

these sorrowful and devout worshippers were baring their souls in the presence of God. Only a Jew of the Orthodox type can understand the significance of it all. Norman Bentwich has superbly portrayed its meaning:

And if you descend [he says], just after sunset, the dark and narrow cobbled lanes, shut in by stone walls, which lead to the place, and suddenly come across parties of strange figures returning from the Wailing Wall you feel carried as it were into another world. The scene at the wall itself has a poignant sadness; it represents the exile of the spirit, which is a bitterer thing than the exile from the land. Yet this bare fragment marks in a wonderful way the unity of Judaism through time and space, and its abiding spirit. The faces of the whole community of the Diaspora are turned towards it in prayer; and it is this national monument, not the resting-place of an individual, which is the Jew's supremely holy spot. Refusing to recognise in it the symbol of ruin he makes it the corner-stone of regeneration. Christianity and Islam venerate in Jerusalem scenes hallowed by the lives of their two founders. Judaism recognises no single founder and no single prophet, but centres its thoughts and hopes about the old national life and the coming national restoration.<sup>1</sup>

The Wailing Wall is unique in the religious situation of Palestine. The use of this sacred spot is, as we have seen, limited by the terms of Article 13 of the Mandate, which both the British Government and the Palestine Government have interpreted as binding them to maintain the *status quo*. This they have construed to mean that the Jews may bring to the Wall only those appurtenances of worship which they were permitted under the Turkish régime.<sup>2</sup> Since the occupation of the British, there have been several instances when the *status quo* has been brought into question.<sup>3</sup>

Three incidents at the Wall have engaged the attention of the Permanent Mandates Commission and the Council of the League of Nations. The first occurred in 1925, on the Day of Atonement, the most solemn Jewish festival of the year. On this occasion, seats and benches were taken to the

<sup>1</sup> Norman Bentwich, *Palestine of the Jews*, pp. 112, 113.

<sup>2</sup> These statements are also found in the British White Paper. (Cmd. 3229, pp. 3 and 4.)

<sup>3</sup> One early incident called forth a protest from the Jews, when the Waqf authorities undertook to remove the weeds which were growing in the Wall. The Jews objected, on the ground that their rights in the Wall were being violated.

Wall for the use of aged and infirm Jewish worshippers. The Moslems protested to the District authorities, who instructed the police to remove the seats and benches. This was done during the services.

The incident aroused great indignation among the Jews. Ch. Weizmann, then President of the Zionist Organization, addressed a letter, dated May 3, 1926, to the High Commissioner of Palestine,<sup>1</sup> in which he referred to the matter as 'an incident which recently occurred in Jerusalem on the Jewish Day of Atonement, when the police were sent by the District authorities to remove seats and benches placed at the *Kothel Maaravi* (the so-called Wailing Wall) for the use of aged and infirm worshippers during the continuous services held there, in accordance with immemorial custom, throughout the Past.' He further asserted that: 'No complaint is made of the conduct of the police, who carried out their instructions as considerately as possible, nor is it denied that those instructions may have been justified by the strict letter of the existing law.' But, he continued, 'the Executive feel bound to place on record the painful impression caused by this deplorable incident throughout the Jewish world. They earnestly hope that, through the good offices of the mandatory Power and the League of Nations, means may be found of putting an end, by common consent, to a state of affairs which it is impossible to regard without serious concern.'<sup>2</sup>

This letter was sent to the Secretary-General of the League of Nations by the British Government, together with their Observations, dated June 10, 1926. The Mandatory Power commented as follows on the Wailing Wall incident:

The intervention by the police at the Wailing Wall was necessary to prevent a disturbance of the peace between Moslems, who are the legal proprietors of the site, and Jewish attendants who, contrary to long-established custom and precedent, had introduced seats and benches for the use of worshippers. The incident relates to a dispute of long standing between the Moslem and Jewish communities

<sup>1</sup> C. 405, M. 144, 1926, vi. (C. P. M., 9th Session, P.V.) League of Nations Permanent Mandates Commission. Minutes of the Ninth Session, held at Geneva from June 8 to 25, 1926. Annex 6.

<sup>2</sup> *Ibid.*, p. 200.



which, as the petitioners rightly observe, cannot be settled except by common consent.<sup>1</sup>

Mr. M. C. Yamanaka, the member of the Permanent Mandates Commission who had been appointed to report on this letter, made the following statement: 'As regards this question, the mandatory Power shares the Zionist Organization's opinion that a solution can only be found by agreement. I am sure the Commission will be unanimous in hoping that such an agreement will shortly be reached.'<sup>2</sup> When the letter and the Jewish memorandum came before the twenty-sixth meeting of the Ninth Session of the Permanent Mandates Commission, Mr. Yamanaka said, 'that after having heard the accredited representative he had nothing to add to his report.'<sup>3</sup>

The Council of the League of Nations, at its Forty-Second Session, adopted the following statement concerning the action of the Mandates Commission on the petitions received from Palestine: 'The Council approves the conclusions of the Commission and instructs the Secretary-General to bring them to the knowledge of the mandatory Power and of the petitioner concerned in each case.'<sup>4</sup>

The second Wailing Wall incident, discussed by the Permanent Mandates Commission, occurred on the Day of Atonement, September 24, 1928. A screen had been set up the evening before, for the purpose of separating the men from the women, in accordance with the Talmudic Law. The Deputy District Commissioner received a complaint from the Mutawali of the Abu Madian Waqf that the screen had been fastened to the pavement adjoining the Wall, and also that additional petrol lamps, a number of mats, and a tabernacle or ark much larger than those ordinarily used had been brought to the Wall for the services. He visited the Wall during the evening service and gave instructions to the

<sup>1</sup> C. 405, M. 144, 1926, vi. (C. P. M., 9th Session, P.V.) League of Nations Permanent Mandates Commission. Minutes of the Ninth Session, held at Geneva from June 8 to 25, 1926, p. 202.

<sup>2</sup> *Ibid.*, p. 227.

<sup>3</sup> *Ibid.*, p. 182.

<sup>4</sup> League of Nations Official Journal. Minutes of the Council, Forty-Second Session, held at Geneva from Thursday, September 16, to Monday, September 20, 1926, p. 1233.

# THE HOLY LAND UNDER MANDATE

BY  
FANNIE FERN ANDREWS

*With Illustrations*

VOLUME II



BOSTON AND NEW YORK  
HOUGHTON MIFFLIN COMPANY  
*The Riverside Press Cambridge*  
1931