 1947 the Chief of Staff of the Navy, Admiral Franco Maugeri, summed up in a memorandum the conclusions reached and their political implications. He emphasized that there was sufficient reason to believe that the sabotage of the *Pan Crescent* had been organized by the British intelligence service, more precisely by an Anti-Jewish Special Office, set up by the embassy in Rome. He thought it appropriate to bring to attention the new situation that would soon be created by the entry into force of the peace treaty at midnight on 15 September. Without further cooperation from Italy in the British fight against Jewish immigration, such methods might be used more frequently, thus placing the Italian authorities, especially the navy, in a particularly delicate situation.[97] In Toscano's view, Maugeri proceeded boldly in anticipation of a radical change in the course of Italian politics which, formally speaking, had complied with British pressure to collaborate in the suppression of clandestine immigration. His analysis was probably also influenced by his understanding of the vicissitudes suffered by the refugees and the resentment caused by the rigid British attitude towards the Italian navy, despite the role it had played alongside the Allies after 8 September 1943. It would give back the value and role to illegal immigration that the Italian diplomacy had intended for it from the beginning, namely to change the image of the country, to allow it to disrupt the British politics in the Mediterranean, to start Italy's involvement in the international political game, all the while with tacit support for the operations of transferring the survivors of the camps to Palestine and liberating Italy from the weight of many refugees.[98] The Minister of the Merchant Navy, Paolo Cappa, transmitted Maugeri's letter to the Foreign Ministry and asked it to consider whether, given that the peace treaty had entered into force, it was advisable that the Italian government continue its surveillance activities against the illegal immigration of the Jews, thereby risking discontent in the international arena. On 6 October, however, Fransoni responded citing a middle way, which carefully acknowledged the positions expressed by Maugeri and Cappa. He stated that regarding the illegal emigration of Jewish refugees, the Ministry recognized that the issue lacked direct Italian interest and considered that for the moment, while the discussions about the arrangements in Palestine were ongoing, the provisions adopted should be in force. Since late 1945 Italian diplomacy had unofficially pursued a tacitly favourable policy towards illegal immigration to Palestine but the narrow margins of manoeuvre allowed by the clauses of the armistice and the dramatic conditions in the peninsula after the war limited the risks and avoided any open challenge of British policies. The new internal and international context in late 1947 allowed Italy to progressively free itself from the regime of close subordination to the continuing British requests for collaboration in the suppression of Jewish immigration. Over time the British protests seemed to be losing part of their urgency and conviction, but continued in a ritual

manner despite being obviously doomed.[99]

Italy's increasing independence in late 1947 and the changing political situation no doubt strengthened its anti-refoulement position, as the new British ambassador in Rome, Sir Victor Mallet, informed the Foreign Office on 15 November 1947: 'In our view they would not (repeat not) agree to allow ships carrying such Jews to be brought into an Italian port let alone to using force to get them to disembark'.[100] Beith presented the pros and cons of refoulement to Italy, besides the understandable advantage of such return in alleviating the situation in the Cyprus camps, expected to be hard-pressed by the last months of the mandate, he pointed out the cons relating to Britain's efforts to improve its relationship with Italy, including the visit of Foreign Minister Sforza. The British could not risk a serious incident with Italy, while the government would almost certainly refuse such a request and Britain would not be able to carry out this policy. He added that as Britain was not prepared to take such action elsewhere, it would appear to be discriminating against the Italians.[101]

The exchange of British accusations and Italian explanations continued into 1948. Meanwhile, Fransoni sought to justify the Italians' inability to halt the flow of Jewish refugees into Italy, supported by wealthy organizations which were experienced in avoiding police control.[102]

A summary of the reasons for the British failure to change Italian policy and practice concerning Jewish immigration to Palestine reveals several major issues:

1 Britain's inability to prevent infiltration through the use of British troops as this would have infringed Italian sovereignty, and the lack of support of the Americans, their partners in supervising Italy.
2 The Italian authorities were keen to prevent Jewish refugees from entering the country but did not give the matter high priority because they did not have to carry the burden of supporting the refugees. It was clear that the Jews intended to continue their journey to Palestine, via the Mossad's clandestine departures from Italian shores. The Italian government was also afraid that similar incidents to the La Spezia affair would have negative implications for its relationship with the United States, and with the UNRRA leadership which was sympathetic towards the Jewish refugees and the American Jewish community.
3 Sympathy for the Jewish refugees was combined with bitterness over the British occupation in Italy and the British government's attitude towards Italy following the armistice of 1943. All these factors influenced the willingness of some top officials and 'the man in the street' to aid and abet Jewish infiltrators and immigration. [103]

Notes

1 FO 371/61841, the British ambassador in Italy, Sir Noel Charles, to the Foreign Office, 8 May 1947.
2 The British used the name *President Warfield*, and the Zionists *Exodus*, the name that was later given to the ship.
3 Mario Toscano (1990) *La Porta di Sion*. Bologna: Il Mulino, p. 67.
4 Ibid., p. 68, emphasis in the original.
5 Ibid., pp. 69–70.
6 Ibid., pp. 103–104.
7 FO 170/1195.
8 Ibid.
9 Ibid.
10 Ibid., 1 November 1946.

11 Centro Bibiliografico, Archivio Storico dell'unione delle Communita Ebraiche Italiana, Fondo Attivita dell' Unione delle Comunita Israelitiche Italiana dal 1934, Serie Erez Israel e Stato Ebraico, Busta 91A, Fasciolo 91A-5, Erez Israel 1945–1946.
12 Ibid.
13 Ibid.
14 Susanna Kokkonen (2011) *The Jewish Refugees in Post-War Italy, 1945–1951: The Way to Eretz Israel*. Saarbrücken: Lap Lambert Academic Publishing, p. 68, my emphasis.
15 Ibid.
16 FO 170/1195, 4 November 1946.
17 Ibid., 7 November 1946.
18 Ibid., 24 November 1946.
19 Ibid. Following the attack the British checked the security arrangements in their offices in Italy. In Milan, for example, the report noted that all the offices were in one building, and the only entrance was guarded day and night by the Carabinieri, yet 'there is also an old porter who belong to the building who is worth all the Carabinieri put together'.
20 Archivio Storico Ministro Affari Estery 1945–50, b.114 (1947) fax. 1 Sionismo, Clandestini Ebrai. Tel Aviv University, the Inter University Project for Immigration, Haganah Archives 123/Ital/1, 15 November 1946. See also the Haganah Archives 123/Ital.
21 Ibid.
22 Ibid.
23 Ibid., November 1946, date not clear.
24 Ibid., 17 January 1947.
25 FO 371/66733, 12 February 1947.
26 Ibid., n.d.
27 FO 371/61803, 17 March 1947.
28 Ibid., 19 March 1947.
29 Ibid., 21 March 1947, my emphasis.
30 Ibid., 24 March 1947. The Illegal Immigration Committee linked again between the representation to the French Government on that topic and the 'most determined attempt' to persuade the Italian Government to accept in the future the return of Illegal immigrants that have embarked from her ports. Report of Progress, 8 May 1947. FO 371/61806.
31 Haganah Archives 123/Ital/1, 20 March 1947.
32 Ibid., 21 March 1947.
33 Ibid., 1 April 1947. The *Enzo Sereni*, carrying 908 immigrants, left Vado Ligure, near Savona, on 7 January 1947. On 17 January she was captured by the British navy despite the fact that she was beyond Palestinian territorial waters, and her immigrant passengers were sent to Athlit camp. Following a court case against the British authorities, the ship was returned to her owners and sailed to Italy in June 1947. The smaller ship, the *Hanna Senesh*, left Savona on 14 December and reached Palestine undetected. See www.palyam.org.
34 Ibid.
35 Arieh J. Kochavi, (2001) *Post Holocaust Politics*. Chapel Hill, NC and London: University of North Carolina Press, pp. 248–249.
36 Toscano, *La Porta di Sion*, p. 170, telegram of 9 April 1947.
37 FO 371/61841, 24 April 1947.
38 Haganah Archives 123/Ital/1, 25 April 1947.
39 Ibid., 3 May 1947.
40 Ibid., 4 May 1947. The Ministry of Defence (navy) sent a message to the harbourmasters of the major ports in Italy concerning three suspected ships including the *President Warfield*.
41 Ibid., 4 May 1947.
42 FO 371/61841, 7 May 1947.
43 Ibid.
44 Ibid.
45 Ibid., 7 May 1947
46 Ibid., 8 May 1947.
47 Ibid.
48 Ibid.
49 Ibid. Another ship, *Trade Winds* (*Tikva*, or 'Hope') arrived in Portovenere after being prepared for sailing in Portugal, only a few days after the *President Warfield*. On 8 May 1,414 people embarked from the Villa Ceriana di Bogliasco and from Bocca di Magra. In discussions between Peter Lee, the Third Secretary at the British Embassy, and the Director of Political Affairs in the Italian Foreign Ministry, Vittorio Zoppi, Lee stated that Bogliasco was considered to resemble a kibbutz (kibbutzim are communal settlements in Israel traditionally based on agriculture where the members all work and contribute to the running of the kibbutz), and that the Italians could have avoided the incident. Zoppi pointed out the well-known problem of supervising the frontiers, while referring to the fundamental political problem that 'The possibility of

halting a departing convoy or a moving column was a one-off episode, but the fact of about one million Jews from Central Europe trying to reach Palestine is a problem which was quite another matter.' Fritz Liebreich (2005) *Britain's Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*. Abingdon: Routledge, p. 75. *Trade Winds* was intercepted near Palestine on 17 May, and the refugees were transferred to deportation ships that took them to Cyprus. See www.palyam.org.

50 FO 371/61841, 8 May 1947. In a telegram from Bevin to Charles concerning the ship he suggested that in the effort to put pressure on the Italian authorities to prevent the ship from leaving Italy, he should bear in mind the International Convention for the Safety of Life at Sea, which can be a convenient pretext for delaying the movement of suspected ships. FO 371/61840, 5 May 1947.

51 Ibid., 9 May 1947.

52 Ibid., 9 May 1947.

53 Ibid., 10 May 1947.

54 Ibid.

55 Ibid. The Italian Ministry of Merchant Marine convened a meeting regarding its compliance with the British demands and it was decided to prepare guidelines and instructions to limit clandestine immigration, as Liebreich comments that it appeared that the authorities would now agree to accept the British requests for cooperation and that this would lead to a prolonged suspension of Jewish immigration. However, the new guidelines stating that suspected ships should be reported and inspected and that they should not be supplied with fuel, proved ineffective. Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 76.

56 FO 371/61841, 10 May 1947. Sereni explains that the British aimed to break the Italian resistance to their demands by attempting to offend the police by blaming them for their inability to stop the illegal voyages. However, the police had all the information on the Mossad's activities in Italy including the shipyards, ports of call, names of the ships, and the identity and place of residence of the Mossad's people, so that the British admonitions merely encountered 'a silent ironic laugh'. Ada Sereni (1975) *Ships without a Flag* (Hebrew edn). Tel Aviv: Am Oved, p. 139.

57 Haganah Archives 123/Ital/1, 11 May 1947.

58 FO 371/61841, 12 May 1947.

59 Ibid. Bevin agreed to compensate any Italian damage in this case. Ibid., 16 May 1947.

60 Ibid.

61 Ibid.

62 Ibid., 15 May 1947. The warships were instructed not to enter French territorial waters. Ibid., 17 May 1947.

63 Ibid., 16 May 1947.

64 Ibid., 15 May 1947.

65 Ibid., 15 May 1947.

66 Ibid.

67 Ibid. He added that the position is complicated by the resignation of the Italian government. Italy did not become a member of the UN until 14 December 1955.

68 Ibid.

69 Ibid.

70 Ibid.

71 Ibid.

72 Haganah Archives 123/Ital/1, 15 May 1947.

73 FO 371/61841, 17 May 1947.

74 Haganah Archives 123/Ital/1, 17 May 1947.

75 Sereni, *Ships without a Flag*, pp. 133–134. Charles reported that the *President Warfield* had departed from Italy on 12 June, shadowed by the Italian destroyer *Sagittarius* as far as the boundary of French territorial waters. FO 371/61811, 13 June 1947.

76 FO 371/61842, 17 May 1947, emphasis in the original.

77 Ibid., 22 May 1947. Historian Mario Toscano referred to Italy's post-war inferior condition that paradoxically allowed her to adopt in 1945–1946 a kind of freedom of 'conscious irresponsibility' in her policy concerning the Jewish immigration while expressing her anti-British sentiment and reaffirming her presence in the Mediterranean area. Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 82. According to the report sent by the Prefect of Bari to the Minister of the Interior on 6 June 1947, two iron piers to facilitate embarkation had been constructed in Cozze, and the local fishermen had assisted in the operation, light signals and radio were used, and Liebreich comments: 'but these illegal activities did not result in repressive measures by the Bari forces of Law and Order', ibid., p. 76.

78 FO 371/61811, 30 May 1947.

79 FO 371/61842, 19 May 1947.

80 Ibid., 21 May 1947.

81 Ibid.

82 FO 371/61811, 3 June 1947.

83 Ibid., my emphasis.
84 Ibid.
85 Haganah Archives 123/Ital/1, 6 June 1947.
86 Ibid.
87 Ibid.
88 Toscano, *La Porta di Sion*, p. 196.
89 Ibid., p. 197.
90 Haganah Archives 123/Ital/2, undated, author's signature not clear.
91 Toscano, *La Porta di Sion*, p. 200.
92 *Bruna* (named *Fourteen Casualties of Gesher Haziv* in Hebrew) left Italy's Tuscan coast on 17 July, reached Haifa on 28 July; her 685 immigrant passengers were then deported to Cyprus.
93 Ibid., pp. 203–204.
94 Ibid., p. 207.
95 Ibid., pp. 211–212.
96 Sereni, *Ships without a Flag*, pp. 135–138.
97 Toscano, *La Porta di Sion*, p. 231.
98 Ibid., p. 232. Sereni describes the Italian navy's attitude in an interview: 'I was called to a meeting with the navy commander who asked me when is our next ship due to sail, when I said that it should be about three weeks, he responded that we should send a ship every week, explaining that the British keep pressuring that the Italians capture the Mossad's ships – while the Italian response is "give us back our ships, you cannot expect us to swim after them".' Interview by Aaron Keidar, 23 December 1964, Harman Institute of Contemporary Jewry, Oral History Division.
99 Ibid., pp. 244–246. In a meeting with Zoppi just before Sforza's planned visit to London in October 1947, Ward responded to his claim that Italy had no legal authority to detain suspected ships by stating that the Italian government had enabled the Jews to transform Italy into a 'workshop for fitting out illegal ships', he stressed that this policy was tantamount to allowing the Jews to sail from Italian shores. Kochavi, *Post Holocaust Politics*, p. 253.
100 FO 371/61852, 15 November 1947; see Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 235.
101 FO 371/61852, 19 November 1947, minutes, see ibid., p. 236.
102 Jacob Markovizky (1996) 'The Italian Government Response to the Problem of Jewish Refugees' (Hebrew edn). *Holocaust Research*, vol. 13, pp. 129–147, cited on p. 144, a telegram of 19 January 1948; see also Kochavi, *Post Holocaust Politics*, pp. 254–255.
103 Kochavi, *Post Holocaust Politics*, pp. 255–256.

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10 The Italians and the Zionists

Clandestine cooperation and the La Spezia affair

> In the strip of land occupied by the Jews, the Arabs should really try to see not the bridgehead of an invading army but instead an island to which the victims of a shipwreck are clinging.[1]

The Italian-Zionist connection forged during the post-war years, when they concentrated on saving these victims, was multifaceted. Memories of persecution and rescue, Allied occupation, human sympathy, interests and realpolitik all combined to create what can be described as a 'special relationship' between these two protagonists, each of whom faced tremendous challenges in the struggle to find their place in the new world order.

This chapter will first analyse the development of this particular relationship before turning to the La Spezia affair in which many of these aspects came together in an event that spanned a one-month period.

The first of the Mossad's ships to leave Italy was the *Dalin*, a fishing boat that sailed on 21 August 1945, carrying thirty-five people, under the command of a Jewish Italian captain, Enrico Levi. The ship managed to land in Cesarea undetected by the British. It was followed by another small fishing boat, the *Netuno*, which sailed on 27 August 1945, carrying seventy-three people and also landed undetected in Cesarea.[2] Finally, the *Hanna Senesh* left Savona on the Ligurian coast on 14 December (see Chapter 9 in this volume), and reached Nahariya in northern Palestine, on Christmas Eve, 24 December. There was a storm and a strong wind was blowing. These circumstances caused the vessel to run up onto the rocks close to the shoreline where it keeled over dangerously. A shore team belonging to the Palyam (Sea Company), the maritime unit of the Palmach, together with local people, helped the immigrants to disembark and scattered them in the neighbouring kibbutzim. Two passengers died during this operation. The vessel was abandoned and shortly afterwards her foreign crew were smuggled out of the country.[3]

The Mossad chose the small town of Portovenere near La Spezia as a centre for preparing the ships for their clandestine voyages from Italy to Palestine. It was a small shipyard and the workers received good salaries at a time of unemployment. They sympathized with the Jewish Holocaust survivors and with their fight for independence, but also realized that the refugees, who were keen to leave Italy, would not be competing for Italian jobs in the future. From Portovenere the ships, loaded with food and oil, would make the one-hour journey to Boca di Magra, where the passengers boarded with the help of the local people.[4]

During mid-1946 about 4,000 people sailed from Boca di Magra. The preparations were carried out under the watchful eye of a British intelligence major whose villa was situated not far from the Portovenere shipyard. The major even hired a secretary to help him, a young journalist

from La Spezia, who came highly recommended by the Mossad and by the local Italian people, all of whom had a vested interest in the continuation of the arrangement with the Mossad. Even when immigrants who had been captured and interrogated by the British in Palestine admitted that they had sailed from the area, the major still denied this as false information in order to conceal the actual port of departure.[5] La Spezia was famous in the refugee camps in Italy and beyond. The immigrants were impressed by the Italians' friendliness and good manners, which made a radical change in comparison to the brutality they had experienced in their native countries. The Italian's supportive attitude to the Mossad and its work is described by Sereni. The chief supervisor of the Italian ports arrived in Bari by train and having no car asked to borrow a Mossad car so that he could carry out his tour of inspection. When he was warned that the Mossad used forged documents for its cars and drivers, he responded that he was sure that the documents were skilfully forged. He used to tell Sereni that he was a Fascist but was against the pact with the Germans, the racial laws and Mussolini's decision to join the war. 'I am a Fascist but not a barbarian', he said. His assistance to the Mossad was based on open solidarity.[6] The Mossad's activities were later moved to a shipyard in Gaeta, south of Rome, with the full cooperation of the Italian authorities who gave the appropriate directives that the Mossad's actions should not be disclosed.[7]

The Italian political interests in dealing with the Mossad

In 1944 the Italian Foreign Ministry was aware of a 'Jewish card' that could be played in Italy's foreign relations. An official memo of 24 October 1944 from Carlo Calenda and entitled 'Some International Aspects of the Jewish Question' emphasized the Zionist issue. It was pointed out that Zionism concerned not only developments in the Middle East and the Mediterranean but also the Jewish groups in the diaspora and their potential influence on governments and public opinion. As result, in the early post-war years, 'the Foreign Ministry undoubtedly attempted to ingratiate itself with Jewish circles in the United States and Great Britain'.[8]

On 6 August 1945 the Italian delegate attending a Jewish world conference in London, Carlo Alberto Vitterbo, informed the participants that immediately after the inauguration of the Parri government it was indicated that the creation of a national home in Palestine was the only remedy for the Holocaust survivors, and the Italian government was asked to confirm a new policy in favour of Zionism. The Prime Minister, said Viterbo, after verbally giving the most favourable assurances, had also considered conveying a message to the conference but had refrained because the present political conditions limited the Italian government's statements in regard to external politics. Viterbo was authorized, however, to assure the conference that the Italian government held the Zionists' work in the highest regard. Italy, he added, was a country whose civilized population, the favourable disposition of the government, and its geographical situation contributed to constitute an attractive bridge for the refugees who yearned for Palestine.[9] The statements of Parri referred to by Viterbo were politically significant and should be related to a wider picture of the Italian political actor's attitudes towards the Mossad in the second half of 1945. In this regard, it is worth mentioning the protests in November of the Italian ambassador in Ankara, Count Alberto Marchetti, about Parri's presumed pro-Zionist attitude. In his opinion, Italy should not support the international Jewish effort and Zionism, although there

was no reason for it not to assist the Jewish refugees in Europe.[10] In his response, written a month and a half later, Count Zoppi reiterated the official attitude of neutrality towards Zionism, hinting perhaps at the alleged sympathetic feelings and philozionism of Parri (who was still head of the Italian government on 5 November). Zoppi's attitude towards the Jewish and Zionist problems, the issue of refugees and immigration, was not hostile but the inferior Italian position in relation to Britain limited the possibility of clear policies.[11]

The representative of the Jewish Agency, Umberto Nahon, arrived in Italy in February 1945 tasked with arranging immigration certificates, opening the Agency office, establishing local kibbutzim, and promoting the Zionist creed together with the Brigade soldiers. In addition, he was to make contact with the Italian authorities. Nahon reported to the Jewish Agency on his meeting with Prime Minister Bonomi on 5 April 1945. Nahon's appreciative remarks about the Prime Minister might be seen as setting the tone for the amiable cooperation in the years to come:

> I said that I was glad to express personally to him the feeling of gratitude of the Jewish Agency and of Palestine Jewry for the attitude of the Italian people towards the Jews even during the period of official anti-Semitism. I told him that amidst the tragic news that reached us from all quarters it was encouraging to hear that so many examples of help and solidarity were offered by the Italian people.[12]

Bonomi responded that the anti-Jewish measures were a sad consequence of the alliance with Germany. Nahon than asked for Italy's assistance in facilitating the transit and temporary residence of the expected post-war immigrants and the transfer of their property. Bonomi's response was positive. According to the report,

> he warmly expressed his consent to the eventual emigration of Jews through Italy and pointed out that some months ago he was asked by the Allies on a proposed arrival in Italy of 30,000 Jews from Hungary and that he said that he would have no objections at all.[13]

The prime minister also added that he was told about the presence of the Jewish Brigade in Italy during his last visit to the front but failed to meet its members. He assured Nahon of the equality of the Italian Jewish citizens and the sympathy of his government towards the Zionist movement.[14]

On 16 November Nahon met with Foreign Minister De Gasperi. The Jewish newspaper *Israel* wrote on 22 November that De Gasperi showed a profound understanding and sympathy for the Jewish problem and for the Zionist reconstruction in Palestine. The subjects of the interview were the topic of a brief report sent on 19 November by Nahon to the executive of the Jewish Agency. He stated that De Gasperi expressed his certainty that 'any Italian government at any moment, will support the Jewish causes and the Jewish aspirations in Palestine'.[15] While conveying his disappointment at the impossibility for Italy to do anything other than to welcome the refugees, he ended by declaring his friendship and his desire to help in any way that he could.[16]

In its action in favour of illegal immigration, Italy had pursued obvious political objectives, had sometimes revealed a ballast of deep-seated prejudices but had also manifested in certain

politicians, military, journalists, ministerial officials, and intellectuals, an imposition dictated by humanitarian feelings and full of ideal motivations.[17] Toscano quotes from an Italian diplomatic document on 'actual aspects of Zionism' that was concluded, as noted, by the observation on the dramatic and desperate Jewish situation at that time, and may explain the generally genial Italian attitude towards the refugees.[18]

Ada Sereni: 'when the lady in the black dress arrives – a ship is soon to sail'.[19]

Ada Ascarelli was born in 1905 in Rome. She married Enzo Sereni. Both she and her husband were members of well-known affluent Jewish families. They immigrated to Palestine in 1927 and later joined kibbutz Givat Brener. Enzo Sereni was parachuted into northern Italy, as part of the Jewish parachute unit of the British army, on 15 May 1944. He was captured and murdered at Dachau on 18 November 1944. Ada travelled to Italy in July 1945 in search of her husband. Although officially employed as the director of the club for Jewish soldiers in the British army, she was actually working under the command of Yehuda Arazi, the head of the Mossad in Italy, on the clandestine immigration operation. In April 1947 Arazi left for Palestine and Ada Sereni took over as commander of the Mossad. Her assignment to send immigrant ships from Italy included the whole process of purchasing and fitting out the ships, filling them with the maximum number of passengers, hiring the crews, maintaining wireless communication, transporting the immigrants from camps all over Italy, overseeing the embarkments, as well as supervising the clandestine voyages to Palestine.[20] It was envisaged that her task would expand following the strategic decision to switch from small to large ships in order to flood the Cyprus internment camps with immigrants and jeopardize the British White Paper policy, thereby drawing attention to the Jewish plight during the UN debate on Palestine.[21] Her unique modus operandi was the result of her being a native Italian, in command of the language and local mentality. Her view was that the passive support of top Italian officials was needed for the Mossad's immigration activities and her ability to gain such support was new to the Mossad's conduct. Realizing that contacts with low-grade officials in the country were of little use since they were unable to make decisions on their own account, she approached top officials such the commander of the ports authority, the commander of the navy, the navy intelligence commander, and the Chief of Police. She met government ministers, was open with them about her clandestine activities in Italy, and asked for their support. Sereni's strategy was to show ministers how the mutual interests of Italy and the Mossad overlapped rather than to mislead them. She was certain that the Italian government was keen to allow the thousands of immigrants entering its territory to leave the country, but had no way of managing this. Acknowledging that while there was a degree of popular support in Italy for the immigrants and sympathetic people assisting the Mossad, the top government officials were chiefly influenced by their desire to get the immigrants to leave the country. Sereni describes her first meeting with a senior official in Rome, an admiral, who might have agreed to receive her believing that she was a navy widow asking for his assistance. She told him, to his great astonishment, her real name and that she was involved in the clandestine Jewish immigration to Palestine and the need for his help. Her second meeting was with Luigi Ferrari, a Supreme Court justice who was also the Chief of Italian

Police. Ferrari told her that he was ready to help the Mossad, as he believed that the Jews had a right to their own homeland and that Italy would not like to host tens of thousands of refugees who would require employment. Sereni outlined the difficulties encountered on every voyage, and he promised to help them in the future.[22] A unique official letter of support for Sereni was sent by Count Zoppi in the Italian Foreign Ministry, to the new Chief of Cabinet in the Ministry of Treasury:

I introduce to you Signora Sereni … who was in contact with your predecessor … regarding the Jewish refugees in Italy … I would be most gratified if you would listen to Signora Sereni and lend her with discretion the assistance she requires.[23]

Figure 10.1 Ada Sereni

The letter is a reaffirmation of the decision taken at the highest level to assist the Mossad's operations, 'from the prime minister down to the policeman-on-the-beat'.[24]

La Spezia Affair

> By the 63rd hour the deck of the *Fede* was covered with unconscious refugees … Not a sound emanated from the ship tied to the quayside; no moans, no cries … But the silence which pervaded the ship seemed much more ominous than any cries could have been to the crowds of spectators watching the refugees fainting on the deck.[25]

The North Italian port city of La Spezia, where this dramatic and important event in the history of the Jewish clandestine immigration was to take place, was virtually destroyed during the Second World War. When Italy entered the war on 10 June 1940, La Spezia was in the frontline of the battle at sea and as a result the city was heavily bombed. The Allied attacks on La Spezia started on 29 November 1941, when fourteen Royal Air Force Wellingtons launched fire bombs which did little damage to the city. The ensuing bombing attacks by high-altitude bombers, which also carried out raids on Genova and Savona, forced many people to flee to the surrounding villages. The first devastating bombardment of the city, its port and the arsenal took place at night on 13 and 19 April 1943 killing twenty-five people and injuring seventy.[26] On 14 June 1943 King Victor Emmanuel III visited La Spezia to review the damage inflicted upon it, but the worst was yet to come.[27]

Shortly after the 8 September 1943 armistice, there was general confusion and the city was occupied by the Germans almost without a shot being fired. The first German deportation raid on the Jewish inhabitants took place on 30 November 1943 when eight Jews were rounded up and deported to a German extermination camp. Later deportations included anti-Fascists, partisans, draft dodgers and ordinary citizens who were captured in the round-ups.[28]

By the end of the war the city centre had lay in ruins following the Allied bombing, and the population was forced to return to a life of economic hardship and the challenge of rebuilding their city.[29] Adolfo Aaron Croccolo, head of the Jewish community in La Spezia, was born in La Spezia in 1921. In an interview with the author he recalls the war years and the aftermath:

> During the war I was a partisan in the mountains near Carrera. Several Jews were deported from the city and none of them returned. Many people left for the rural areas because of the bombardments of the city and the port. The city authorities were Fascists but the people were sympathetic to the Jews. After the war the people were ‘like brothers and sisters’. During the war about 250 people from the city died, political prisoners were arrested because of their resistance to the regime, and people remembered the sorrow of the war.[30]

The port of La Spezia attracted the attention of Yehuda Arazi, head of the Mossad in Italy. He was planning a new clandestine operation and decided to embark on a large-scale action involving over 1,000 immigrants on a ship departing from a working port instead of a remote embarkation point. He rented the Italian ship *Fede* and using a fictitious company as cover obtained a licence to transport a cargo of salt from the port of La Spezia to Sardinia. The dramatic events that followed the apparently regular clandestine operation in the coming weeks became known as the La Spezia affair. Two main convoys, one from the south of Italy and the

other from the north, were to pick up refugees from a number of camps and meet at a crossroads near La Spezia. Thirty-seven army lorries were 'borrowed' from the two Palestinian Jewish transport units in the British army in Italy to carry 1,014 refugees.[31] The authorities were on high alert following a headline in a local paper warning that hundreds of Fascists and Nazis were planning to seek refuge in Spain by leaving secretly from a Ligurian port. The convoy was stopped on the road leading from the Sarzana village square, the drivers managed to escape, but two of the organizers were arrested. The Italian police soon realized who the passengers were when the Holocaust survivors showed them the concentration camp numbers tattooed on their arms but by that time it was too late to release the convoy. The British were concerned about the involvement of Jewish soldiers in the British army in the illegal immigration operations. Military lorries, escorted by three NCOs and carrying ten days' worth of food rations, were used to transport the refugees.[32] Philip Broad, the political adviser to the Resident Minister's Office in Caserta, informed the Foreign Office about the developments, indicating that the Italians had arrested the Jews on their own initiative.[33] The British embassy in Rome regarded the developments as a sign of Italian cooperation and hoped that the Italians would eventually deport the refugees. Sir Noel Charles, the British ambassador, emphasized this in his report on 5 April: 'I feel that this energetic action on the part of questory of La Spezia is good sign of Italian collaboration for which we asked, though I cannot say that any other result has yet appeared if this be one.'[34] Broad reported a few days later on what seemed like an efficient bureaucratic plan to bring the matter to a close. He wrote that Allied Forces Headquarters would like to interrogate the 'party of Jews' in order to find out how they had obtained British army rations, secured the use of army transport, and how they had entered Italy in the first place. He requested the Foreign Office's opinion and observed that the 'insubordinate party' would have to be put in a camp under armed guard and 'some trouble may be expected as they have already been adopting an extremely truculent attitude'. The Supreme Allied Command was very anxious that any persons found to have entered Italy illegally would be returned to the country from whence they had come. The Allies preferred the Italian government to do this but were not certain if it was possible.[35]

The Foreign Office decided to let the Italians conduct the whole affair but hoped that they would request British assistance.[36] The stage was set for the drama that transformed the international awareness of the Jewish refugees' situation:

> [I]n one stroke [it] publicized the extensive underground activity of the Zionist movement in Europe in general and Italy in particular. For more than a month … the displaced Jews and their Zionist organizers from the Yishuv were a major preoccupation of the Italian administration, the British authorities and the Zionist leadership.[37]

Meanwhile, the refugees embarked on the 650-metric-ton ship *Fede*, but an Italian gunboat was anchored across the *Fede*'s bow, thus preventing her from departing. Yehuda Arazi ,who was planning to organize the refugees to resist, managed to board the ship by posing as one of the refugees, under the assumed name of Dr Yosef de Paz. Moshe Rabinowitz, a 22-year-old man from Palmach, declared himself to be the ship's captain.[38] The Italian press was confused about this turn of events. *Il Notiziario*, which was published in La Spezia, asked on 6 April: 'which mysterious force has organized the exodus of the Jews on the *Fede*?' The paper informed its

readers that the British military police opposed the plan to help the Jews to reach their destination, Palestine. [39]

The second stage of the refugees' struggle for the right to sail with the support of public opinion, was about to begin. On the following morning a British intelligence captain, assisted by a large unit of military police, boarded the ship. He discovered the stockpile of food taken from military depots and decided to confiscate it. Arazi's reaction was furious and dramatic: 'you are confronting a thousand people who represent a thousand tragedies and what do you see? Packages of toast and sardine cans!'[40] He demanded that the British troops and their machine guns should be ordered to stand down from their position in front of a crowd that would soon be out of control, and unable to tell the difference between the British army and the German SS troops. The British intelligence officer chose to disembark from the ship but ordered his men not to take the food.[41]

Many of the city people came to express their sympathy for the refugees but the police blocked any access to the ship. The attitude of the press was also positive now. Aldo Rastani, a young journalist, managed to reach the ship and on 5 April agreed to publish Arazi's message to Italian and foreign leaders, primarily President Truman, calling upon them to release the ship and open the gates of Palestine to the Holocaust survivors.[42]

The next day the Italian gunboat continued to prevent any escape. The British took control of the situation against the wishes of the Italians. Major Hill of the intelligence corps sent Arazi an order to disembark the people from the boat (at this point the British were planning to take the refugees to Chiavari refugee camp near Genova pending further developments).[43] When Arazi ignored the order, Major Hill sent an ultimatum that unless the immigrants left the boat immediately, soldiers would be despatched to take them off by force. Arazi's reply was that when the first British soldier tried to force the immigrants to leave the ship, it would be blown up. The astonished Major Hill retreated, taking the troops off the ship but sealed off the port area. Jewish guards chosen among the ship's passengers now guarded the gates to the dock, where a sign had been affixed across the gates bearing the inscription 'Porta di Sion' ('the Gate to Zion'). Arazi held daily press conferences. On 7 April a hunger strike by the would-be immigrants was declared. Arazi stated that the refugees would fast until they were released or collapsed. The people of La Spezia stood behind the locked gates in an expression of solidarity. In response to Arazi's speeches they organized a demonstration in front of the District Governor's office to put pressure on the authorities. The windows of the British Area Commander's house were smashed. On the following day a port official asked to visit the ship and it later transpired that he had removed a small but essential part of the engine, to ensure the ship's immovability. On the third day of the hunger strike scores of refugees collapsed, but Arazi declared that the strike would continue until the ship was allowed to set sail. Among the passengers were 150 pregnant women. He warned of possible suicides among the desperate people. Arazi sent another message to the press and the British: 'let us sail, don't let us die here. This is our last despatch'.[44] On 9 April the refugees declared that if they were not allowed to set sail soon, they would start committing suicide. A Jewish American journalist, Mark Mishingrad, who managed to infiltrate the ship by using a small dinghy, publicized these threats, which began to worry the British. [45] The situation on the ship was becoming serious, and the refugees were willing to risk their lives, many of them collapsing on the deck.[46]

Figure 10.2 La Spezia: the Gate to Zion

Figure 10.3 Immigrants celebrate in La Spezia, next to the *Fede* and the *Fenice*

An MI5 report dispatched from La Spezia described the hunger strike, the internal discipline maintained by the 'self-appointed leader', and concluded that the refugees 'have expressed willingness to die for their cause'.[47] At that time the local population's sympathy for the stand taken by the refugees against the British was shared by the government. Prime Minister Alcide De Gasperi, the Admiral of the Italian navy, the Minister of Shipping and many other leading figures sent cables of encouragement.[48] A headline in *L'Unita*, the Italian Communist Party newspaper, read 'Hunger on the *Fede*'. It reported that forty-six people had already collapsed but were refusing to drink or eat and intended to continue until the situation had been resolved. A group of agents forced back from the gates the journalists and public who assembled there every day.[49]

On the fourth day of the strike the headline read: 'What to expect?' The hunger strike had started three days ago. None of the men, women or children had eaten any food for sixty-three hours, and they were all starting to suffer the consequences, especially the many pregnant women on board.[50] *Il Notiziario* reported that women and children had been hospitalized, thus drawing attention to the plight of the refugees.[51]

On 10 April a dramatic turn of events occurred when a long convoy of cars brought Harold Laski, the Jewish Chairman of the British Labour Party, accompanied by top Italian officials, as well as the American JDC Director and a number of leading representatives of the Jewish community. Laski was planning to attend the Socialist Conference in Florence and Rafael Cantoni, President of the Jewish Communities of Italy and a senior member of the Italian Socialist Party, acting also on Arazi's request, had begged him to visit the ship.[52] Laski advised the organizers to call a halt to the strike as no government could concede to violence, and leave the ship to a camp prepared for them. He promised to put pressure on the British government to draw up more certificates for immigration to Palestine and implored the leaders not to risk the lives of the refugees. However, Arazi would not relent. In his response, he reiterated the

Zionists' ethos: the only hope for the Jewish survivors of the Holocaust was to return to the promised land – Palestine. They prayed that the British administration in Palestine would relent but in the end only 1,500 immigration certificates were distributed per month. The British army, navy and police stated that they would not deter the Jews who refused to return to the DP camps. Laski declared his sympathy with the refugees and appealed to them to stop the strike and give him time to report to his government. The ensuing negotiations concluded with an agreement that the hunger strike would be lifted for ten days while Laski met with Foreign Secretary Ernest Bevin in order to find a way of getting the refugees to Palestine. In the meantime, the refugees would remain on board, the police would leave the dock, and release any Italians arrested on charges of helping the refugees.[53]

At that point J. M. Martin, Deputy Director-General of the Colonial Office, was taking a firm position, refusing to yield to any anticipated pressure by the refugees:

> We must expect a great deal of hysterical propaganda about this case, to the accompaniment of hunger strikes and *possibly even cases of suicide*; but it seems clearly impossible to contemplate any special relaxation of the system of immigration at the rate of 1,500 a month pending consideration of the report of the Anglo-American Committee.[54]

Martin was, however, ready to agree to the Jewish Agency's proposal to include the La Spezia refugees in the monthly quota.[55] Consultations were still continuing in London. C. S. Shagden at the War Office wrote to Sir Orme Sargent, the Permanent Under Secretary to the Foreign Office, asking for guidance. He expected considerable political difficulties if the Polish Jews were returned to Poland but the only alternative was to release them in Italy, whereupon they would take the first opportunity to immigrate illegally. He asked for instructions to be sent to General Morgan, the British head of UNRRA in Germany.[56]

The struggle of the refugees in La Spezia was given moral support by the Jewish Yishuv in Palestine. Fifteen of its leaders, including two future presidents of Israel, Yitzhak Ben-Zvi and Zalman Shazar, and a future prime minister, Golda Myerson (Meir), declared a hunger strike. The whole community was called to conduct a public strike and a day of fasting was announced. The British government was facing increasing pressure. Colonial Secretary Hall informed Prime Minister Attlee that if a solution was not found while the lives of prominent personalities in the Palestine Labour movement were endangered they could expect pressure from the Jewish Agency, queries in Parliament, and American petitions. However, major interests were at stake – the possible effect on the Arab reaction to the Anglo-American Committee recommendations (scheduled to be published on 30 April): 'The Arabs would feel once more that, no matter what recommendations are made or what decisions are taken, government can always be deflected from their course by Jewish pressure.'[57] The British regarded the ability to stop the sailings as the best way to halt clandestine immigration to Palestine, and if the *Fede* was allowed to sail from La Spezia they could expect similar cases in the future. Another political issue was that if they capitulated to Jewish demands after the Italians had managed to prevent the ship from sailing, there would not be much point in asking for their cooperation in the future. [58]

On 12 April *L'Unita* proclaimed the end of the strike and the negotiations with Laski and praised the tenacity of the refugees that 'resisted the weakening of physical forces with a

constancy and firmness that no one would have supposed exist in them after the long years of suffering under Nazi tyranny'. The paper published a comprehensive article entitled: 'What is Zionism?' which is of interest to us as it gave an overview of Italian opinion at that time. It observed that the struggle of the refugees and the nerve-racking wait for orders from above regarding their fate, may have led many to wonder why these people were prepared to endure with such conviction the long journey to Palestine, and why they believed so blindly, almost desperately, in the need to return, after centuries of absence, to the land from whence their ancestors were dispersed more than 2,000 years ago. The case of the 1,014 refugees on board the *Fede* was not an isolated incident. The British published the Balfour Declaration, which recognized a future Jewish National Home in Palestine, but managed to get it postponed. All the hopes of the Jews who had survived the Nazi massacre and who were disgusted by the thought of returning to their former homes where they knew they would be the targets of anti-Semitism, were pinned on the Balfour Declaration and Zionism.[59] On 13 April *Il Notiziario* published a message sent on behalf of the 1,014 refugees on board the *Fede* that expressed their gratitude to the Italian people, the political parties and in particular the press for their sympathy towards them: 'we will never forget this country and we will remain good friends of Italy'. The message asked for the release of their Italian friends arrested by the police according to the promise of Mr Laski. [60]

The Italian public sympathy towards the refugees in La Spezia crossed all levels at that point, based first on local spontaneous sympathy for the refugees, including by the leaders of the anti-Fascist resistance in Liguria. The Italian Socialist Party, which was holding its national convention in Florence, issued a statement in support of the refugees and their right to sail to Palestine. However, the government officials, both at the local level and in Rome, had to find a way to reconcile their sympathy for the Jews with their subordination to Allied authority and British pressure. The Italians were particularly concerned that the situation would descend into violence, and decided that desperate measures such as collective suicide and the potential international repercussions thereof must be avoided. The Italian authorities thus refused to abide by the British demands and following Prime Minister De Gasperi's meeting on 17 April with Umberto Nahon, they even attempted to persuade the British government to accept the Jewish Agency's demand concerning the number of refugees that would be allowed to sail and the date of their departure.[61]

At Nahon's request, De Gasperi instructed Giuseppe Romita, the Minister of the Interior, that the Italian authorities should facilitate the departure of the refugees. Responding to Nahon's gratitude he said that he was pleased that the attitude of the Italian people and government was appreciated and reciprocated by the Jews.[62] Romita wrote on 18 April to the head of the Allied Commission, Rear Admiral Ellery W. Stone, and asked for a solution to the problem of La Spezia that would be in favour of the immigrants.[63]

Nahon returned to La Spezia to wait for Laski's reply and on 19 April visited, together with Cantoni, Admiral Maugeri, who was in charge of the La Spezia port, and stated that the Italian maritime authorities were ready to give the go-ahead but would not consent to more than 600 people sailing on the *Fede*. It was agreed that the second Mossad-organized ship in the port – the 500-metric-ton *Fenice*, would be repaired and brought to the dock.[64]

Meanwhile, Brigadier Iltyd Clayton, special adviser to the British Middle East Office in Cairo and a known expert in the field, wrote to Sir Walter Smart at the Cairo British embassy asking

for the ambassador's intervention concerning the reported decision of the British government to admit the refugees in La Spezia to Palestine. He warned Smart against the use of this method by Jews and Arabs alike, who might try it to obtain the return to Palestine of all exiled Palestinians including the Mufti.[65] The city's governor Dr Oscar Moccia, visited the *Fede* on 17 April. *Il Notiziario* reported that the Jewish representatives stated that during their enforced stay in La Spezia they learnt about the terrible consequences of the war for Italy, the ruin and destruction of the beautiful city and of the misery of the population. They received many supportive letters that included requests for help for Italian prisoners of war detained in camps in Palestine and the Middle East owing to the lack of means of transportation. They offered their ships as a possible means of bringing the prisoners of war back home to their families after long, terrible suffering. Their ships were fully equipped for the transportation of passengers, and although not luxurious, they were able to carry a large number of people.[66]

On 22 April the Jewish Passover was celebrated at the dockside. Arazi used the ceremony to honour an Italian police officer and a number of immigrants who had refused to break the fast even though their lives were in danger. The entire port was decorated with Italian and Zionist flags and long tables of food and wine provided by the Italian Jewish community. Over 1,000 guests had been invited, including various Italian dignitaries, among them the District Governor, the Police Chief, and the Admiral Commander of the naval base. In his speech to the assembled masses, Arazi offered to transport Italian prisoners of war who were being held in the Middle East back to Italy on board the immigrant ships on their return journey from Palestine, thus disputing the British claim that they could not repatriate the prisoners owing to the lack of transport. His offer and the entire ceremony made the headlines and greatly impressed Italian public opinion. The story was covered by representatives of major international newspapers. Many telegrams of support reached the ship, including one from Italian Prime Minister De Gasperi.[67] The *New York Times* report on 18 April described an intense British diplomacy effort to prevent immigration to Palestine by closing the borders of various countries of the Mediterranean to the Jews. It added from the same source that the British currently had a secret police force working to prevent immigration in Italy by mingling among the refugees in order to find out the details of the organization and especially the location of the embarkation points for illegal immigrants.[68]

On 19 April Laski cabled to request more time for negotiations, and Nahon was officially informed by the British embassy on 24 April that they were authorized to grant 679 immigration certificates to the refugees in La Spezia. Laski cabled Nahon on 27 April urging the refugees to accept the offer. However, the refugees on board the *Fede* told Nahon on the following day that they refuse to divide the group and that if a solution could not be found before 5 May they would depart on that date without a permit. The Italian governor, Dr Moccia, urged Nahon to prevent their unauthorized departure, as in that case the Italians would have to take action in accordance with the instructions of the British authorities, and requested that the refugees wait and avoid such an embarrassment.[69] The negotiations continued and were led by Moshe Shertok, head of the Jewish Agency Political Department. The Agency could not refuse the certificates on offer but Shertok wanted to continue the struggle, as of course did Arazi himself, who informed the Yishuv leaders of his assured victory and his objection to any weakening compromise and that the people on board would not accept it anyway.[70] Arazi knew that any offer to divide the group, so that only part of it was able to set sail using the available immigration certificates, would

result in mutiny. The chairman of the refugee committee Sade cabled to Laski requesting the British decision:

> We have waited patiently for over three weeks on the quay in terribly difficult conditions hoping that the British government decision would be generous. You personally had the opportunity to learn that it is not feasible to divide our group, especially after we have suffered equally during the hunger strike and the hard period of waiting … The Italian authorities have surveyed the ships … have classified them for the transportation of passengers to Palestine … We shall be grateful if you will make all efforts and have the government issue an order for the two ships to sail together, thus avoiding our decision to leave without a permit.[71]

Laski responded that the British government was generous, that the second ship was sure to follow the *Fede*, and that the Jewish Agency in Jerusalem had also agreed to the proposal. He appealed to the refugees' conscience and responsibility for other Jews: 'You only jeopardise the position of other refugees by this reckless attitude. You have a duty to other Jews as well as to yourselves.'[72] The British ambassador in Rome was reporting daily on the developments. He contacted the Secretary-General of the Italian Foreign Ministry and requested that they prevent the ships' clandestine departure. He also learned that the Allied Forces Headquarters did not consider that there was anything more they could do, such as to recover the stolen rations, without the express authority of the War Office and 'action has of course a United States aspect too'.[73] On the following day, Charles reported that he had been assured that the Italian Ministry of Marine 'will take all necessary steps to prevent departure of the ships short of shooting'. However, Nahon informed him that contrary to his advice the refugees had turned down Laski's offer. They were determined to travel in one party and stated that any use of force to divide them would 'lead to serious trouble'.[74] Charles commented that the Jews were as determined as ever to go to Palestine and were beginning to lose confidence in the Jewish Agency's will or power to help them; he thought that they would attempt to depart on 5 or 6 May. In his view the situation might lead to 'incidents, including loss of life' as well as embarrassing publicity for the British. In this delicate situation *the Italians were not to be trusted*: 'It is not possible to feel much confidence in the preventive efforts of the Italian authorities whose heart cannot be in the job whereas the Jews are in reckless mood.' In addition, the Allied military authorities would intervene only in the event of possible danger to the ship, and should the Jewish immigrants attempt to set sail without a captain, there was the risk of another *Patria* disaster.[75] On the following day, Charles warned the Foreign Office again that any attempt to persuade the refugees to split into two groups was doomed to failure. He noted that the publication of the report of the Anglo-American Committee had confirmed the people's expectations: 'We shall all get in eventually, why make us wait here when we could start tomorrow'. He advised that the risk of that the ship would set sail illegally had increased and that the British would not be able to rely on Italian assistance: 'Italian naval authorities in La Spezia are, moreover, showing reluctance to carry out their instructions and I cannot exclude the possibility that they will privately give the Jews 'green light' and afterwards say they had been told that all is in order.'[76]

The negotiations continued. The head of the Mossad, Shaul Meirov, arrived in Rome and conducted the negotiations with the British embassy from behind the scenes. The Jewish Agency

suggested that all the refugees depart at the same time but that they disembark in Palestine only after 15 May, in order to benefit from the new immigration quota for May–June.[77] Laski wrote to Colonial Secretary George Hall urging him to accept the proposal, also in order to avoid unwanted incidents before the final statement of the government on the (Anglo-American) report and he hoped that it would create goodwill: 'I do not think it can possibly do harm; and I see immense good emerging, especially at this time, from a generous gesture by the Colonial Office.'[78] The British agreement to the proposal arrived on 5 May: 'No repeat no objection departure of whole party provided you can give assurance on behalf of Jewish Agency that they will not reach Palestine before May seventeenth repeat seventeenth stop.'[79]

On the day of departure, 8 May 1946, the people of La Spezia came to bid the refugees farewell, speeches were made, and Arazi thanked the authorities and the local population, adding his hope that in future La Spezia would become an embarkation port for many thousands of refugees.[80]

However, there were also lessons to learn, as all those involved had to recognize their confines:

> For both sides the affair was an instructive lesson in the limited power of force and the great power of weakness. The British learned, for the first time in their war against Jewish clandestine immigration, about the limitation of the force they could use when faced with survivors of Nazism. This first direct confrontation also demonstrated to the British and even more to the Zionists, the psychological-political and propaganda power embodied by the refugees.[81]

The Palestine High Commissioner, General Cunningham, tried to influence the decision until the last moment. Colonial Secretary Hall sent a top secret telegram in response to the High Commissioner and explained to him that Allied Forces Headquarters would not take any military action and in any events it was by no means certain that the United States 'would agree to any such drastic step'.[82] The legal situation as far as the British were concerned was precarious indeed:

> In order to guarantee that refugees who have not be given permission to enter Palestine do not sail from La Spezia the use of considerable force would probably be necessary. The whole party of refugees would have to be arrested and the grounds could only be their illegal possession of military rations (which we have more or less condoned by taking no action for nearly a month).[83]

Still the High Commissioner would not yield. In his telegram to Hall on 4 May, he warned against the suggestion of accepting all the refugees using the 15 May–14 June quota, as it would be apparent that concessions had been made under the threat to sail without the the full quota of immigration certificates or to stage another *Patria* incident. He warned against adverse (Arab) public opinion and suggested that the departure of those refugees without valid certificates should be delayed until a new quota had been issued.[84] However, it was too late, and both ships duly arrived in Haifa at 00.30 on 19 May with 1,014 Jewish immigrants on board.[85]

As to the future consequences, the head of the Mossad, Meirov, forced Arazi to accept the

principle of immigration certificates; the British tightened up their security in Italy's north-western ports, as the Italians and the British had opposing interests and the Mossad managed to use this to its advantage.[86] The La Spezia affair could not, however, be viewed entirely as a cause for celebration. There was also the growing harsh and bitter sentiment in the Yishuv concerning the fate of the Jewish refugees in this affair, and in general, as described in the Labour movement daily, *Davar*:

> It could have been otherwise … The remnants of the Jewish people can come to settle in their homeland, not despite the wishes of the British authorities, but rather with their consent and assistance. The world would not look to them like a confederation of murderers and hypocrites, as it does today. It could have been otherwise but, it was not, the world is still hell. The *Ma'apilim* of the *Dov Hos* and the *Eliahu Golomb* [the Hebrew names of the two ships] have had to undergo all the trials of the oppressed Jews and then they had to taste the experience of La Spezia, with their hunger strike and their forced stay on their boats, in conditions that normal people could not endure, with the imputation that they were Fascists, with the cheerful promises of the president of the British Labour Party and with all that came of these promises until the signal to sail was given.[87]

And a last Italian note:

> I remember the refugees who arrived in La Spezia, I was then in the executive of the local Communist Party, responsible for propaganda and I was a correspondent for *L'Unita* and a partisan during the war. Ninety per cent of the city was in ruins, bombed because of the military port. There was not enough food. I was born near Monte Casino and I know about the suffering and the dangers of war but we suffered much less than the Jews. We wanted to help them, there was solidarity, generosity, not charity. We understood that there are people who were much more in need than us. We were Communists and did not have relations with the British. At that time, there was still a military government of the Allies, the Americans were more sympathetic to us because the British were colonialists and their policy always aimed to balance different interests like in Palestine. In our constitution in Article 11 there was the sentiment of peace, it was written that Italy rejects war as an instrument of aggression against the freedom of other peoples. *We were against war, we wanted peace, and we wanted to do good things* [fare di bene], *we believed in universal justice, not in dirty politics.* [88]

Notes

1 Mario Toscano (2011) 'Italy and the Illegal Immigration of Jews to Palestine 1945–1948: The Events, the Context and the Memory'. *Italy-Israel, the Last 150 Years* (Conference proceedings, Jerusalem 16–17 May). Italy: Fondazione Corriere della Sera, pp. 447–459, cited on p. 451, from an Italian diplomatic document on 'actual aspects of Zionism'.

2 Ada Sereni (1975) *Ships without a Flag* (Hebrew edn). Tel Aviv: Am Oved, pp. 29–31. See also www.palyam.org. Six out of eight boats that sailed in 1945 left from Italy. Out of sixty-six of the Mossad's ships, thirty-five left from Italy.

3 See www.palyam.org. This whole episode was extolled in the most famous poem on Aliya Bet by the prominent poet Nathan Alterman, published on 15 January 1946 in the daily newspaper *Davar* after initially being censored by the British. The poem is in honour of the Italian captain Ansaldo who risked his career and freedom and even his life to take part in the

clandestine immigration: ‘A Speech in Reply to an Italian Captain, after an Unloading Night’. The poet called the clandestine immigration ‘their people’s Trafalgar’. See also Sereni, *Ships without a Flag*, pp. 36–51.

4 Miriam Zachai, (2001) *Abraham Zachai Memorial Book* (Hebrew edn). Israel, p. 78. On the Italian sympathy for the Jews as experienced by a young member of Haganah sent there by the end of 1947: ‘Italy was still in economic and moral dire straits, and her people needed assistance, but above all – *and it must be stressed* – the Italian people sympathized with the suffering of the Jews, and helped them out of *a deep mental urge*, and the wish to make amends for the wrongs of the war and Fascism’. Amnon Yona (2001) *A Mission with no Traces* (Hebrew edn). Tel Aviv: Ministry of Defence Publishing House, pp. 73–74, emphasis in the original. See also Sereni, *Ships without a Flag*, p. 84.

5 Sereni, *Ships without a Flag*, pp. 93–95. She writes that sometimes members of the Mossad sat in a restaurant in La Spezia or Portovenere, not far from the major’s table. The waiters found the situation amusing; all the locals knew about the Mossad’s presence, but did not tell the British.

6 Ibid., pp. 105–106.

7 Sereni, interview on 23 December 1964 by Aaron Keidar, Harman Institute of Contemporary Jewry, Oral History Division.

8 Guri Schwarz (2008) ‘On Might Making and Nation Building: The Genesis of the “Myth of the Good Italian”, 1943–1947’. *Yad Vashem Studies*, pp.1–33, 8–9, cited on p. 9.

9 Mario Toscano (1990) *La Porta di Sion*. Bologna: Il Mulino, pp. 48–49. The Zionist Congress in Basel passed a motion on 22 December 1946, thanking the Italian people for their opposition to the persecution, along with their support for the Zionist cause after liberation. Schwarz, ‘On Might Making and Nation Building’, p. 26.

10 Mike Eldar (1997) *T. T. G. The People in the Shadow* (Hebrew edn). Tel Aviv: Ministry of Defence, p. 239.

11 Toscano, *La Porta di Sion*, p. 53.

12 S. U. Nahon to the Jewish Agency Political Dept., 5 April 1945. Haganah Archive, unit 14-Mossad for Aliya B, file 82.

13 Ibid.

14 Ibid. The Jewish Brigade: In October 1944 the brigade under the leadership of Brigadier Ernest F. Benjamin was shipped to Italy and in November joined the British Eighth Army which was engaged in the Italian campaign under the 15th Army Group. The brigade took part in the Spring Offensive of 1945, and was soon engaged in combat. On March 19–20 1945 it initiated two attacks. The brigade then moved to the Senio River sector, where it fought against the German Fourth Parachute Division. During its 54 days of operations in Italy (3 March to 25 April 1945) the Jewish Brigade suffered thirty dead and seventy wounded. The casualties are buried in the Piangipane cemetery, near Ravenna.

15 Toscano, *La Porta di Sion*, p. 54.

16 Ibid. The Italian position was not easy, however, given that it was affected by the growing pressure caused by refugees entering the country, by the delicate implications of their clandestine departure, the inconvenient role of a defeated and occupied country troubled by difficulties and internal dissensions that manifested themselves on 24 November in the collapse of the Parri government. Ibid., p. 55.

17 Ibid., p. 342.

18 Toscano, ‘Italy and the Illegal Immigration of Jews to Palestine 1945–1948’, p. 451.

19 Sereni, *Ships without a Flag*, p. 123.

20 Lilach Rosenberg-Friedman (2010) ‘Unforgettable Heroine? The Place and Status of Ada Sereni in the Collective Memory’ (Hebrew edn). *Cathedra*, vol. 137, pp. 147–178, 153–155.

21 Fritz Liebreich (2005) *Britain’s Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*. Abingdon: Routledge, p. 74.

22 Sereni, *Ships without a Flag*, pp. 88–89.

23 Eliahu Bergman (2002) ‘Adversaries and Facilitators: The Unconventional Diplomacy of Illegal Immigration to Palestine, 1945–48’. *Israel Affairs*, vol. 8, no. 3, pp. 1–46, cited on p. 14. The letter was dated 8 February 1947.

24 Ibid.

25 John Kimche and David Kimche (1954) *The Secret Roads*. London: Secker and Warburg, p. 136.

26 Umberto Burla (1998) *Storia della Spezia dal Sec XIII ai Giorni Nostri*. La Spezia: Luna Editore, pp. 163–165.

27 Ibid., p.165. Some thirty-four aerial bombings took place in 1943 and 1945.

28 Ibid., p. 169. The association of deportee’s lists 271 men and women including minors. Elsewhere the number of La Spezia citizens deported to Nazi concentration camps has been estimated at over 450, of whom only forty-eight returned.

29 On the Allied bombings of Italy and its effects see in Claudia Baldoli and Marco Fincardi (2009) ‘Italian Society under Anglo American Bombs: Propaganda, Experience, and Legend, 1940–1945’. *Historical Journal*, vol. 52, no. 4, pp. 1017–1038.

30 Adolfo Aaron Croccolo, interview with the author, La Spezia, 16 October 2008.

31 Kimche and Kimche, *The Secret Roads*, pp. 123–128; Yoav Gelber (1983) *Jewish Palestinian Volunteering in the British Army during the Second World War*, vol. 3. *The Standard Bearers: The Mission of the Volunteers to the Jewish People* (Hebrew edn). Jerusalem: Yad Yizhak Ben-Zvi, pp. 650–651.

32 Gelber, *The Flag Bearers*, pp. 650–652; Sereni, *Ships without a Flag*, pp. 65–66.

33 CO 537/1805, 5 April 1946.

34 Ibid.

35 Ibid., 8 April 1946.

36 Gelber, *The Flag Bearers*, pp. 652–653. The High Commissioner of Palestine Sir Alan Cunningham informed Colonial Secretary George Hall of his refusal to provide Hebrew-speaking officers from the Palestine Administration to interrogate the La Spezia refugees who declined to acknowledge any language except Hebrew. He called the refugees' request 'ridiculous' but continued to hope that an interpreter would be found outside the Palestian government. CO 537/1805, 11 April 1946.
37 Idith Zertal (1998) *From Catastrophe to Power*. Berkeley: University of California Press, p. 18.
38 Sereni, Ships *without a Flag*, pp. 62–63.
39 *Il Notiziario*, 6 April 1946. All the newspapers can be found at La Spezia City Archive, available at www.Premioexsodos.it. Excerpts from the newspapers are included in this chapter to provide the Italians' view in real time of the developing events.
40 Sereni, *Ships without a Flag*, p. 65.
41 Ibid., pp. 64–65. The Jewish units in the British army were asked to cut back on their food in order to allocate as much as possible for the refugees on board the ships. Ibid., p. 25.
42 Nana Nusinov (Saghe) (1969) *Walking on the Sea: Clandestine Immigration from Italy, 1945–1948* (MA thesis, in Hebrew). Jerusalem: The Hebrew University, pp. 126–127.
43 Nahon, the representative of the Jewish Agency in Italy, wrote in his report of the affair to the Zionist executive that the Royal Navy's opinion was that to journey on such ships to Palestine was tantamount to suicide, and there were doubts even concerning the ship's planned voyage to Chiavari, a trip of 70 kilometres, which was possible only when the sea was flat calm. Umberto Nahon (1972) 'The 1,000 Immigrants Detained at La Spezia in 1946'. *Bitfuzot Hagolah*, 1972, p. 13.
44 Sereni, *Ships without a Flag*, pp. 67–68; Kimche and Kimche, *The Secret Roads*, pp. 132–136.
45 Gelber, *The Flag Bearers*, p. 657.
46 Kimche and Kimche, *The Secret Roads*, p. 136.
47 CO 537/1805, 10 April 1946.
48 Kimche and Kimche, *The Secret Roads*, p. 137.
49 *L'Unita*, 10 April 1946.
50 *L'Unita*, 11 April 1946.
51 *Il Notiziario*, 11 April 1946.
52 Zertal comments on the indispensability for the Mossad's clandestine operation of some Jewish figures who held senior positions in the Socialist parties, then in power throughout Europe, who wanted to help the Zionist enterprise, at that time led in Palestine by the Socialist movement, and aid the Jewish victims of the Nazis. They saw that as 'continuation of their anti-Nazi resistance activities and as their contribution to the new world'. Zertal, *From Catastrophe to Power*, p. 38.
53 Sereni, *Ships without a Flag*, pp. 69–71; Kimche and Kimche, *The Secret Roads*, p.137; Nahon, 'The 1,000 Immigrants Detained at La Spezia in 1946', pp. 19–22, 24 (report of 14 April 1946).
54 C0 537/1805, 11 April 1946, my emphasis.
55 Ibid.
56 Ibid., 12 April 1946.
57 Ibid.,15 April 1946.
58 Ibid.; Gelber, *The Flag Bearers*, pp. 657–659. Refugees in other Italian camps such as that at Santa Cesarea also joined the strike, and protests were made to British camp commanders. See also in Susanna Kokkonen (2011) *The Jewish Refugees in Post-War Italy, 1945–1951: The Way to Eretz Israel*. Saarbrücken: Lap Lambert Academic Publishing, p. 117.
59 *L'Unita*, 12 April 1946.
60 *Il Notiziario*, 13 April 1946.
61 Zertal, *From Catastrophe to Power*, pp. 21–23; Nahon, 'The 1,000 Immigrants Detained at La Spezia in 1946', p. 25 (report of 15 May 1946).
62 Ibid.
63 Toscano, *La Porta di Sion*, p. 86.
64 Nahon, 'The 1,000 Immigrants Detained at La Spezia in 1946', p. 26. He noted that the leaders were refusing to move a number of immigrants to the *Fenice*, but as the request was made by the Italians and not by the British, they decided to accept it.
65 CO 537/1805, 17 April 1946.
66 *Il Notiziario*, 19 April 1946.
67 Kimche and Kimche, *The Secret Roads*, p. 140. Sereni, *Ships without a Flag*, p. 71.
68 Toscano, *La Porta di Sion*, p. 83.
69 Nahon, 'The 1,000 Immigrants Detained at La Spezia in 1946', pp. 27–29.
70 Gelber, *The Flag Bearers*, pp. 658–660. In his telegram of 21 April Arazi criticized the leaders for not being independent and stressed the seriousness of their struggle and that he did not recognize the quota system. Haganah Archive, unit 14-Mossad for Aliya B, file 86.
71 CO 537/1805, M. S. Sade to Laski, 26 April 1946.
72 CO 537/1805, Laski to M. S. Sade, 26 April 1946.
73 Ibid., 29 April 1946.
74 Ibid., 30 April 1946.

75 Ibid., my emphasis. On 25 November 1940 the Haganah planted a bomb on the SS *Patria* which sank in the port of Haifa, killing 267 people and injuring 172. The attack was intended to prevent the deportation by the British of Jewish refugees to Mauritius since they lacked entry permits. The Haganah miscalculated the effects of the explosion and the ship sank in 16 minutes.
76 Ibid., 1 May 1946.
77 Gelber, *The Flag Bearers*, pp. 659–660. Nahon's cable to Laski, 2 May 1946. CO 537/1805.
78 CO 537/1805. 2 May 1946.
79 Nahon, 'The 1,000 Immigrants Detained at La Spezia in 1946', p. 30. See also Martin's telegram to Rome and Jerusalem, CO 537/1805, 4 May 1946.
80 Sereni, *Ships without a Flag*, pp. 72–73. The ships' names were changed during the voyage to *Dov Hos* and *Eliahu Golomb*, after two deceased leaders of the Yishuv.
81 Zertal, *From Catastrophe to Power*, p. 27. This lesson was not learned as the brutal skirmishes between the refugees and the British soldiers on board some of the ships would prove, culminating in the *Exodus* affair.
82 CO 537/1805, 29 April 1946.
83 Ibid.
84 Ibid., 4 May 1946.
85 Ibid., High Commissioner to Colonial Secretary, 22 May 1946.
86 Zertal, *From Catastrophe to Power*, pp. 41–43.
87 *Davar*, 12 May 1946, quoted by Zertal, *From Catastrophe to Power*, p. 42. Hadari wrote that in retrospect Arazi found reasons for satisfaction because through his actions he turned the La Spezia affair from an operational failure into a political success. The Mossad, having succeeded in getting the 1,014 refugees to Palestine, proved that it could stand up to the British. Venia Ze'ev Hadari (1991) *Second Exodus*. London: Vallentine Mitchell, p. 140.
88 Author's interview with Giuseppe Fasoli (1919–2013) in La Spezia on 17 October 2008. Fasoli was a partisan, a former member of parliament for the Communist party (1963–1972), a member of the city council (1951–1983), and the honorary president of the Association of Combatants and Veterans. The Constitution was enacted by the Constituent Assembly on 22 December 1947 and came into force on 1 January 1948, my emphasis.

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Part 4

The refugees’ struggle against the empire

11 Britain and the Jewish refugees

Resistance and human rights

> I can only suggest that the British Delegation should as far as possible refuse to be drawn into ventilation of the various aspects of the Palestine issue in the Commission. If they are, a good case can be put up for the denial of most 'human rights' in Palestine at the moment.[1]

As noted above, the actual developments in Palestine were far from the diplomatic arena, and while the policy debate and efforts to promote Britain's immigration policy continued, the powers that were involved in the actual immigration on the British and Jewish sides, sustained their operations, mostly conflicting, rarely cooperating, but generally trying to abide by the basic rules of engagement.

The changing circumstances and growing resistance led to a crucial debate concerning the arrest of ships outside territorial waters. This seemed essential to the continuance of an effective naval blockade of Palestine. The Admiralty's proposals of late October 1946 included several conditions that might make it possible to apprehend ships carrying illegal immigrants on the high seas, namely the following: no identifiable master or crew as required by international law; the ship carried no recognized flag; or a former enemy flag, such as the Italian, Bulgarian or Romanian flags (until the signing of peace treaties). The Admiralty sought the authority to divert illegal vessels directly to Cyprus, through the introduction of legislation that would permit the confiscation of ships in Cyprus and the detaining of their masters. The Admiralty also suggested the right to self-defence to justify arrests on the high seas:

> Although illegal immigration did not go so far as to constitute a body of armed men landing for the purpose of an attack or raid, it was considered that such activity created a direct incitement to civil war and even more serious disturbances.[2]

During the British debate on the legal aspects of countering illegal immigration,[3] A. S. Le Maitre, Under Secretary of Staff to the Admiralty, tried to balance the legal requirements with the needs of the navy. According to Le Maitre,

> The full-blooded breach of international usage involved in arresting and diversion on the high seas could not be recommended … [but] … the Lord Chancellor thought there should be no practical difficulty about taking certain liberties with the actual three=mile limit off the coast of Palestine.[4]

He claimed that the navy could get away with it as '[i]t was hardly likely that the master of the

illegal immigrant ship would be able to prove whether he was stopped just outside or just inside territorial limits'. He stated that the precise definition of the three-mile limit could be extended, not by an official ruling but privately by the Commander-in-Chief, Mediterranean Fleet, and by the Vice Chief of the Naval Staff 'and it became the basis for the Royal Navy's subsequent campaign against the illegal immigrants'.[5]

The Cabinet deliberated the Admiralty's suggestions on 10 December 1946 and again nine days later when the Lord Chancellor decided against apprehending vessels on the high seas, as to stop and search these ships was an act of belligerence, which was not permissible in peacetime. Regarding the right to self-defence, this could only be justified by the need for self-preservation. Informally, the Lord Chancellor did not object to the 'peaceful persuasion' of an immigrants' ship to go directly to Cyprus. Three months later, the Commander-in-Chief issued instructions that ships lying up to six miles from the shore could be seized. Stewart points out, however, that eventually ships were being apprehended up to sixteen miles from the shore. In such cases, the Attorney-General for Palestine held that Palestine Municipal Law allowed a ship to be brought in even if it was outside of the three-mile limit. In such an event, the ship was forfeited but the crew were free to go.[6]

Admiral Algernon Willis, Commander-in-Chief, Mediterranean Fleet, was keen to avoid the grave risk of illegal immigrants coming ashore in Palestine and vanishing into the hinterland or even to Tel Aviv. He instructed the Commodore Palestine, A. F. De Salis, on 31 March 1947, that

> an illegal ship is in no circumstances to be allowed to reach Tel Aviv and to ensure this, boarding the necessary number of miles from the shore is authorized. It will be seen … that this distance might have to be as much as 12–15 miles for a fast ship.[7]

However, he admitted that this action could not be covered:

> The efforts to gloss over (for the purpose of court proceedings) the fact that some boardings have taken place outside the three-mile limit have proved abortive … in consequence, the ships will have to be returned to their owners, which is very unfortunate.[8]

The British authorities believed that they were justified in acting against ships which were not flying a recognized flag, as such vessels were not protected under international law. In the case of ships that were flying a flag, the British preferred to ignore this: 'In the final instance, arrests of illegal Jewish immigration ships were carried out on the grounds of expediency, namely that none of the flag states involved was in a strong enough position to complain'.[9]

The rules of engagement

The post-war rules of engagement were affected by the tragic events that had taken place in connection with illegal immigration. The British were aware that they were perceived to be indirectly responsible for the disastrous sinking of the *Patria* and the *Struma* during the Second World War. They were condemned by the Jews for not allowing the immigrants on board these

two ships to land in Palestine.[10] The Zionists were also mindful of British public opinion which limited the potential use of their power. For its part, the Mossad also had to employ self-restraint and avoid unnecessary casualties and it directed its leaders to determine 'red lines' for the immigration struggle.

The British war against immigration was based on comprehensive intelligence work carried out in Europe. This involved scrutinizing the purchase of ships and their preparations for the sailing. Information on potential immigrants was collected and by the end of 1946 a special unit of field security officers had been deployed whose mandate was to question the immigrants when they were transferred to the deportation ships bound for Cyprus. These officials also seized documents and confiscated photographs belonging to the immigrants. Britain established a combined security and warning organization comprising the navy, the coastguard, the Royal Air Force and various military units. On two occasions the British navy was able to render assistance to immigrant ships. The first of these was the *Athina* (later known as the *Rafiah*) that sailed on 26 November from Yugoslavia with 785 passengers on board. However, on 8 December the ship sank near the Island of Sirina in the Dodecanese, and eight passengers were drowned and seven injured. The Jewish Agency contacted the British navy to request its help. The British dropped supplies and on 13 December rescued the refugees and their escorts and took them to Cyprus.[11]

The second ship was the vessel *San Filippe* (later known as the *Moledeth*) that sailed from Metaponto, Italy, on 23 March 1947 carrying 1,568 immigrants. As soon as the vessel set out on its voyage, she started to list heavily. On 29 March the ship was discovered by a British scout plane, not far from Cyprus. She was then followed by destroyers. When the ship started to list at 20 degrees, water poured into the engine room, the pumps broke down, and an SOS call was sent out. A group of British technicians from the destroyers boarded the vessel in order to try to repair the breach. It was found necessary to remove at least half of the immigrants from the vessel immediately. They were taken onto the destroyers and transported in Haifa. Those remaining on board the stricken ship were towed to Haifa on 31 March. They were then deported to Cyprus despite a show of resistance against this move.[12]

Resistance on the ships

In August 1946, when the deportations to Cyprus began, the immigrants started to resist British troops boarding their vessels and they used every conceivable way to avoid arrest. As a result of the growing Jewish opposition, the British authorities devised new ways of boarding clandestine vessels using specially trained military troops. Usually three destroyers were ordered to block a ship's passage, but without using firepower. The actual capture was generally carried out in territorial waters by teams of specially trained marines, using water hoses and tear gas. The rules were laid down by the Tactical and Staff Duties Division of the Naval Staff. They included several operational situations:

1 Outside territorial waters: vessels may be boarded on the high seas, in agreement with the Master and only for the purpose of establishing their nationality.
2 Inside territorial waters: any vessel believed to be carrying illegal immigrants may be stopped and searched. If the suspicion is substantiated, the vessel may be arrested and

brought into the port.

3 Use of force: the use of small arms, according to the principle that minimum force should always be employed, while firing in self-defence is legitimate. The use of ship armament is to be avoided as the cost of human life might be disastrous and can be contemplated only in the unlikely event of the vessel itself employing such armament in an offensive manner, or the security of the boarding ship being threatened by counter-boarding parties.[13]

The Admiralty placed a special emphasis on psychological tactics. Commanding officers were urged to use the period before boarding took place to weaken the immigrants' resistance: 'to break down the moral of the immigrants, to work them into a more reasonable frame of mind and to undermine the authority of their leaders'.[14] The British authorities were determined to stamp out illegal immigration but still respected the principles of law and tried to avoid casualties. In spite of this, ten immigrants were killed during skirmishes on board six ships from 1946–1947. [15]

The fear of an impending major naval disaster led to an appeal by a senior British naval officer to the Mossad in mid-June 1947, several weeks before the *Exodus* affair. Via an intermediary he stated that as the ships were overloaded, there was a real danger that they could capsize, causing hundreds of casualties. He thus requested that the ships use only symbolic resistance without endangering lives. In the following month, however, the *Exodus* was apprehended on the high seas and the British naval forces took control of the ship; although a major naval disaster was narrowly avoided this action did result in many injuries and three deaths. It is noteworthy that in late 1947, following the British announcement in the UN on 26 September of the planned termination of the Mandate of Palestine, the intensity of the immigration battle was somewhat lessened, even if the struggle continued and the British still deported the captured immigrants to Cyprus.[16]

The Jewish rules of engagement were not always aligned, as there were several organizations involved in the illegal immigration. In the first post-war year of clandestine immigration, after some initial successes, it became clear that it was almost impossible for the ships to get past the British patrols and land the immigrants in Palestine. Since the British deducted the number of captured immigrants from the quota, in order for the clandestine immigration to have a practical and political justification, it was necessary to exceed the 1,500 monthly quota, even if the immigrants were forced to spend a period of time at Athlit camp. The main political aim was to resist the British restrictions on immigration and maintain the political and public pressure on the Mandate authorities. In addition, the illegal immigration was likely to promote the Zionist political campaign by drawing attention to the plight of the Holocaust survivors, who were risking their lives on precarious voyages to reach a safe haven while being persecuted and arrested by the British navy.[17] The immigration campaign was mostly funded (75 per cent) by the American Jewish JDC, while the funds collected by the Jewish Yishuv in Palestine provided the rest.[18]

The Mossad's guidelines for its clandestine work in Europe and North America included:

> Secret acquisition of vessels; employing captains and crews, mostly Italians or Greeks, ready to take part in the illegal and dangerous task;
>
> Repairing the vessels and preparing them for the voyage, including the accommodation

of the immigrants, providing food and water;

Concentration of the immigrants in the camps and their training for immigration;

Maintaining radio communication between the European stations, Palestine and the ships at sea;

Establishing secret relations with the authorities and organizations in the countries of transit and embarkation;

Management of the financial network without conventional banking institutions.

According to a rule established by Ben-Gurion, Mossad ships carrying immigrants were not permitted to transport consignments of illegal arms for the Haganah.[19]

The Mossad's ships were expected to make only one voyage, as it was assumed that they would be captured and impounded by the British. Out of the sixty-four ships that sailed during 1945–1948, most were purchased in Europe and about eleven, including the *Exodus* and several other large ships, were purchased in the United States. They were equipped to be able to take the maximum number of passengers, all of whom stayed below deck in order not to attract attention. For this purpose there were sleeping berths that were stacked five to six storeys high, giving each passenger a space measuring 180 centimetres long, 65 centimetres wide and 55 centimetres high. The immigrants endured cramped conditions and inadequate ventilation. They mostly ate dried or tinned food. According to the commander, Yossi Harel, of the *Knesset Israel* ('The Gathering of Israel'), daily rations on board his vessel comprised 300 grams of bread, 100 grams of jam, 150 grams of meat or fish, 80 grams of cheese, and one onion. Apples and some hot soup or porridge were served only to pregnant women or babies. Drinking water was rationed on board this ship to about one litre per person daily. Some ships provided fewer rations and in some cases they were reduced drastically. Most of the vessels carried a medical team and on board the big ships there was an infirmary but their medical equipment was basic and severe wounds could not be treated.[20] The immigrants who chose to take part and were accepted for the clandestine voyages were brought together in special camps to prepare for the hardships of the voyage and to become acquainted with their Palmach escorts. They lived under a strict regime, and their luggage for the passage was severely limited. Secrecy was paramount. The immigrants had to remain within the confines of the camp and their personal documents were removed in order to hide their identities and places of origin. The immigrants were divided into small groups, and some were given jobs necessary for the daily lives on the ship. The most difficult challenge was to command the highly heterogenic groups of people travelling in extremely pressured situations. Daily control was conducted by their own representatives, especially those from the various Zionists political movements, but the overall command was in the hands of the escorts from the Mossad and Palmach.[21]

Figure 11.1 Accommodation on board one of the Mossad's ships

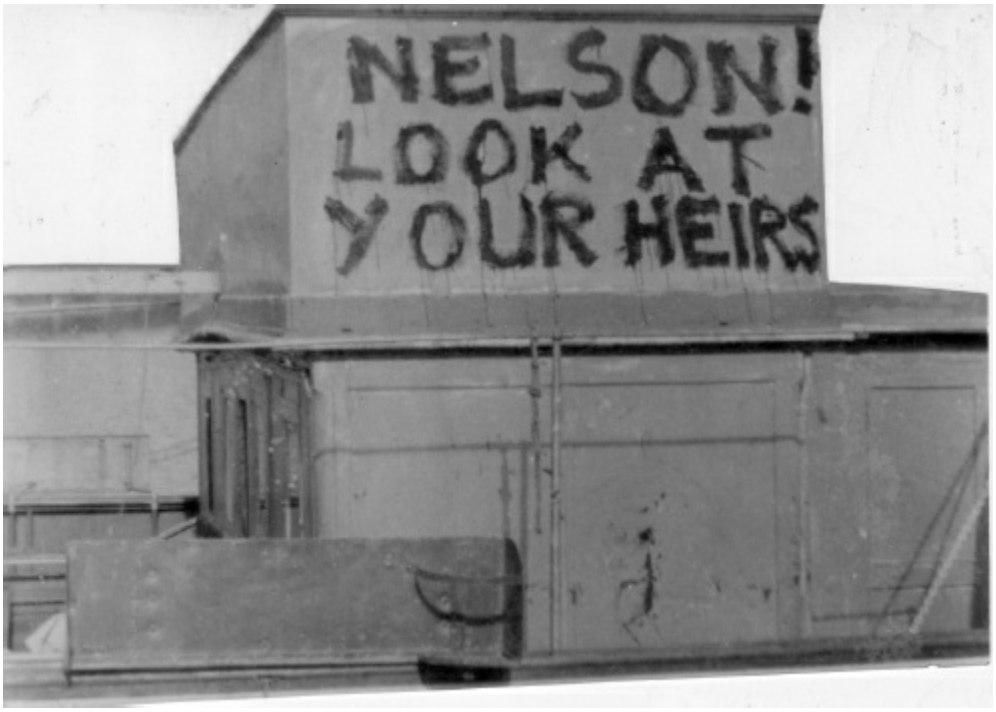

Figure 11.2 A sign on the *Knesset Israel*

Decisions concerning passive or active resistance to boarding and arrest were expected to change according to several conditions. These included the composition of the group of immigrants on board (children, pregnant women, or organized groups of trained young pioneers); the estimated British reaction; internment in Athlit camp in Palestine, deportation to Cyprus or refoulement; the availability of deportation ships; and finally the attitude of the individual Palmach and Mossad escorts and commanders. The rules of surrender were clear:

> The escorts had realized early on that it was not lack of food, water, or beatings by marines and sailors and the application of water jets that would force them to order abandonment of the shipboard struggle, it was the tear gas inserted into the confined holds of the vessels that endangered children and babies lives, which nearly always led to surrender.[22]

There was an ongoing argument concerning the extent of resistance. The Mossad, whose officers usually commanded the vessels, were members of Ben-Gurion's relatively moderate labour party – Mapai (Mifleget Poalei Eretz Israel — Land of Israel Worker's Party). They abhorred violent confrontations that could endanger the lives of the immigrants and were more concerned with the political effects of the clandestine immigration operations. The Palmach and its naval branch, the Palyam, who supplied the young escorts and radio operators, followed an activist approach and were eager for armed confrontations with the British forces. Palmach Commander Yigal Alon viewed the resistance as part of the limited military activity allowed by the political leadership. He was determined to continue the resistance, stating that victims in such a struggle would be like soldiers fighting a war. The Palyam also conducted several attacks on British deportation ships and other naval targets in Haifa. The question of resistance and its significance was debated

in the Yishuv but the political leadership was reluctant to stop it, recognizing its value in affecting public opinion in support of the survivors and the Palestine problem in general. In certain cases, the ship's commander was ordered to show only passive resistance. The immigrants did not take part in the decision making but acted as disciplined soldiers obeying the orders of the ship's escorts, viewing them as representatives of the Haganah and the Yishuv. The resistance was usually carried out by the young people who were organized in the youth movements. The rules were determined by the Mossad and the Palmach, with the general authorization of the top political leadership. The Mossad expected the level of resistance to reflect each ship's circumstances. They wanted press coverage of the voyage and even allowed some journalists to travel on board their ships. They tried hard to avoid casualties which could work against the whole immigration project given that the passengers comprised civilians who were endangering their lives by sailing in old, unseaworthy ships.[23] The revisionists' youth movement Betar, which was unofficially affiliated with the Irgun, managed to launch only one vessel successfully during the post-war period, the *Abril* (later known as the *Ben Hecht).* They refused to accept the Jewish Agency's authority, rejected the Mossad's guidelines and conducted the voyage secretly, in the manner of a smuggling operation. Their second ship, the *Vrissi*, was blown up in an Italian port.[24]

Figure 11.3 Zvi Yakobovitz, aged 15 years, killed on board the *Exodus*, 18 July 1947

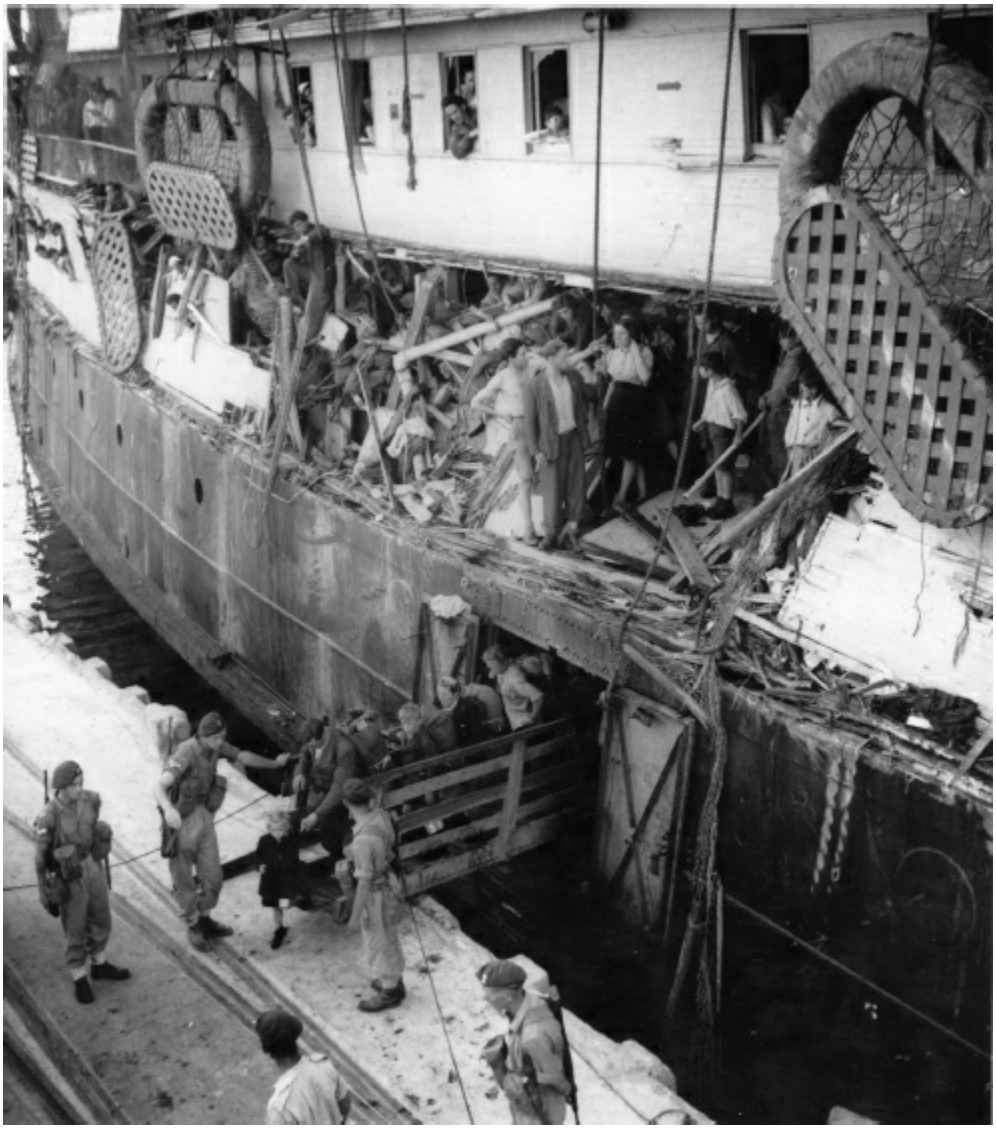

Figure 11.4 The *Exodus* in Haifa after the battle

Figure 11.5 Yossi Harel

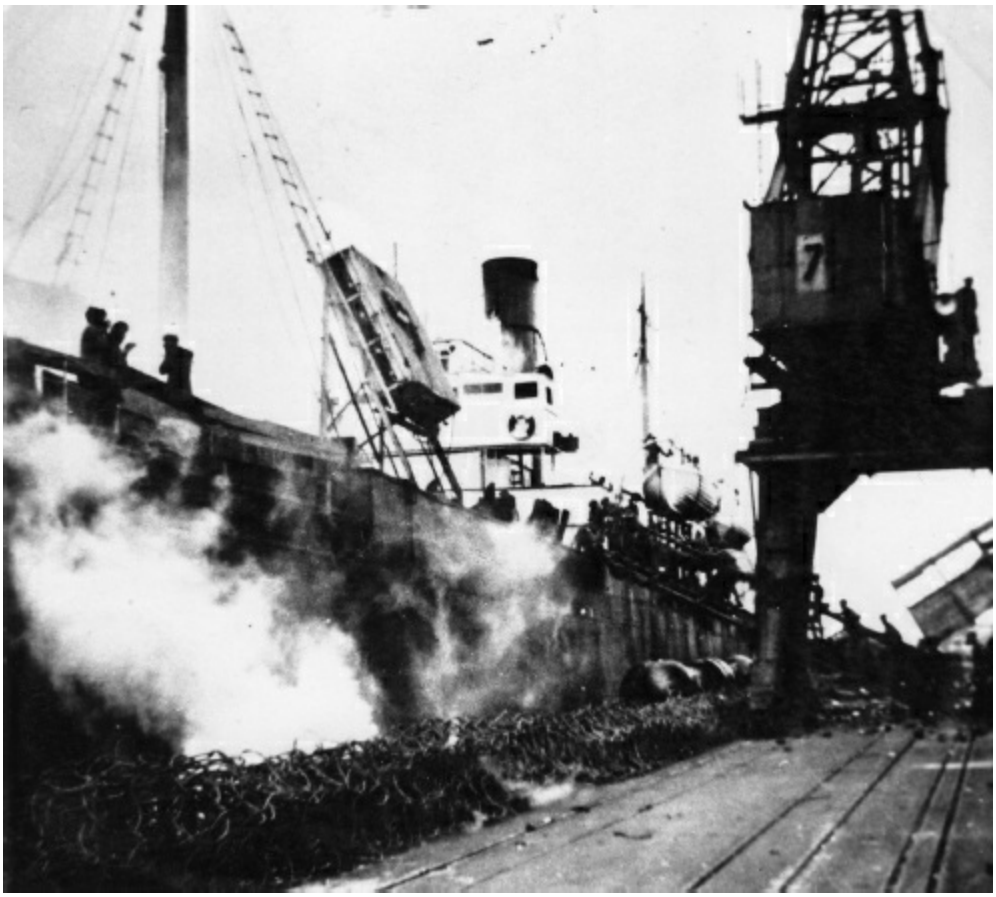

Figure 11.6 The *Knesset Israel* under tear gas attack, 26 November 1946

We can draw a timeline showing the three phases in the development of the conduct of the illegal immigrants:

Phase 1 November 1945 – May 1946: passive submission.
Phase 2 June 1946 – August 1946: reluctant submission.
Phase 3 August 1946 – May 1948: energetic resistance from time to time, but not invariable, using every means of resistance except firearms.

In the unique case of the *Pan York* and the *Pan Crescent*, each of which was able to carry more than 7,500 immigrants, the Jewish Agency and the British authorities agreed, following considerable American pressure on the Agency, that the ships would sail directly to Cyprus and not resist internment when they landed on 1 January 1948. The naval force that was to have engaged them on the high seas comprised no less than seven cruisers, seventeen destroyers, eight frigates and six minesweepers. [25]

The crucial internal argument in the Haganah on the extent of the resistance offered, is described in detail by Hadari, who quotes from his in-depth interviews with three top Mossad commanders: Yehuda Arazi, who led the La Spezia affair; Yossi Harel, the commander of *Knesset Israel* and the *Exodus*; and Ike Aaronowitz, the skipper of the *Exodus*. The interviews present important insights into the frame of mind of the men who were taking thousands of

immigrants on the dangerous journey to Palestine. Arazi opposed an armed struggle initiated by the immigrants on board a ship, fearing that the British might sink it. The right policy was to show the power of the weak:

> Let us say, look, we are illegal immigrants, Holocaust survivors, we want to go to our country. Please don't stop us. If we can make the British angry we can say, the British army is fighting against camp survivors. That would be wonderful publicity for us.[26]

Harel spoke of the extent and limits of resistance to the British forces on board the immigrants' ships, including the well-known debate between him and Aaronowitz on the circumstances of the *Exodus* surrender to the British: 'When the vessel was approaching the coast of Palestine, it was surrounded by ships of the Royal Navy preparing to ram it after the British had signalled that they would halt the voyage at all costs'. Harel considered that in view of the British threat to sink the ship, the lives of 4,500 immigrants were more important than showing 'pride and resolution'. Aaronowitz furiously disagreed and later explained:

> The ship was the battleground between us and the British. We should have fought the battle. After three people had been killed and many injured in the initial resistance on the *Exodus*, Harel's view prevailed and the British took charge of the ship.[27]

Harel also talked about the harrowing experience on the *Knesset Israel* which sailed from Yugoslavia in November 1946 carrying about 3,850 immigrants:

> My position was simply that we had no right to order the immigrants to stand up to the British to a degree that was not expected of us in Palestine. What do I mean? When I received the order to resist on the *Knesset Israel*, there were hundreds of children under the age of 14, including two-day-old babies, born on the ship. The British attacked with tear gas and it was hell. It was completely immoral and I said at the time that if I get such orders they ought to fight like that in the Kibbutzim and the kindergartens in Tel Aviv also. If we are not prepared to fight like that at home we must not expect these Holocaust survivors to do so on the ships.[28]

The exchange of telegrams and later the direct talks conducted on loudspeakers between the *Knesset Israel* and the British destroyers who were pursuing her is of interest in that it demonstrates the human, political-ideological aspects of the extremely violent confrontation that was imminent. The British suggested that the ship sail to Famagusta in Cyprus instead of her declared destination, Palestine, and even offered medical assistance.[29] The response of the ship's commander, Harel, was that his passengers were not ready to substitute concentration camps in Europe for British camps and that they were prepared to endure the unpleasant conditions on board the ship. Paraphrasing the famous speech by Winston Churchill, Harel declared that a free man would not go willingly to a British concentration camp and would fight for the right to live 'on the beaches, the streets and also on the ship'.[30] The response of the destroyer's captain was that England sought to carry on the fight for freedom and was always their friend and the commander must explain the situation to his passengers. The commander of the flotilla then asked to speak directly to the immigrants. He tried to persuade them that going to Cyprus was

their best option. His speech was translated into Yiddish, Romanian and Hungarian, but the immigrants cried ‘Palestine, Eretz Israel’. At that time, the Jewish Agency turned to a legal appeal, hoping to stop the deportations to Cyprus, claiming habeas corpus against the authorities in the name of the immigrants. Harel was under orders to take the ship directly to Haifa and allow the British to navigate it into the harbour there. However, even as the court decision was still pending, British soldiers went on board to transfer the immigrants to the deportation ship. Encountering resistance, they used sticks, tear gas and even shot above people’s heads. The gas spread below deck where the women and children were huddled and Harel gave the order to surrender to avoid the risk to their lives. After three hours there were three deaths, two immigrants and one British soldier, many were wounded, including thirty soldiers.[31] Harel described the gas attack against the immigrants during the struggle with the British:

> Suddenly, a squad of soldiers appeared in gasmasks, before this, they tried using jets of water but had not succeeded because our people had sabotaged one of the engines … they began firing gas canisters at us … people began to cry and choke and our skin was burning … Unfortunately, 12 more canisters fell into the hold, where there were 2,400 passengers. They began to emerge, shouting and choking … it was terrible. I cannot even describe it. We could not see anything, could not breathe and began to pass the children from hand to hand … After 25 minutes they began to drop the canisters into the hold … they even dropped three gas canisters into the stern, where we put the mothers with babies from one to 14 days old … I was sure that the 11 babies would suffocate and I still do not understand how they survived.[32]

Another show of resistance took the form of a major demonstration in Haifa on 13 August 1946 (see Chapter 5 in this volume). On this occasion the British armed forces used live gunfire. This proved the inability of the civilian population to resist the authorities. The immigrants themselves were the *only people* that could be involved in the active resistance on the ships.[33]

The view of the British soldiers of the Sixth Airborne Division, who carried out their duties against the immigrants’ ships at Haifa, was described by the Division’s official historian:

> Although the behaviour of the immigrants from each ship varied, there were several constant factors which were noticeable on all these occasions. One of these was the fanatical and at times, almost pathetic attitude of the immigrants towards Palestine ‘their land’. That may have been strengthened and developed by artificial means but even allowing for the effects of organized propaganda, it was still apparent that *one and all they valued their admission into the Holy Land more than anything else in the world.* The realization of this vital concept by all who witnessed it, made the tragic situation of these would-be immigrants more real and vivid. Perhaps this was why even the bitterest and most unjust accusations and the determined physical resistance, were so soon forgiven and forgotten by the troops against whom they were directed.[34]

Hadari adds that ‘transcripts of the radio messages show that the officers addressed the immigrants with sensitivity in an effort to control them peacefully’.[35] However, the encounters left their mark on the soldiers: ‘a British Admiral reported that the soldiers were deeply depressed by the hatred they aroused, as it was not pleasant for them to use force against

refugees, including women and children'.[36]

The British evaluation of the Jewish principles for resistance was somewhat similar but not identical to the Jewish criteria mentioned above. It was written by P. N. N. Synnott at the Admiralty, who thought that the question of resistance that might be encountered was not determined by the ship's crew or passengers but in Palestine by the Jewish Agency, and probably on an individual case basis. In his view, they would probably weigh up several factors when making a decision:

1 Whether the ship was seen to take on passengers. An early discovery by the British might increase the level of violence later on.
2 The number of available transport ships in Haifa.
3 British pronouncement. For example, reaffirmation of refoulement, would stiffen resistance.
4 The capacity of the ship for resistance, such as speed or difficulty of boarding.[37]

The *Exodus*: the ship, the myth and human rights

The *President Warfield* was built in 1928 as a steamer for excursions in the Chesapeake Bay area. Early in the Second World War it was seconded to Britain under the Lend Lease arrangement and served as a depot ship in Devon. The ship was returned to the US Navy in time for the Normandy invasion. It later sailed to the United States, ending up in the James River 'boneyard' and was acquired by Mossad agents. The British authorities were deeply concerned about this, knowing the ship's large cargo capacity, fast speed and a structure that put at risk naval boarding operations. The ship sailed from Sete, near Marseilles, on 11 July 1947 with 4,450 passengers. It was overtaken and boarded by British warships in international waters following a violent confrontation between soldiers and the ship's crew and passengers. The passengers arrived in Haifa on 18 July, were transferred to three British deportation liberty ships and returned to Port de Bouc harbour in France. They refused to disembark and the French authorities rejected the British requests to disembark them by force.[38] After four weeks in harbour, the deportation ships set sail for the British occupation zone in Germany, arriving on 8–9 September. There the passengers were disembarked, in many cases by use of force and taken to DP camps.[39]

The harsh living conditions of the *Exodus* immigrants on board the deportation ships anchored opposite Port de Bouc were viewed by the Zionists as a deliberate violation of the basic rights of the immigrants. It led to criticism of the British authorities, who were well aware that the ships were not suitable for the transportation of passengers, especially for a long sea journey. About six months earlier it was determined by the Mediterranean High Command that 800 passengers was the maximum number that each of the liberty ships could carry at a time in the transfer from Haifa to Cyprus. Moreover, the Commander in Chief in the Mediterranean had warned that additional passengers could endanger the life and health of those on board and that safety equipment was insufficient for such a large number of people. Yet it was not unusual to load up to 1,500 immigrants onto each of these ships. This led to complaints by the civilian crew employed on the *Ocean Vigour* in January 1947 concerning the unsuitable conditions on the

ship, even on the short trip to Cyprus. They pointed out that with the immigrants on board, the ship resembled 'more of a military prison or a floating concentration camp', a definition that was repeated in descriptions by people who visited the ships after they arrived in Port de Bouc.[40] A Haganah escort who boarded the *Empire Rival* in France dressed as a physician and who stayed on board for the rest of the voyage, describes it as a 'slave ship', with extreme crowding and severe sanitary conditions. Water for 1,500 people, was distributed by only two taps for two hours. He claims that the British closed the sea water taps in order to cause conditions to deteriorate even further and to force the immigrants to leave the ship. A dysentery epidemic spread throughout the vessel and it was feared that a serious epidemic would force the evacuation of the ship. The children were in a particularly bad way, suffering from various infections without the appropriate medicines and in the doctor's opinion, many contracted tuberculosis, due to the conditions on board. The Haganah escort wrote in his testimony about the heroism of the simple people who might have petty arguments in daily life on board but in the critical hour took on the role of representing the entire Jewish people, supported by the Yishuv in Palestine. Another reason was that on arriving in Haifa on Friday evening, 18 July, the immigrants *actually stood on Palestine soil* before being deported *by force*, while their relatives, friends and the people of Haifa watched these scenes from the rooftops. A third reason was the lack of any alternative – *they had nowhere to go*, no means of starting all over again in a hostile, non-Jewish world. There was also their full belief in the Haganah and its emissaries who joined them to share their struggle and difficult conditions, thus leaving their comfortable lives in Palestine.[41] The Haganah representative on the *Empire Rival*, using the pseudonym Gad (Micah Perry, the deputy commander of the *Exodus*), sought to continue the Jewish moral and practical struggle, and accused the British of unacceptable conduct. He wrote to the ship's British commander on 9 August concerning what he described as the criminal behaviour of the ship's command in their efforts to force the immigrants to disembark in France. No protection against the rain was arranged and the passengers, their blankets and belongings were soaked. Even when the Red Cross physician authorized the removal of small children, pregnant women and their families, in order to provide them with a shelter from the rain, the British refused to remove them to the hospital. Gad concluded by stating that the usual British response that those who were not happy with the conditions could leave the ship was inhumane and would not defeat the immigrants who had nothing to lose.[42] In another event, the commander of the *Empire Rival* censored the books brought on board on 14 August and ordered that four books on Zionism were to be burned.[43] Gad wrote again to the commander of the *Empire Rival* on 14 August, this time strongly protesting against the illegality of the British treatment of the immigrants:

> They were attacked on the high seas and are detained in France without any legal process; the conditions on board ship are inhuman, people are sleeping on metal floor, in big halls of 400 without proper ventilation, like prisoners behind barb wire and armed guards. The British authorities used two cases of rubella to raise a diplomatic campaign in order to force the French government to evacuate the ship by force; denying the immigrants the elementary right of any prisoner of war or prisoner to send letters. After one man threw a letter to a passing boat, all the passengers on deck were pushed by brute force to the stifling halls below. It was blamed to be a regime of force, without any legal process. The separation of families, including children, during the boarding of the

> deportation ships in Haifa was the cynical use of the survivors' natural anxieties and despite the request of the Haganah and the Red Cross, the British refused to unify the families by moving people from one ship to another, stating that if they want to meet their relatives they should go ashore.[44]

The British view of the struggle on board the *Exodus* was, as expected, very different. The 'softening up' message to the ship was delivered by the *Ajax* on 16 July, in many European languages. The message was that the passengers would not be allowed to land in Palestine and that the Royal Navy was obliged to implement the law, if necessary by using overwhelming force, so resistance would be useless and could only lead to injury.[45] The capturing of the ship was accompanied by fierce resistance from the passengers, who threw 'missiles' at everyone within range, including smoke bombs and tear gas. They threw jets of fuel and there was even an attempt to set fire to one of the Royal Navy vessels. Some of the passengers used 'cold' weapons, such as axes, whips and sticks, and obstacles made from barbed wire and heavy logs were placed in the way of the boarding party.[46]

At that time, the Illegal Immigration (Official) Committee considered alternative destinations for the *Exodus* passengers and after rejecting a number of suggestions located within the British empire, the Committee recommended the British occupation zone in Germany. 'The view that world opinion was likely to take on Jews being sent to a country which had caused them their worst sufferings was evidently not a factor which weighed much on the Committee.'[47] The Foreign Office notified the military government in Berlin of its decision to transfer the *Exodus* immigrants to Hamburg on 24 August, if they refused to disembark in France (this was to be known as Operation Oasis). Bevin added that they would continue to urge the French government to take back the immigrants who would travel by train from France to Germany.[48] The British embassy in Washington reported to the Foreign Office on the accusations in an American paper *P. M.* against the British government concerning Bill Bernstein, an American volunteer second officer on the *Exodus*, who was clubbed to death in the wheelhouse. Two refugees died of gunshot wounds. An editorial charged the British with murder and claimed that the attack on the *Exodus* outside territorial waters amounted to piracy. The embassy also reported of the interest of delegates of UNSCOP in several points in addition to Bernstein's death: how the British had boarded the ship and whether violence was necessary to size control; whether the passengers had been in possession of arms; whether the ship was outside the three-mile limit when boarded; and whether Jews in the DP camps wanted to go to Palestine.[49]

The British received many letters of protest following the affair, and instructed the embassies to respond to appeals in the appropriate cases. The Foreign Office composed a letter explaining the policy to assist them. It stated that the *President Warfield* was an exceptional case both because of her size and the illicit manner in which the ship sailed from France, and left the British no alternative but to arrange for her return to France. Again the immigrants were portrayed not as refugees but as people who had been encouraged to leave their homes in Eastern Europe, having been selected by the organizers with little regard for humanitarian considerations, who preferred young people and expectant mothers over older people with relatives in Palestine. When they refused to land in France and the French government would not compel them to do so, they were taken to the British zone in Germany, the only place where accommodation could be found at short notice, although this was 'unwelcome to everyone concerned'. The letter

reiterated that the illegal immigrants would be looked after by the British military administration and not by the Germans.[50] While the ships were approaching Hamburg the British prepared for the disembarkation of the immigrants including the plans for press coverage (at the meeting of the Cabinet Illegal Immigration Committee it was mentioned that the press was usually allowed to be present at disembarkations in Haifa, when force sometimes had to be used). Another consideration was the expectation that the absence of the press would harm the British as 'atrocity stories would undoubtedly be spread by the Jews'. It was decided that 'well-disposed members of the press would attend'.[51]

On the Zionists side there was also top-level debate concerning the degree of resistance to be employed by the immigrants on board the *Exodus* when their deportation ships arrived in Germany. In consultations that included Ben-Gurion, chairman of the Jewish Agency, the head of Mossad, Meirov, the head of the Jewish Agency delegation in Europe, Hoffman, and Levin, appointed by the Agency as responsible for the British zone in Germany. While Hoffman and Meirov were in favour of an extreme reaction in the port that would lead to a serious clash with the British, Levin disagreed and insisted that the immigrants had been through enough and that the struggle should not take place on their backs. Ben-Gurion agreed with Levin, saying that it would be unfair to involve the immigrants in a skirmish which might end in bloodshed. Halamish noted that there were other reasons for Ben-Gurion's decision that had to do with work of UNSCOP and its expected recommendation regarding the partition of Palestine and the establishment of a Jewish state in part of it, that had led to a change in the Zionists' order of priorities: 'illegal immigration was pushed slightly to the side lines and it would not have been right for *Exodus* to complicate the positive sequence of things'.[52]

The Illegal Immigration Committee meeting, chaired by Trafford Smith of the Colonial Office, aimed to obtain further information concerning the illegal immigration, and discussed whether it would be possible to interrogate the immigrants. The Foreign Office wrote to the Committee to ask if better intelligence could be obtained from the Jews in Cyprus by introducing special interrogation methods as used with prisoners of war. Beith, at the Foreign Office, believed that such information would be useful both for the purpose of propaganda and for representations to foreign governments. However, the complications were pointed out that 'there would be great difficulty in arranging for special interrogation methods, owing to the lack of reliable Hebrew speakers. Furthermore, any attempt to segregate part of the immigrants in Cyprus might lead to serious troubles there.'[53] The chairman pointed out that in view of the difficulties, and that in two months' time a decision in the UN regarding Palestine might alter the whole problem, he doubted if they should embark on the project now and the Committee resolved to defer the issue after the UN decision.[54]

The future of boarding operations

A document entitled 'Possible Resistance by Illegal Immigrants' analysed the character of the expected Jewish resistance stating that there was no evidence that firearms would be used in any future operation. It pointed to the high level of resistance shown on the *Exodus*, compared to the token resistance in the case of the *Bruna* and the *Luciano* [55] which showed the discipline that animated the immigrants, and the control of policy exercised by the organizers. The writer

strongly emphasized that the resistance would depend mainly on the organizers' estimates of its advantages, either local or immediate, such as giving the ship a chance to escape and beach herself, or long-term and political-like providing material to be used against Britain in world opinion. The Jewish Agency analysed the British intentions, and decided on the level of resistance accordingly. While the *Exodus* was intercepted on 18 July, by 21 July it was known that her passengers were to be sent to France, and on 27 July representatives of the Palestinian government asked the Jewish Agency to call off resistance on the other two ships, assuring them that the passengers would not be returned to Europe, and in the event there was no resistance. In the future the Agency would have to consider resistance in the light of two alternatives: Cyprus or refoulement, and when a policy of resistance is decided upon it would be tough: 'such resistance will be ugliest, bitterest and potentially dangerous when those concerned feel that the price of defeat is return to Europe. Refoulement has brought a much graver possibilities into interception.'[56] The writer comments that resistance can be called off because of political considerations and discipline among the immigrants will ensure respect for such orders. His conclusion concerning the future is clear: 'The future use of resistance is therefore a political problem involving as its most pressing constituent the Zionist opposition to refoulement'.[57]

In a report dated 11 August 1947 the Commander-in-Chief, Mediterranean Fleet, Sir Algernon Willis, briefed the Admiralty about the *Exodus* boarding operation, and attributed its success to factors that might not be present on future occasions: the experienced commanders of the destroyers involved; the boarding ramps built on the destroyers at bridge level that enabled the soldiers to take the the ship by surprise, boarding among the women and children: 'but for this, boarding would not have been successful'.[58]

The heads of the British army and navy discussed the repercussions of the *Exodus* affair even before it was all over. In a personal letter sent by Commander-in-Chief Willis to the First Sea Lord on 26 August he admitted that 'it was so very nearly a failure' and that in his opinion it might be hazardous in the future: 'only a little more resistance and a small development in physical obstruction will make boarding impracticable or at any rate very costly in casualties and damage'.[59] In an official letter, he suggested that a decision should be made on the number of casualties suffered by both the Jews and the British and the level of damage to the navy's ships they are prepared to accept. He stressed the severity of the situation: 'I cannot cope with many more damaged ships, both from the point of view of the dockyard and that of carrying on the work on the Station'.[60]

Following consultations, the Commander-in-Chief, Mediterranean Afloat, sent the Admiralty his instructions concerning the boarding of immigrant ships. He stated his expectation that boarding would continue, even if it involved considerable risk. However, in the event that some doubt exists that the ship could be boarded at all, or only by incurring unacceptable damage and casualties, the senior officer on board should consult his superiors. If time did not permit this, the senior officer 'has discretion to hold off from boarding a ship when he considers the risks too great'. He concluded by stating the need to consider the repercussions of such a decision to the army, the loss of prestige to the navy and the encouragement given to the Jews in general and the organizers of the traffic in particular.[61] In another telegram, the Commander-in-Chief, Mediterranean Afloat, wrote that when the ship was deliberately beached, the navy must do its best to save lives and, if possible, the army should cordon off the beach, assist the survivors ashore, and take them into custody.[62]

Colonial Secretary Creech Jones informed High Commissioner Cunningham of the future difficulties in boarding predicted by the Admiralty, due to improvement in Jewish resistance technology and the expected use of larger, faster ships. Although the instructions to the navy were to overcome resistance, the senior officer had the discretion to not attempt boarding in adverse circumstances. The High Commissioner was asked to state 'whether the effect in Palestine of the failure of the boarding operation would be more adverse than that of a failure to attempt to board at all'. [63]

In a memorandum written by Commander Walter Evershed, Secretary of the Illegal Immigration Committee, he points out, at the time of the *Exodus* affair that although returning to their country of origin might discourage the organizers and the immigrants, the Zionists were not acting logically and therefore 'we cannot count on any of our measures having a logical effect on them'.[64] His interesting and somewhat disputed evaluation was that the organizers spent hard-to-get money on the *President Warfield* that did not profit them in the end and was bound to have a telling effect on their efforts. He also pointed out that the British government had 'incurred considerable odium over the *President Warfield* incident, especially in the United States', but that it might only be a vocal minority.[65] Evershed concludes that any future refoulement must be planned beforehand. In an emergency the immigrants could not be taken to any British colony outside the Mediterranean, since the present transports were not suitable for long ocean voyages and there could be no further use of German ports. Furthermore, the British could not accept the damage to their prestige if they sent the immigrants to Cyprus again having announced their intention to return them to their country of embarkation. He advised caution in future decisions of refoulement:

> Unless therefore we are prepared to receive them in this country in emergency we must in the future be sure that when once we have allowed it to become known that a ship of immigrants is to be returned whenever it came, no hitch can arise to prevent its being carried out.[66]

In his opinion the refoulement policy was the most powerful weapon in the prevention of illegal immigration but that it might transpire that it could only be carried out in Italy. Italy 'is the only country to which refoulement will be politically possible in future … the aim should be to return to Italy any immigrant embarked in that country'.[67] John Beith's opinion was that the policy did have a particularly discouraging effect.[68] In his formal response to Evershed, he balanced both sides of the issue: refoulement did act as a deterrent, but it was correspondingly difficult to carry through. From the point of view of the Foreign Office, it was a problematic and burdensome policy because it involved Britain in a serious dispute with the European countries concerned. It should, however, be implemented in view of the importance of stopping illegal immigration. They should also be ready to accept the immigrants in a colonial territory if a future case of refoulement were to go wrong.[69] Halamish analyses the British refoulement policy in the aftermath of the *Exodus* affair, and finds that the British options were quite limited; the French government notified them that their agreement to accept the *Exodus* immigrants was a one-off gesture of goodwill and definitely not a precedent. The remaining candidates for the refoulement policy were Italy and two Communist Balkan countries, Romania and Bulgaria. In her view, the deportation of immigrants to these countries was rejected for political reasons: it was impossible

to return immigrants to a country that had agreed to their sailing from its shores. In addition, there was a Western policy consideration: 'the British hesitated to send people back behind the Iron Curtain – Jews or otherwise – where the Communist authorities were opposed to their activity'.[70] Another difficulty was imposed by the Montreux Convention of 1936, in the matter of military vessels passing through the Dardanelles. The requirement of a warship to provide notice of its intention to enter the Straits well in advance, would cause considerable delay in the deportation of immigrants from Haifa and was rejected out of hand. As for Italy, contrary to the British hope that France's agreement to accept the returned immigrants would serve as a positive precedent in Italy as well, France's behaviour made it clear that the chances of forcing immigrants to land in Italy were extremely limited. Britain, working to improve its relationship with Italy, was reluctant to take steps that might appear as discriminating. Another obstacle was the shortage of deportation ships. Even before it was known that the *Exodus* immigrants would refuse to disembark in France, the British had decided against implementing refoulement against the next two immigrant ships, despite their ports of exit, owing to the lack of deportation ships. The option of expelling more immigrants to Germany was rejected owing to opposition from the Foreign Office and negative global public opinion. She writes that in the end, the decision was mainly influenced by the commitment made to the military authorities in Germany before the expulsion of the *Exodus* immigrants that this was to be a one-off event, considering that the British interest was to empty Germany of Jewish DPs.[71]

In sum, both sides in the *Exodus* battle had unwritten 'rules of the game', amounting almost to a 'gentleman's agreement'. The British authorities were ready to agree to symbolic resistance on the part of the immigrant ships, if this did not entail risk to human life, and informed the Mossad accordingly, shortly before the arrival of the *Exodus.* All those involved in clandestine immigration were convinced that the British would never sink an immigrant ship and although they did open fire on several occasions in an attempt to overpower a ship,

> no one thought for a moment that this would have been done in an undiscerning manner and at a crowd of people whether on board ship or during embarkation. The immigrants and their escorts appreciated that when all was said and done, *they could depend on the inherent decency of the British soldier and that if one had to have an adversary, a British soldier was better than many others.* [72]

The summary of the British view can be described as mixed feelings concerning their role, as well as the Jewish reaction:

> Even so the activities of the patrol were increasingly brought to the notice of the public. Although when arrest was resisted and violent methods had to be used, the first blows were always struck by the immigrants, friends and relations of naval personnel involved were amongst those who queried whether the Navy should be involved in preventing persecuted Jews reaching their homeland. The activity had inevitable overtones of the recent activities of Nazi organizations. For many years to come there will in some quarters be enduring bitterness and adverse, often misleading, comment. Nevertheless, the Navy's competence and humanity meant that the Service escaped criticism on the scale that might have been reached.[73]

With regard to the navy's duty in terms of its encounters with the immigrants, Stewart's view is that the naval soldiers were facing the toughest and fittest Jews – those who had survived the concentration camps. This could explain their attitudes:

> If the effects of this element seemed unreasonable and untrustworthy, it was because they had learnt guile and the brutalization to which they had been subjected made them determined to overcome what seemed to be unreasonable opposition to travel to a safer homeland.[74]

Their British adversaries were aware of the suffering of the Jews under Hitler, but were antagonized by the immigrants' hostility and the ongoing anti-British campaign in Palestine. Stewart's view is that the soldiers managed to behave in a civilized way:

> Nevertheless, contemporary accounts show that whilst contemptuous of the squalor, members of Boarding Parties remained fair minded, were not given to excessive force and once opposition ceased did what they could to ease the lot of the immigrants, provide first aid and make friends.[75]

Notes

1 A. W. B. Simpson (2004) *Human Rights and the End of Empire*. Oxford: Oxford University Press, p. 342. Minutes of Trafford Smith in the Colonial Office Middle East department in a memorandum written in January 1947 by J. S. Bennett on Britain policy concerning the UN Human Rights Commission, dealing with the fear that international human rights protection can lead to UN supervision of human rights in colonial government. Ibid., pp. 341–342.

2 Ninian Stewart (2002) *The Royal Navy and the Palestine Patrol*. London and Portland, OR: Frank Cass, p. 90.

3 Fritz Liebreich (2005). *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*. Abingdon: Routledge, pp. 112–155.

4 ADM 116/5648. Top secret letter from Le Maitre to the First Sea Lord on the topic of illegal immigration, C.P (46) 463. Ibid., pp. 126–127.

5 Ibid.

6 Stewart, *The Royal Navy and the Palestine Patrol*, p. 91.

7 ADM1/23526, 31 March 1947, cited in Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 128.

8 Ibid.

9 Ibid., p. 152.

10 The *Struma* was being used to transport nearly 800 Jewish refugees from Romania to Palestine. Her diesel engine failed several times between her departure from Constanţa on the Black Sea on 12 December 1941 and her arrival in Istanbul on 15 December. The Jewish Agency appealed to the British government and tried to negotiate a solution that would enable the *Struma* passengers to be admitted to Palestine; however, the British adamantly refused. While discussions continued, on 23 February 1942, with her engine still inoperable and her refugee passengers on board, The Turkish authorities towed the *Struma* from Istanbul through the Bosporus out to the coast of Sile in North Istanbul. Within hours, on the morning of 24 February, she was torpedoed by a Soviet submarine and sank with her all passengers and crew on board. Only one person survived, 19-year-old David Stoliar (he died in 2014). This disaster, which could have been avoided, led to deep animosity in the Yishuv towards the British.

11 See www.palyam.org. Also see Nahum Bogner (1993) *The Resistance Boats* (Hebrew edn). Tel Aviv: Ministry of Defence Publishing House, pp. 86–94. Kimche and Kimche describe the 'shipping room' at the Foreign Office, with its wall-map showing the position of every known illegal ship. These were correlated with reports from intelligence headquarters with the armies in Europe, which were passed on from the special operations room at the War Office. On the basis of these, diplomatic steps were taken to stop the immigrants at the frontiers if possible, or, if that failed, to prevent their embarkation. John Kimche and David Kimche (1954) *The Secret Roads*. London: Secker and Warburg, p. 160.

12 See www.palyam.org.

13 Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, pp. 179–180.

14 Ibid., p.180.
15 Bogner, *The Resistance Boats*, pp. 85–86.
16 Ibid., pp. 99–100.
17 Ibid., p. 51.
18 On the agreement of finance and the relations between the JDC and the Mossad, see Ze'ev Venia Hadari (1991) *Second Exodus*. London: Vallentine Mitchell, pp. 44–54.
19 Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, pp. 180–181. A testimony of an Italian member of crew of his experience on board illegal immigration ships is presented in Mario Giacometti and Daniela Giacometti (2008) *Rotta per la Palestina*. Italy: Mursia.
20 Bogner, *The Resistance Boats*, pp. 70–78.
21 Ibid., pp. 78–84. The escorts learnt in time of the refugees' sensitive attitude towards their meagre belongings, and avoided confiscating documents or photographs, but searched their luggage to make sure they were not carrying any weapons as this was strictly forbidden. Mike Eldar (1999) *T. T. G. The People in the Shadows* (Hebrew edn). Tel Aviv: Ministry of Defence Publishing House, p. 158.
22 Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 181.
23 Bogner, *The Resistance Boats*, pp. 127–137. On the Palmach Commander Yigal Alon activist order to resistance on ships, see also Yehuda Braginsky (1965) *The People Striving for the Shore* (Hebrew edn). Tel Aviv: Hakibutz Hameuchad, pp. 344–345.
24 Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 182.
25 Ibid., p. 194. See also Kimche and Kimche, *The Secret Roads*, pp. 193–212.
26 Hadari, *Second Exodus*, p. 41.
27 Ibid. Aaronowitz described the grave situation on deck of the *Exodus*: 'For a while, the deck was covered with dozens of wounded passengers. Water began to pour in through the crakes in the sides of the ship. The whole wooden structure was in danger of collapsing and causing the death of hundreds of people. We bore a serious responsibility; we could ask for a ceasefire and surrender or else we could continue the fight and reach the shore with hundreds of dead and wounded. Concern for the lives of the wounded passengers and fear that the deck could cave in made us choose a temporary ceasefire.' Ibid., p. 170.
28 Ibid., pp. 41–42.
29 In general when a ship was under British control, medical teams were sent on board from the destroyers who evacuated the wounded to hospitals on shore, as well as providing food and water. Bogner, *The Resistance Boats*, p. 95.
30 Ibid., p. 122.
31 Ibid., pp. 120–126.
32 Hadari, *Second Exodus*. pp. 232–233.
33 Bogner, *The Resistance Boats*, p. 127, my emphasis.
34 R. D. Wilson (1949) *Cordon and Search*. Aldershot: Gale & Polden, p. 111, cited in Hadari, *Second Exodus*, p. 229, my emphasis.
35 Ibid.
36 Ibid.
37 Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, p. 241.
38 Eliahu Bergman (2002) 'Adversaries and Facilitators: The Unconventional Diplomacy of Illegal Immigration to Palestine, 1945–48'. *Israel Affairs*, vol. 8, no. 3, pp. 1–46, cited on pp. 20–21. See also cables on the boarding of the *Exodus* south-west of Gaza, while 'stiff opposition is being encountered'. FO 371/61817, 18 July 1947. By 19 July the navy reported that transshipment had been completed without incident, total number 4,429, of whom twenty-six were in hospital and thirty-four remained on shore; two Jews were reported dead, and a third died in hospital.
39 The orders sent by the War Office to the Commander-in-Chief, Mediterranean Fleet, during the early stages of the conflict on 22 July were explicit: 'Your instructions to guards should include an order *to use whatever force necessary* to deliver illegal immigrants into French hands if they will not disembark without it'. Ibid., p. 23, my emphasis.
40 Aviva Halamish (1998) *The Exodus Affair*. Syracuse, NY: Syracuse University Press, pp. 122–123. The liberty ships were each about 440 feet long and 57 feet wide at their centre. The *Ocean Vigour* carried 1,494 immigrants, the *Runnymede Park* carried 1,409, and the *Empire Rival* 1,526.
41 Bracha Habbas (ed.) (1959) The *Ship that Won* (Hebrew edn). Tel Aviv: Ma'arakhot, pp. 64–69. The first emphasis is mine, the second and third are in the original.
42 Ibid., p. 231.
43 Ibid., p. 240. Among the forbidden authors were Chaim Weizmann, Edwin Samuel, son of the first High Commissioner of Palestine, Herbert Samuel and Theodor Herzl, founder of modern political Zionism.
44 Ibid., pp. 285–286.
45 Stewart, *The Royal Navy and the Palestine Patrol*, pp. 116–117.
46 Hadari, *Second Exodus*, p.173.
47 Stewart, *The Royal Navy and the Palestine Patrol* p. 133.
48 FO 945/762,16 August 1947. The embassy in Paris (Ashley Clark) cabled the Foreign Office, advising strongly against

returning non-volunteers to France, as there was no chance that the French Government would agree to receive them. Ibid., 7 September 1947.

49 Ibid., 7 August 1947.
50 FO 371/61825, 20 September 1947.
51 Ibid., Cabinet Office, 24 August 1947. On the actual disembarkation, with some resistance, see several reports in FO 945/762, dated 8 September 1947 and the following days.
52 Halamish, *The Exodus Affair*, pp. 197–198, cited on p. 198.
53 Illegal Immigration Committee 14th meeting, 22 August 1947, ADM1/2078.
54 Ibid.
55 The *Bruna* (*Yod Dalet Halalei Gesher Haziv*, named for the fourteen people killed during the Gesher Haziv, 17 June 1946, Haganah operation to blow up Palestine's border bridges) left from Migliarino near Lucca, Italy, with 685 passengers, was intercepted on 28 July 1947, and her passengers transhipped to Cyprus and interned. The *Luciano*, named *Shivat Zion* ('Return to Zion'), sailed from Algiers with 287 passengers, was intercepted on 28 July 1947, and her passengers were transhipped to Cyprus and interned. Liebreich, *Britain Naval and Political Reaction to the Illegal Immigration of Jews to Palestine, 1945–1948*, Appendix 3, pp. 271, 276.
56 ADM1/2078. The document is unsigned and undated, but is probably August 1947.
57 Ibid.
58 Ibid., 11 August 1947.
59 Ibid., 26 August 1947.
60 Ibid., 25 August 1947.
61 Ibid., 27 September 1947.
62 Ibid., 27 September 1947.
63 Ibid., 13 September 1947.
64 FO 371/61825, 3 September 1947.
65 Ibid.
66 Ibid.
67 Ibid.
68 Ibid., 10 September 1947.
69 Ibid., 15 September 1947.
70 Halamish, *The Exodus Affair*, p. 254.
71 Ibid., pp. 255–257.
72 Ibid., pp. 92–93, my emphasis.
73 Stewart, *The Royal Navy and the Palestine Patrol*, p. 173.
74 Ibid., p. 174.
75 Ibid.

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12 Conclusion

Refugees as international actors or pawns

During the post-war era human rights considerations were generally treated as secondary to strategic and political interests, contrary to the declared aim of promoting wartime promises of respecting individual rights and humanistic policies.

The British and American governments' realpolitik view mostly disregarded the new role of human rights and the changing normative atmosphere in the world. This viewpoint was brutally manifested in the case of forced repatriations to the Soviet Union and the consent to forced extraction policies.

During the events presented in this book the British also applied unrelenting heavy pressure to Italy, while it was still suffering the devastating consequences of war and its people were almost starving and under military occupation, to compel it to act against its own national interests. The decision makers tasked with handling the Jewish refugees showed little interest in the human side of the problem, and rarely expressed in their numerous telegrams or letters any recognition of the Jews' suffering, nor of their human rights and needs. Faced with the political problem presented by the clandestine immigration, the British did their best to portray the refugees and the organizers of that immigration, the Mossad, in a negative and humiliating light. On the ground, when the actual operations were taking place, efforts were made in a number of cases to avoid the use of extreme force. On other occasions, during acts of resistance and the boarding of immigrant ships, the navy and military mostly carried out their orders rigorously, in spite of the greatly inferior and miserable circumstances of their opponents, and this resulted in injuries and deaths. The most well-known of these cases was the *Exodus* affair, where in addition to the 'usual' detention and use of military force, there was also political pressure to use the legally dubious act of refoulement that led Britain into an international political debacle.

The United States' strategic interests in the region led to it altering its policy with a view to ending British hegemony. In addition, there were internal political considerations caused by Jewish pressure. The initial difference in the American view in comparison to the British policy was influenced by the Harrison report and its immediate implications, primarily the preference given to Jewish refugees in the American zone. The policy developed in several phases:

1 Extensive assistance from UNRRA and especially the activity of the American Jewish JDC, which collected funds in the United States and financed the needs of the refugees as well as playing a major part in the Mossad's clandestine immigration operation.
2 President Truman's initial demand that 100,000 refugees should be allowed to immigrate to Palestine, and the Yom Kippur Declaration that supported the creation of a viable Jewish state in part of Palestine.
3 The politics towards Italy: the United States provided a wide range of economic support but

did not apply what might have been effective pressure against Italian cooperation with Jewish immigration.

4 Despite British requests, the American government did not take severe measures to stop clandestine Zionist operations in the United States, involving the collection of funds, the purchasing of ships, enlisting volunteers, and organizing demonstrations and propaganda.

The Italian approach was influenced by the lack of American support for the constant British pressure, and thus its importance was undermined. The refugees were taken care of by international agencies such as UNRRA and later the IRO, and were clearly using Italy as a stepping stone on their journey to Palestine. The recent historical events of Fascism and the Holocaust, events that had taken place just few years earlier, were jointly embedded in the Italian national psychology and normative approach with the consequence of the unforgiving British treatment of Italy and its military and navy since 1943 and by the 'punitive peace' which they had largely contrived. The Italian humanitarian approach was combined with practical interests: the country's political leaders and diplomats saw the 'Jewish card' as useful for improving Italy's stature and paving its way back to legitimacy and UN membership. The ship builders and sailors were also keen to find work during a time of unemployment, and there was still a strong feeling of understanding and compassion: the border guards felt sympathy for the exhausted women and children and did not want to use force against them; the people in the long-suffering city of La Spezia realized that the Holocaust survivors' experiences were far worse than theirs and so they set out to help them.

The Zionist leaders' view was pragmatic and realistic, as they were working to promote their programme of a Jewish state in Palestine. Shaul Meirov, head of the Mossad, explained the illegal immigration operation clearly as the exploitation of the indomitable power of the immigrants: 'What we were faced with was a "grass roots power", sometime latent, sometime obvious, of people who had no choice. And in the final analysis, we depended on the existence of this non-surrendering power'.[1] However, the British view was that the Jewish attitude to immigration was irrational and they were not ready to reach any compromises with the Arabs on this issue.[2]

According to the historical analysis, immigration was designated to prove the connection between the solution of the problem of the displaced Jews in Europe and the foundation a sovereign Jewish state in Palestine:

> In other words, the operation was *not* a struggle over opening the gates of Palestine and cancelling the 1939 White Paper. The issue was the foundation of a State … The illegal immigration operation was meant to prove the Jewish desire to immigrate to Palestine no matter what … This operation could have embarrassed the British, who were blocking the way of Holocaust survivors to their homeland, by exploiting the moral advantage of the Zionist cause.[3]

'Illegal immigration had become primarily a political struggle against the Mandate … and the capture of the boat with the subsequent detention of the immigrants in Athlit prison camp did not alter this fact'.[4] The refugees had no choice, and the new British anti-immigration policy was doomed to failure even before it was initiated: 'Cyprus was nearer to Palestine than were the European camps; it was therefore to be preferred'.[5] However, apart from strategic considerations

there was a strong feeling of sympathy for the refugees and a real effort to help them to build new lives:

> In seeking to outwit the British, the boys and girls of Aliyah Bet were not motivated by anti-British feelings – some of them were still wearing British uniforms … the notion of a [Jewish] State for its own sake was of secondary meaning for them. Their main motives were deeper and much simpler. They all felt personally bereft. Many were members of families and communities liquidated in a butchery the like the world had never previously witnessed. In rallying some of the survivors and escorting them to Eretz Israel, they were showing an elemental determination to end 2,000 years of Jewish homelessness.[6]

The refugees held a similar view:

> This was displayed just as dramatically by the refugees themselves in their hazardous treks from the death camps, in their willingness to sail in battered, old ships, and their stoical resistance to the boarding parties of the Royal Navy. Their belief in the justice of their cause was often tacitly endorsed by the embarrassment of British personnel as they went about the unpleasant task of catching them and turning them away from the land of their dreams.[7]

The second focus of this book was on the extent to which the refugees, with the help of the Jewish Brigade and later the emissaries from Palestine, sought to regain control of their lives: this mainly took the form of internal organization in the camps through elections and autonomic management. In addition, they made personal decisions regarding their futures and towards immigration to Palestine and took a central part in the difficult and dangerous resistance on the ships:

> As for the immigrants themselves, they knew what was in store for them, but their choice lay in the soul-destroying, degenerating surroundings of the displaced person camps in Germany and Austria, or in undergoing weeks or maybe months of detention behind barbed-wire in Palestine where ultimate freedom was promised to them, they cheerfully took the consequences of falling into the British drag-net.[8]

The third focus of this book was on the individual's place in the collective effort. As we have seen, the refugees did not at first resolve to use resistance but identified closely with the immigration campaign and the Zionists' aims. The human rights of personal autonomy and national self-determination were closely combined. For the British authorities, the issue was political but not personal. As was usually the case , Bevin and his government officials never had to witness at close range the human suffering resulting from the strategies handed down from London. Their Palestine policy did not fail merely because of the tough treatment meted out to the refugees, or because of the violations of the human rights of Jews and Arabs in Palestine itself – this topic being beyond the scope of this book. However, in the post-war Western world, the extent of the force used in order to protect *imperial* interests was no longer fully understood or condoned.

One last word on the refugees. By the end of the war, the refugees' rights were being

recognized, they enjoyed more sympathy and support from the international community, and were largely expected to rebuild their countries. The difference for most of the Jewish refugees was that they no longer had homes but were part of the creation of a new, national home. Thus, they were not mere pawns, rather they may have been transformed, even unknowingly, on the crowded decks of the Mossad's ships – from refugees to nation builders.

Notes

1 Aviva Halamish (1998) *The Exodus Affair*. Syracuse, NY: Syracuse University Press, p. 264.
2 Motti Golani (2011) *The Last Commissioner General Sir Alan Gordon Cunningham 1945–1948* (Hebrew edn).Tel Aviv: Am Oved, p. 323.
3 Halamish, *The Exodus Affair*, p. 265, emphasis in the original.
4 John Kimche and David Kimche (1954) *The Secret Roads*. London: Secker and Warburg, p. 144.
5 Ibid., p. 145.
6 Ze'ev Venia Hadari (1991) *Second Exodus*. London: Vallentine Mitchell, p. 261.
7 Ibid.
8 Kimche and Kimche, *The Secret Roads*, pp. 144–145.

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