

Palestine Immigration Policy

under

Sir Herbert Samuel

**British, Zionist and Arab
Attitudes**

15/12

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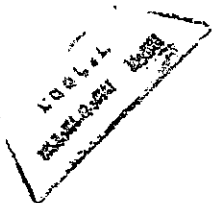
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which made possible the flow of immigration during 1924-1925.

NOTES

¹ Samuel to Weizmann, 20.1.22, C.Z.A., Z4/16146.

² Kisch's notes in his *Diary* p. 130; in P.Z.E. meeting 18.6.24, see p. 130 above.

Appendix 1

IMMIGRATION ORDINANCE, 1920*

WHEREAS it is necessary to make provision for regulating the entry into Palestine of persons desiring to reside there permanently or temporarily.

IT IS HEREBY ORDERED AS FOLLOWS:—

1. Entry into Palestine, either for permanent or temporary residence, shall be regulated by the High Commissioner from time to time according to the conditions and needs of the country.
2. The High Commissioner may appoint a Director of Immigration and other Immigration Officers to control the entry of all persons into Palestine. The Director and the officers so appointed shall have the power to enter on board any vessel or railway train, to detain or examine any person desiring to enter Palestine, and to require the production from such person of any letters, written messages or memoranda, or any written or printed matter, including plans, photographs, and other pictorial representations.
3. Every person who desires to enter Palestine, whether by sea or land or air, must be in possession of a passport or other permit or papers of identity. The photograph of the holder, save in the case of Moslem women, shall be attached to the passport or permit or papers.
4. Every person resident in Palestine at the date of this Ordinance who leaves the country and intends to return shall obtain in accordance with the Palestine Passport Regulations a passport of Laissez-Passer which he shall produce on demand to the Immigration Officer.

* *Official Gazette of the Government of Palestine*, No. 27, 16 September 1920.

5. No person shall enter Palestine except with the leave of the Director of Immigration, or an Immigration Officer duly authorised by him, unless he has been permanently resident in Palestine since the British Occupation or was so resident within a year of the outbreak of war. The Director of Immigration shall refuse leave, unless the person satisfies the following conditions:—

- (a) That he is in possession of a passport or permit endorsed or *visé* at a British Passport Office or by a British Consul or other official authorised to grant *visa* or permits on behalf of H.M. Government.
 - (b) That he has in his possession or is in a position to obtain the means of supporting himself and any dependants who desire to enter with him.
 - (c) That he is not a lunatic, idiot, or mentally deficient.
 - (d) That he is not the subject of a certificate given by a Medical Inspector that on medical grounds to be specified by order from time to time he should not be permitted to land.
 - (e) That he has not been sentenced in a foreign country for any crime for which extradition may be granted.
 - (f) That he has not been prohibited from entering the country by the High Commissioner.
 - (g) That he fulfils such other requirements as may be prescribed by any general or special instructions of the Director of Immigration.
 - (h) Such fee shall be payable by an immigrant on admission as may be determined by the High Commissioner by the regulation.
6. (a) An Immigration Officer or a Medical Inspector may inspect any person seeking to enter Palestine and may detain him provisionally.
- (b) Where leave to enter is refused, the person may be temporarily detained in such manner as the High Commissioner may direct at some place and while so detained shall be deemed to be in legal custody.
- (c) The Director of Immigration or an Immigration Officer duly authorised by him may order that a person arriving on a ship to whom leave to enter is refused shall be removed from Palestine by the Master of the ship on which he arrived or by the owners or agents of that ship,

to the country of which he is a national or from which he embarked for Palestine.

7. Any person allowed to enter shall within 15 days of his arrival in Palestine register at the Police Headquarters of the District in which he resides the particulars set out in the schedule hereto.

This provision shall not apply to persons certified by the Consular *visé* to be travellers, or persons in transit to another country, whose stay in Palestine will not exceed three months from the date of entry. In case any person so certified overstays the period he shall register immediately at the place in which he is resident and shall apply to the Director of Immigration for a permit to stay for a further period in Palestine.

8.

The High Commissioner may make an order in either of the following cases for the deportation, within five years of his entry into Palestine, of any person who has not become a citizen of Palestine, and may by such order require such person to leave and to remain thereafter out of Palestine:—

- (a) If any court certifies that he has been sentenced to a term of imprisonment exceeding one month for an offence under this Ordinance or otherwise, and recommends that an order for deportation should be made in his case.
 - (b) If any Court certifies within one year of his last entry into Palestine that he has been found wandering without ostensible means of subsistence, or has been sentenced in a foreign country for a crime for which he is liable to be extradited.
 - (c) If the High Commissioner deems it to be conducive to the public good to make such an order.
- A person against whom such an order is made may be expelled from Palestine and sent to the country of which he is a national. The order may extend to the dependants of such person.
- The High Commissioner may apply any money or property of such person in payment of the expenses of his journey and the maintenance, until his departure, of himself and his dependants.
- An order made under this article may be subject to any condition which the High Commissioner may think proper. A person with respect to whom a deportation order has been made shall leave Palestine in accordance with the order, and

shall thereafter so long as the order is in force remain out of Palestine.

9. If any person acts in contravention of or fails to comply with any of the provisions of this Ordinance or any order or rule made thereunder, or aids or abets in any such contravention, or harbours any person whom he knows or has reasonable ground for believing to have acted in contravention of [t]his Ordinance, he shall be guilty of an offence against this Ordinance. Any person shall be guilty of an offence if he:
- (a) Refuses to answer any question reasonably put to him by the Director of Immigration of any official acting under his orders or to produce any document in his possession.
 - (b) Makes any false return or false statement.
 - (c) Alters any certificate or copy of a certificate or any entry made in pursuance of this Ordinance.
 - (d) Obstructs or impedes an official in the exercise of his duties.
 - (e) Without lawful authority uses or has in his possession any forged, altered, or irregular passport or permit or other document, or any passport or document on which any *visa* or endorsement has been altered or forged.
 - (f) Remains in Palestine after an order for his deportation has been notified to him.
- Any person found guilty of a contravention will be liable to a fine not exceeding £E.100 or to imprisonment for a term [not] exceeding 6 months, without prejudice to any prosecution to which he may be liable under any other law.

10. The High Commissioner may direct that any person or class of persons shall be exempted wholly or in part, and either unconditionally or subject to such conditions as he may impose, from the provisions of this Ordinance.

Nothing in this Ordinance shall apply to

- (a) Any duly accredited head of a foreign diplomatic mission or any member of his household or of his official staff, or to any duly accredited Consul de Carriere.
- (b) Any member of the British Military, Naval, and Air Forces in uniform and any member of the Civil Government entering or leaving Palestine on duty.

11. The Director of Immigration may with the approval of the High Commissioner issue from time to time any orders or

regulations for the better control of immigration into Palestine.

12. This Ordinance shall be known as the Immigration Ordinance 1920 and shall come into force from 1st September.

Herbert Samuel
High Commissioner
for Palestine.

Government House
Palestine. 26th August
1920.
Ref. 7961/Q.

Appendix 2

INSTRUCTIONS TO CONSULS REGARDING
GRANTING OF VISAS FOR PALESTINE*

With reference to Section XIV. of the General Instructions, the provisions contained herein will henceforth regulate the granting of visas for Palestine, and all previous instructions regarding immigration into that country, including instructions issued by the Foreign Office, are hereby cancelled.

1. Cancellation of previous instructions.

2. The Palestine Administration will issue an Immigration Ordinance establishing a general control over immigration. The Palestine Ordinance will be similar in form to the Aliens Order, 1920, which is applicable to the United Kingdom. A copy of the Palestine Ordinance will be sent to you as soon as possible, and you should pay special attention to this in order that the granting of visas may conform to the immigration regulations.

3. Palestine Immigration Ordinance.

3. In order to proceed with the establishment of the Jewish National Home in Palestine, the Palestine Administration will act in co-operation with the Zionist Organisation. The Palestine Administration will fix the total number and class of Zionists for whom employment and accommodation can be provided over a given period, say one year. The Central Zionist Organisation will fix the proportion who are to proceed from each country, and will

4. Establishment of Jewish National Home.

inform their various branches. You will be authorised either direct by this Department, or through His Majesty's Representative locally, of the total number and class of Zionists to whom you may grant visas for Palestine during the period in question. You should then grant visas accordingly to these who are recommended to you by the local branch of the Zionist Organisation, unless you definitely consider that any particular individual so recommended to you is undesirable. You should distribute the number of visas granted as far as possible equally over the particular period, but generally you should act in co-operation with the local branch of the Zionist Organisation.

4. Zionists may be accompanied by their families.

A Zionist who has been granted a visa under Section 3 hereof may be accompanied by his family, and for this purpose the members of his family shall be deemed to consist of his wife, children, and persons wholly dependent on him, but a separate permit should be required for all males over 16 years of age. Visas may therefore be granted to the members of the family, but in calculating the total number to whom you are authorised to grant visas under Section 3, the members of the family shall not be taken into account.

5. Persons other than Zionists.

In addition to Zionists recommended by the Zionist Organisation as above, visas for Palestine may be granted to the following classes, irrespective of creed or nationality.

- (a) Any person who can satisfy you that he is self-supporting or can produce evidence that he can obtain employment in Palestine.
- (b) Persons of religious occupation, including the class of Jews who have gone to Palestine in recent years through religious motives, and who can satisfy you that they will have means of maintenance there.

* F.O. 371/5184 file B9523/476/44

- (c) Persons in Government services.
- (d) Members of families of present residents in Palestine.

6. Ex-enemy aliens are not to be treated on a different footing from other persons, and they may therefore be granted visas for Palestine provided they fall within any of the classes of persons to whom you are authorised to grant visas under these regulations, and you have no definite reason for regarding any particular individual as undesirable.

7. Special care in granting visas.

You should exercise special care in granting visas for Palestine, and satisfy yourself that there is no known objection to the persons to whom you grant facilities.

FOREIGN OFFICE.

20th August, 1920.

Appendix 3

PUBLIC NOTICE

Admission of Immigrants into Palestine*

New regulations have now been drawn up governing the admission of immigrants into Palestine. Apart from Travellers, that is to say, persons who do not intend to remain in Palestine more than three months, and returning residents. Immigrants into Palestine are divided into the five undermentioned categories:—

- 'B' (1) Persons of independent means who intend to take up permanent residence in Palestine.
- 'C' (2) Members of professions who intend to follow their calling.
- 'D' (3) Wives, children and other persons wholly dependent on residents of Palestine.
- 'E' (4) Persons who have a definite prospect of employment with specified employers or enterprises.
- 'F' (5) Persons of religious occupations, including the class of Jews who have come to Palestine in recent years from religious motives and who can show that they have means of maintenance here.

A person who desires to settle in Palestine must obtain a visa from a British Consul or other British Passport Control Officer whom he will have to satisfy that he belongs to one of the above-mentioned categories.

Members of professions will have to produce their diplomas or other indubitable evidence of qualification in their professions.

Wives, children and other persons wholly dependent on residents in Palestine will be required to produce evidence that their relatives in Palestine are both willing and in a position to support them.

The quickest and most satisfactory method is for the relative in Palestine to apply to the Governor of the district in which he lives either direct or through some person or organisation of a

* Official Gazette of the Government of Palestine, 15 August 1921.

representative character for a certificate in the following terms:—
 'I (AB) hereby certify that (the prospective immigrant) is the wife, child, etc. of (the resident in Palestine) who is both willing and in a position to support him (her). This certificate when completed and signed should be sent to the prospective immigrant with instructions to take it to the nearest British Consul or Passport Control Officer in support of his request for a visa for Palestine.

Much time will also be saved if persons who wish to introduce immigrants belonging to category 4 into Palestine will communicate in the first place with the Department of Immigration & Travel, Jerusalem, stating the name and present address of the prospective immigrant, the nature of the employment offered to him, and the name and address of the prospective employer.

1 August, 1921. ALBERT M. HYAMSON
 Immigration & Travel.

Appendix 4

IMMIGRATION ORDINANCE, 1925*

ARTICLE 2

(2) No person shall be granted an immigration certificate unless he belongs to one of the following categories:—

(A) Persons of independent means, which term shall be deemed to include: *Categories of Immigrants.*

(i) Any person who is in *bona fide* possession, and freely disposes, of a capital of not less than £E.500, and is qualified in a profession or intends to engage in commerce or agriculture; and

(ii) Any person who is in *bona fide* possession, and freely disposes, of a capital of not less than £E.250 and is skilled in a trade or craft; and

(iii) Any person who has a secure income of not less than £E.60 per annum, exclusive of earned income; and

(iv) Any orphan of less than 16 years of age whose maintenance is assured until such time as he is able to support himself; and

(v) Any person of religious occupation whose maintenance is assured; and

(vi) Any student whose maintenance is assured until such time as he is able to support himself.

* GOVERNMENT OF PALESTINE, ORDINANCES 1925.

(B) Persons who are not in *bona fide* possession, or do not freely dispose, of a capital of the full amount of £E.500, but would otherwise have belonged to Category A (i).

Category B.

(C) Persons who have a definite prospect of employment in Palestine.

Category C.

(D) Dependents of permanent residents or of immigrants belonging to Categories A, B and C other than Categories A (iv) and (vi):

Category D.

Provided that an immigration certificate may be granted by the Chief Immigration Officer, at his discretion, to any near relative of a permanent resident who is wholly and directly dependent upon such permanent resident, notwithstanding that he may not fall within the definition of 'Dependant' in the Ordinance.

Appendix 5

JEWISH IMMIGRATION INTO PALESTINE JULY 1920 — APRIL 1921*

Month	With Z.C. Guarantee	Without Z.C. Guarantee	Total
July 1920	413	—	413
August	1105	—	1105
September	1503	—	1503
October	674	116	790
November	1166	18	1184
December	1135	307	1442
January 1921	524	182	706
February	463	178	641
March	1061	188	1249
April	1145	472	1619
TOTAL	9191	1461	10652

* Based on Samuel's reports to Foreign Office and Colonial Office and on Zionist sources, Z/4 1269.