

Ch. VIII Second Aliyah and Ottoman Governmental Policy 1904-1914

Having set out in the previous Chapter the wider political context within which Jews and Arabs confronted each other immediately before World War I, the present Chapter sets out the roots of the substantive components of that confrontation.

Section 1 describes the characteristics and motivation of the Jewish migrants, and their lack of capital and skills.

Section 2 The Ottoman central and local governmental structure is described and the attitude of the administrators and local centres of power toward this Jewish immigration is examined.

Section 3 sets out the economic and cultural factors which formed the initial framework for the conflict over land acquisition and labour-employment.

The initiation of World War I hostilities in 1914 changed the dynamics of this confrontation from what was essentially a domestic issue for the Ottomans to one in which the Great Powers saw for the first time their interests being affected by Arab-Jewish relations. Nevertheless, while the basic roots of the domestic conflict still remain, they created radiations of international concern which cannot be understood if divorced from their source.

1. The Ashkenazi European Immigrants of the 2nd Aliyah

a. Characteristics and Ideological Motivation

The character and ideology of the Second Aliyah (1904-1914) was different from the two earlier waves of immigrants. The very early Jewish settlement, known as the "First Yishuv" (covering the period from the destruction of the second temple in 70 CE until 1881), was motivated by a desire to return from exile in the Diaspora to resettle in Eretz Yisrael for purely religious reasons. It was urban in character and centred mainly in Jerusalem, Tiberias, Sefad and Hebron (**see Chapter IV**

section 3.c) [please insert a hyperlink **HYPERLINK WILL BE INSERTED BY WEB EDITOR**]. The First Aliyah immigrants of the "New Yishuv", estimated between 20-30,000 souls, emigrated from Czarist Russia and Rumania between 1881-1882 ; they were motivated by their will to escape from European anti-Semitism and a desire to return to and redevelop the 'Land' to its full agricultural potential. But both the First Yishuv and the First Aliyah were heavily dependent financially on philanthropic support from abroad. Those from Russia relied upon donations collected by emissaries (*shlihim*) who maintained connections with the towns and villages of their birth, while those from Rumania depended on the financial investment, technical and administrative support given by the Rothschilds and other Jewish philanthropists who established the private farm colonies (*moshavot*), such as Petach Tikva and Rishon-LeZion, (see earlier **Chapter V sections 2 and 4**) [hyperlink **HYPERLINK WILL BE INSERTED BY WEB EDITOR**].

The Second Aliyah, composed of some 40,000 Jews, and like their predecessors, were mostly members of the lower middle class, in the path of whose progress increasing impediments were being placed. They included craftsmen, office workers, and graduates of universities and Talmudical colleges. Their migration was motivated by two major events:

- the formation of the ideologically non-Zionist Jewish Socialist *Bund* in 1897. This movement arose in response to a call to participate in organisations of a social character, and especially to abandon the traditional European Jewish negative attitude towards manual labour and to engage in productive occupations; and
- the outbreak of two days of mob violence in April 1903 directed against the Jewish community of Kishinev, the capital of the czarist province of Bessarabia, (today's Republic of Moldova). The riot was provoked by rumours

spread through the town that a Christian had been killed by Jews in a ritual murder. When the outbreak was over 49 Jews were dead, 500 were wounded, 1,300 homes and businesses were looted and destroyed and 2,000 families were left homeless. News of the event, flashed around the globe by modern communications sent waves of shock across Russia and mass protest rallies were held in Paris, London and New York. Western governments protested the apparent complicity of the czar's police, who had refused repeated pleas to intervene.

(<http://www.forward.com/articles/8544/kishinev--the-birth-of-a-century/#ixzz1qQYSgQbc>)

The pogrom served as the forerunner of many other anti-Semitic attacks which occurred subsequently throughout the Russian Empire and was the spur which compelled Herzl (who died in July 1904) and the Zionist Organisation (ZO) to consider the search for a Jewish homeland even outside of Eretz Yisrael.

(Y. Khaver, *April 1903: The Kishinev Pogrom*
<http://www.midstreamthf.com/200304/feature.html>)

In character and ideology this Aliyah also differed from that of the earlier migration, particularly in four spheres, all of which had an impact on Arab-Jewish relations:(i) socialism (ii) Hebrew replaced Yiddish as the language of communication and (iii) security and self-defense and (iv) of great importance, the employment of Arab labour;

i. Socialism

Many of the Jews from Eastern Europe who formed part of the Second Aliyah, especially the youth, were attracted to socialism as it developed in Western Europe for a variety of reasons. These included the adoption of "brotherhood and equality among men as a main plank in the building of a "just society." Others saw socialism as a reply to Anti-Semitism and as a way of escaping the smothering environment of the ghetto. The writings

of Ber Borochov, a founding member of the World Confederation of Poalei Tziyon ("Workers of Zion") in 1907, provided these immigrants with an ideological framework for Socialist Zionism derived from classic Marxian theory. According to Borochov, economic forces alone did not determine history and that each people was subject to unique national conditions. The Jewish problem, for example was based on the fact that

the Jews, being guests everywhere, were never fully integrated into the class structure of their society.... The Jewish class structure formed an "inverted pyramid" with fewer real proletarians and more professionals, intelligentsia and people engaged in non-essential consumer production... As economies developed, native populations produced their own professionals and intelligentsia, and competition for jobs in all spheres intensified. This generated antisemitism, because native populations coveted the jobs and positions of Jews, and it forced Jews to migrate from country to country, in a "stychic process"

Ami Isserof, "***Ber Borochov: The Economic Development of the Jewish People 1916***" http://www.zionismontheweb.org/ber_borochov_Economic_Development.htm

Socialist Zionism
http://www.jewishvirtuallibrary.org/jsource/Zionism/Socialist_Zionism.html

Because they were prevented from owning land and in engaging in normal pursuits, Borochov argued, Jews tended to congregate in non-essential, peripheral occupations such as commerce, the professions, consumer goods manufacturing and finance, all of were considered by classical Marxists to be non-essential and "nonproductive" as opposed to agriculture and basic and heavy industry. Borochov believed that Arab and Jewish proletariat would have similar class interests, and would develop a common front in the class struggle. As will be demonstrated in Chapter IX, this ideology did not fit the reality of Palestine before WW I, where Arabs were competing with Jews for jobs. Nevertheless his socialist Zionism held out a strong appeal, especially to the youth who were viewed as individual 'pioneers' and as a collective group known as the 'Workers Aliyah.'

The Zionist socialist movement does not appear to have made any great attempt to bridge the gap between themselves and the Arab *fellah*. Indeed there is some evidence to support the claim that First Aliyah migrants, being more conservative, mature and having also the benefit of the influence of Baron Rothchild's organisation to support them had better relations with the Arab *fellah* and the Ottoman authorities. In contrast, the younger inexperienced Socialist immigrants who did not have such support when confronted with Arab opposition also had to contend with the fears of the Arab *effendis* and urban notables who saw in the Jewish socialist movement a threat to their own social, political and economic standing in relation to the *fellahin*.

Yuval Ben-Bassat, *Proto-Zionist-Arab Encounters in Late Nineteenth-Century Palestine: Socioregional Dimensions*, Journal of Palestine Studies, Vol. 38, No. 2 (2009), pp. 42-63; Emile Marmorstein, *European Jews in Muslim Palestine*, vol 11, No.1 (Jan 1975) Middle Eastern Studies, pp 74-87

ii. Hebrew as the Language of Social Discourse

In this Aliyah, the European immigrants, especially the young, wanted to abandon Yiddish and replace it with Hebrew as the medium of daily communication. While Hebrew as the language of Jewish identity and used in religious observance, it was not seen originally as crucial central to Jewish to nationalism. There was a growing sentiment in the Zionist movement that had Hebrew had to be adopted if its nationalist objectives were to be attained.

For the secular settlers of this Aliyah, Hebrew and Hebraic culture would become the norm in their newly chosen home whereas, Yiddish was associated with the impoverished masses left behind in the ghettos and had to be discarded as being as too "Jewish." Hebrew was

to be retained but reinvigorated - not the language of the Talmud which dealt with 'tribal sectarian' matters irrelevant to the contemporary needs of immigrants in their new land.

Significantly, the language of the host country, Arabic, was not to be adopted as it would have been were the new immigrants desirous of being absorbed into the culture of the majority population. Neither was Hebrew accepted automatically and without heated debate. French was employed as the language of instruction in the secularly oriented Alliance schools in Palestine and German was considered more appropriate than Hebrew for commercial endeavours and scientific development.

For the Zionists, the process of nation-building and the protection of the Hebrew cultural heritage involved a variety of language policies such as: standardisation of grammar, public institutional use of the language, linguistic modernisation and expansion. If Hebrew was to be adopted and developed not only colloquially, but as the official language it required to be institutionalised. This had in fact already occurred in 1880 with the founding in Jerusalem of the 'Language Committee' (*vaad halashon*) which was reorganised in 1904 with onset of the Second Aliyah.

Thus the use of Hebrew became a communication barrier between Jewish immigrants and the indigenous Arab population except in areas where there was a direct interaction between them. The significant exception was in the area of self-defence.

William Safran, ***Language and Nation-Building in Israel: Hebrew and its Rivals***, Nations and nationalism 11(1)2005, 43-63; Itamar Even-Zohar, ***The Emergence of a Native Hebrew Culture in Palestine, 1882-1948***, *Plystem Studies – Poetics Today* 11:1 (1990) 175-191; Bernard Spolsky, ***Language in Israel: Policy Practice and Ideology***, Georgetown University Round Table on Languages and Linguistics, 1999,

iii. Self Defence

The earlier settlers of the First Aliyah relied upon the protection of the foreign consulates and upon paid Arab watchmen to protect their communities, farm settlements and their crops from Bedouin and other marauders. However, the Socialist Zionists participants in the Second Aliyah, having experienced pogroms in Russia believed in their own self-realisation and reliance as being preferable and were determined that in Eretz-Israel, Jews would be more effective in defending themselves. Certain members of *Poale Zion* took it upon themselves to form a small secret guard society called Bar-Giora, to guard the Sejera commune in the Lower Galilee (now Ilaniya) and Mes'ha (now Kfar Tavor). With advice from Yehoshua Hankin, who was to be very involved with Arthur Ruppin in Jewish land acquisition, and a loan from Eliahu Krause, the manager of Sejera, they organised themselves under the name of *Hashomer* (the Watchman) in 1909 and acquired their first arms with the aim of providing an organised defence for all the Jewish communities in Palestine in return for an annual fee.

The first guards initially worked on foot, but soon acquired horses, which vastly increased their effectiveness. They gained the respect of Bedouin marauder not only by learning to communicate in Arabic and adopting the Bedouin garb but also by assuming the airs and manners of their well-remembered swash-buckling Russian Cossacks and acquiring their horse-riding skills. However the Rules of Engagement defining *HaShomer's* freedom of action was quite limited:

You do not seek an encounter with the thief; you chase him off, and only when you have no choice do you shoot. After all, he is out to steal

a bag of grain, not to murder you, so don't murder him, drive him off. Don't sleep at night. If you hear footsteps, fire into the distance. If you feel he is a few steps away and you can fire without him falling upon you, fire into the distance. Only if your life is in danger - fire.

The Organisation succeeded in attaining its objectives but in the process it aroused the ire of Arab watchmen who lost their jobs, frustrated Bedouin pilferers to the point of anger and antagonised the Arab population by retaliatory raids to such an extent that some of the older settlers worried that *Hashomer* might upset the status-quo with the local Arab settled population.

Although *HaShomer* numbered fewer than 100 men at the organisation's peak, it became extremely important to Jewish security interests especially during the British Mandate when, in 1920, it reorganised itself to become the *Haganah*. This was much broader-based group, committed to coping with new defence challenges and needs of the growing Jewish community in Palestine, ultimately becoming the foundation of the Israel Defence Forces upon the establishment of the State Israel in 1948.

Elkana Margalit, *Social and Intellectual Origins of the Hashomer Hatzair Youth Movement, 1913-20*, Journal of Contemporary History, Vol. 4, No. 2 (Apr., 1969), pp. 25-46 Sage Publications, Ltd. Stable URL: <http://www.jstor.org/stable/259660> ; Wikipedia, *Hashomer* <http://en.wikipedia.org/wiki/Hashomer>; Jewish Virtual Library, *Hashomer*, <http://www.jewishvirtuallibrary.org/jsource/History/Ha-Shomer.html> ; Federal Research Division of the Library of Congress, *Israel, Security: A Persistent National Concern* <http://www.country-data.com/cgi-bin/query/r-6818.html>

iv. Employment of Arab Labour

In emphasising a return to the land, the Second Aliyah movement advocated the employment of Jewish agricultural labour to the exclusion of the Arab *fellah*, upon whom many of the First Aliyah had relied. This topic assumes considerable importance in the relations between Jews and Arabs and will be examined in greater depth in the Chapter IX together with the matter of

Jewish land acquisition with which it became inextricably intertwined.

b. Second Aliya's Lack of Capital and Skills

Notwithstanding the pressures placed upon it by the push of Jews desiring to leave Eastern Europe, the ZO, having learnt from the experience of the First Aliyah, publicly attempted to dissuade potential migrants from coming to Palestine unless they had the financial means and skills to maintain themselves without institutional or philanthropic support. Although many of the new migrants sought employment – both in the cities and especially in Jewish agricultural settlements, during the earlier part of the period under discussion – they encountered difficulties due to inadequate preparation, training in the agricultural skills and their disappointment at being unable to realise their expectations of attaining a higher standard than that of the *fellahin* with whom they had to compete in the labour market.

Consequently the ZO began to insist upon potential immigrants receiving preparatory technical training and social orientation appropriate to their new lives before their migration and that sufficient land should be first acquired before the arrival of the migrants.

(see Margalit Shilo, ***The Immigration Policy of the Zionist Institutions 1882-1914***, Middle Eastern Studies, Vol. 30, No. 3 (Jul., 1994), pp. 597-617)

As will become clear later, the implementation of these policies created a tension between the migrant Jewish settlers and the Arab *fellahin* as did the Zionists' introduction of new scientifically based methods of intensive agriculture derived from veteran German settlers and new forms of landholding (collective settlement – *kibbutz* and the cooperative small-holders' village- *moshav*) unknown to both urban Arab notables and the indigenous *fellahin* share-croppers.

(Ruth Kark, Dietrich Denecke and Haim Goren ***The Impact of Early German Missionary Enterprise in Palestine on Modernization and Environmental and Technological Change, 1820-1914***)

c. Conflicting Ashkenazi-Sephardi Jewish Interests

As a recognised millet (religious community) within the Ottoman Empire, Sephardi Jews succeeded in creating and maintaining their own aristocratic wealth and power structure, which extended to the election of Jewish members to the Ottoman parliament and the establishment of educational institutions focused around the religious leadership.

The Jewish newspapers of the time demonstrate a clear division of interests between the Ashkenazi Zionist immigrants and the Sephardi Jews holding Ottoman citizenship.

- The Ashkenazi workers' papers, ha-Po'el ha-Tza'ir and ha-Ahdut, affiliated to two Zionist political parties, ha-Po'el ha-Tza'ir and Poaley-Tzion, respectively, concerned themselves with the ways in which Palestine could be brought under Jewish control, particularly by securing the Jewish labour market from Arab competition.
- In contrast, the Sephardi newspaper, ha-Herut, published in Jerusalem concentrated on the relationship between the Jewish communities on the one hand and the Ottoman authorities and the emerging Arab Nationalist movement on the other hand. It directed its efforts towards persuading Arab Muslim public opinion of the Jews' good intentions in the development of Palestine and showed little concern for Zionism and Jewish nationalism,

Abigail Jacobson, *Sephardim, Ashkenazim and the 'Arab Question' in pre-First World War Palestine: A Reading of Three Zionist Newspapers*, Middle Eastern Studies, 39: 2, 105 – 130

Sephardi Jews did, however, become involved with the Zionist Ashkenazis by acting as middlemen in the acquisition of land. However, apart from this activity,

Sephardi interests and activities did not coincide with those of the Ashkenazi immigrants until after WW I. Indeed in some areas, they collided; the Sephardi establishment saw the Zionist sponsored Ashkenazi immigration as undermining the former's relations with the Ottomans, particularly where the immigrants retained their foreign citizenship and rejected that of the Ottoman.

To the detriment of their relations with the indigenous Arab population, the new immigrants were somewhat self-absorbed, preoccupied with overcoming many difficulties - including climate adjustment whilst ignoring the impact which their activities had on the indigenous Arab population – especially in the rural areas.

(Ben Halpern and Jehudah Reinharz, *The Cultural and Social Background of the Second Aliyah*, Vol. 27, No. 3 (Jul., 1991), Middle Eastern Studies pp. 487-517)

Important and often overlooked in the Second Aliyah was the contribution made by a small but significant Yemenite migration to Eretz Yisrael which the Palestine Office had advocated. Some settled among the earlier urban immigrants in Jerusalem and Jaffa, but the majority joined the pre-existing and the new agricultural settlements which were to be established during this period. They not only contributed their previously acquired agricultural skills, but were accustomed to living at a lower economic level than their Ashkenazi counterparts. The latter did not view the former as being ideologically motivated to settle but considered them as indigenous population capable of replacing Arab labour at lower wages and accepting standards of living lower than that demanded by the European immigrants.

Consequently, in failing to seek out and integrate any Yemenite leadership within the ZO, the Zionist movement regrettably lost an opportunity to create a cultural bridge in the rural areas where a cultural confrontation arose between the Jews and Arab *fellahin* stemming from the migrants' land acquisition and utilisation.

(Margalit Shilo, *Immigration Policy of the Zionist Institutions 1882-1914*, Vol 30 Middle Eastern Studies Page pp. 597-617)

2. Ottoman Government Structure and Policy towards Jewish Migration and Land Acquisition

The economic burden of the national debt on the Ottoman Government, its impact on taxation, land tenure reform and changes in the Arab social structure and Jewish migration prior to the 1880's has already been briefly discussed in Chapter IV, Sections 3, 4 and 5. **(PLEASE INSERT A LINK)**. These factors continued to influence both Ottoman policy and Arab attitudes towards the Jews of the Second Aliyah. Nevertheless, it becomes necessary to examine in a little more depth the structure of Ottoman administration and of its personnel inasmuch as the conduct of officials both at the imperial and local levels of government impacted directly on Jewish immigration and land acquisition and on the relations between Arabs and Jews.

a. Administrative Structure

The dilemma of the Ottoman government in reforming its administration was how to maintain centralised government control over policy while giving sufficient latitude and discretion to local officials for efficient and expeditious implementation. Simultaneously it needed to institute reform in its methods of tax collection. To achieve this balance, The Vilayets Law, promulgated in 1864, apparently modelled on the French *Prefet* system, reorganised the administrative structure and boundaries of its Empire.

- The largest region was the **Province –*vialyet*** - governed by a *vali* who was responsible to the Minister of Interior in Istanbul.
- Provinces were subdivided into **Districts (*sanjak*)** whose governors were accountable to the *vali*. In the case of Jerusalem, however, by reason of its increasing interest and concern to foreign governments, its status was raised to that of a *Mutesarriflik* in 1887, a status falling between

that of a Province and *Sanjak* and its governor made directly accountable to Istanbul.

- *Sanjaqs* and the *Mutesarriflik* were further subdivided into local communes and villages (***qaza* and *nahiyes***) administered by local sheikhs, to be supplanted later by a *muhtar* and supported by an advisory administrative council.
- **District Administrative Councils** (*majlis idara*) were elected on the basis of a very narrow suffrage. Each council was to have a religious (*mufti*) and a judicial (*kadi*) figure acting *ex officio* together with eight other 'elected' officials. The latter each had to pay an annual direct tax of at least 500 piastres. Since this was beyond the financial ability of the large majority of the population, the law merely entrenched those who already exercised power and excluded those who previously owned or worked the land - especially the *fellahin*.

(Walter F. Weiker, ***The Ottoman Bureaucracy: Modernization and Reform***, Administrative Science Quarterly, Vol. 13, No. 3, (Dec., 1968), pp. 451-470)

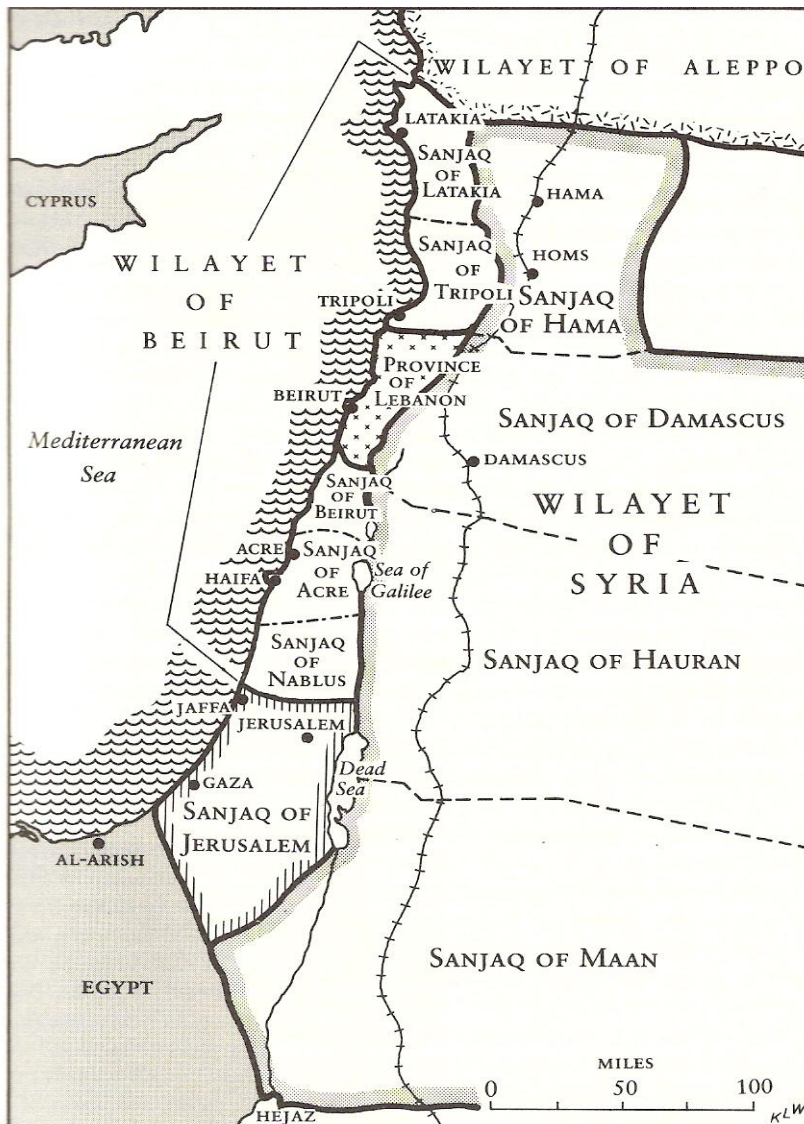
In Palestine three levels of provincial and local administration operated, comprising thirteen local *qazas/ nahiyes*, which fell within the jurisdiction of either the *Sanjaqs* of Acre and Nablus which accountable to *vali* of Beirut or the *Mutasarriflik* of Jerusalem whose governor was directly responsible to the Minister of Interior in Constantinople.

The *valis* (governors), being state functionaries appointed by Istanbul, were usually chosen carefully for their administrative capabilities. They were granted a wide scope for independent action and a large measure of responsibility to enable the Ottomans to gain optimum efficiency in ruling the provinces so as to advance greater centralisation of power throughout the empire.

The holders of the top-ranking administrative posts in the sanjaqs (districts), generally Turks, were all filled by direct appointment from either Istanbul or the province's vali.

In order to prevent the governor of a valiyet or *sanjak* from becoming identified with local interests, his period of tenure and those of the senior bureaucrats were generally very short, although there were exceptions. This made for inconsistent supervision over the governmental functions performed by the lower administrative sub-districts comprising urban and rural *qaza* and *nahiyes*. As a result, for the effective or ineffective implementation of central government policy the higher units of the Ottoman administration had to rely upon the local knowledge and connections of the personnel appointed, elected or employed in the lower units of the Ottoman Administration.

In Palestine, these elected urban notables and locally appointed officials were Arab rather Turkish, a differentiation which would become significant after World War I when the British Mandatory Government took power.



Palestine Administrative Structure 1915 Stein, The Land Question

b. Ottoman Central Government Policy Towards Zionist Aspirations

From the 1880's, Ottoman policy towards Jewish migration had been fairly settled and continued almost without change even after the Young Turk Revolution. Immigrants were welcome in the Empire, but not in Palestine. They could settle elsewhere in small groups provided that they assumed (i) Ottoman nationality and relinquished their earlier nationality;

- (ii) waived all rights of protection extended by foreign consuls;
- (iii) complied with all Ottoman legislation and obligations towards the Empire, including compulsory military service.

This policy was based on two premises:

- (1) the concentration of yet another cohesive cultural-religious group within a closely confined and settled area would give rise to a nationalist movement and create a culture of secession similar to that already experienced in the Balkans and Greece;
- (2) an increase in the number of foreigners residing within the empire to which they owed no allegiance coupled with their acquisition of land therein, gave increasing power and influence to foreign consuls. The latter, by virtue of the Capitulations, were able to extend their legal protection to their respective nationals and exercise political influence on both Ottoman internal and external governmental policy.

However, both before and after the Young Turk Revolution, the implementation of Ottoman policy towards Jewish immigration vacillated and was inconsistent. Although Jewish immigrants brought with them their intellectual skills, a positive attitude to modernity and a potential inflow of capital which the Empire desperately needed to discharge its foreign debt burden, most of the migrants, with the assistance of the consuls, insisted on retaining their foreign citizenship, forcing the Porte to relax its opposition to Jewish immigration and land purchases.

On the other hand, Arab nationalists, encouraged by the Young Turk Revolution, were strongly opposed to Jewish immigration and land acquisition. When Jewish immigration increased noticeably, Arab pressure forced the Ottoman Government to prohibit the entry of additional migrants and

to limit Jewish land purchases as they had done previously in 1884 and on three subsequent occasions 1887-8, 1890-1 and 1892-3. Although foreign consular pressure forced the Ottomans to remove these restrictions, the government vacillated in the wake of Arab counter pressures to re-instate those restrictions. Arab opposition stemmed from the apprehension of the urban notables that Jewish immigration and land purchases:

- were likely to destroy the socio-economic balance reached between the Arab elites on the one hand and the *fellahin* on the other hand, who worked the land which produced the income upon which the elites were reliant upon for their life style; and
- would deprive not only the Arab elites of their power base in the rural areas but also the *fellah* of his livelihood, encouraging the latter to move to the towns if he was unable find agricultural employment.

(see Ruth Kark, ***Changing Patterns of Land Ownership in Nineteenth Century Palestine: The European Influence***, vol. 10 (1984) *J. of Historical Geography* 357)

A major defect in the Ottoman implementation of its policy towards Jewish immigration and land purchases was that no single Ottoman department of state appears to have been made responsible for dealing with these issues. The local authorities corresponded with at least four central government departments whose co-ordination was weak such that the instructions issued and re-issued to provincial governors multiplied, modified and contradicted one another to the point where the local authorities were faced with insoluble administrative problems, a situation which created significant inconsistencies in the implementation of government policy towards Jewish immigration and land acquisition. For the Zionists, however, such inconsistencies could be turned to their advantage.

Even the Ottoman central government itself deviated from its own declared policy. For example, in the north of Palestine, the Jewish Colonisation Association (JCA), a non-Zionist organisation, whose resettlement policy was not exclusively linked to Palestine, began to interest itself in acquiring large tracts of land between 1896 -1904 from the Suraq family. Notwithstanding the legislation prohibiting land sales to non-Ottoman Jews, the Council of Ministers in Constantinople ruled that under the 1867 Land Code the sale was permissible provided the purchaser gave an undertaking that it would not install foreign Jews on it. Accordingly the Council granted the JCA a concession. This transaction caused considerable alarm among local Arab *fellahin* when surveyors came on to the site to measure it for sale. Such was the scale of the opposition that the Central Government abrogated the JCA Concession in 1901 but not before the JCA had managed to acquire enough land for six colonies to be established in northern Palestine between 1899-1904

Neville J. Mandel, *Ottoman Policy and Restrictions on Jewish Settlement in Palestine 1881-1908 Part I*, 10 (1974 No.3) Middle Eastern Studies, 312-332; *Ottoman Practice as Regards Jewish Settlement in Palestine: 1881-1908* 11 (1975, No. 1) Middle Eastern Studies 33-46

c. Implementation of Government Policy in Palestine

i. Local Administrative Councils

Implementation of Ottoman policy at the regional and local levels towards Jewish migration from Europe into Palestine was also inconsistent. In the Sanjak of Acre for example, the administration was relatively benign towards Jewish immigration and land purchases were negotiated, completed and registered without much interference.

In Jerusalem, matters were different. Apart from Reshad Pasha, who held the *Mutasariff* between 1889-1890, the Jerusalem administrative implementation of restrictions on Jewish settlement and land acquisition and its registration

were enforced more rigorously, especially by Ali Ekrem Bey 1906- 1908. However, due to loopholes in the Ottoman administrative control over visitors to the region, as described below, neither he nor his successors were able to prevent Jewish immigration, nor indeed indirect land acquisition through nominees.

Apart from the bureaucratic 'professionalism' and political proclivity of the various *Mutesarriflik and Sanjak* governors, government officials at the lower levels were also open to bribery and corruption, facilitated by the corrupt practice of nepotism. In exploiting their family connections, urban notables, especially in Jerusalem and Nablus exercised influence over the local administrative councils and although these councils were 'elected', in practice they were controlled by the *A'yans*- who maintained hierarchical familial links within the same *hamullah*.

ii. Tax Farming

Prior to the 1840's, the Ottoman central government practised tax farming whereby the state auctioned the right of collection to private individuals. In rural areas local sheikhs and village elders generally acquired these rights. In the urban areas, the urban notables – the *a'yan* elites - fulfilled this function.

This led to abuse and corruption since in order to recover the price paid for the right to tax and to gain a profit, the urban notables and rural sheikhs squeezed as much as they were able from the local farmers on a variety of pretexts, many of which were illegal, resulting in farmers being placed in the tax collectors' debt.

As part of part of the Ottoman administrative reorganisation under the *Tanzimat* reforms,

<http://www.britannica.com/EBchecked/topic/582884/Tanzimat>;

<http://en.wikipedia.org/wiki/Tanzimat>

the Ottomans attempted to change both the method of tax collection and expand the tax base. They replaced the multitude of taxes imposed on a large variety of goods and property and transactions by a relatively simple set of taxes: a standard head tax was applied in urban areas; a 10% tax (*usur*) payable in kind was imposed on the agricultural yield while head taxes placed on non-Muslims were divided into a number of classes according to wealth and ability to pay. Tax collection by tax farming was replaced by the appointment of government officials (*mubasirs*), who in return for a fixed salary, were employed to collect a predetermined amount of tax from each administrative area set by the central treasury.

While the system worked in urban areas, it failed in rural areas due to the lack of competent professional personnel coupled with a lack of knowledge of local conditions. In addition they had to contend with opposition from the vested interests of local sheikhs and urban notables who hitherto had been in the tax farming business.

In 1841, after central governmental employees' failed to collect taxes due on the agricultural yield directly from those in occupation of the land, the Ottoman central administration was compelled to revert to a modified system of tax farming. The Central Ottoman Treasury first determined how much tax was to be collected from each sub-district. It then passed the responsibility for its collection to Provincial Governors who, together with their respective provincial advisory councils (*majlis al-idara*) in turn resorted to and relied upon the power of the local administrative councils within the Sanjak or *Mutesarriflik* to sell the right to collect the tax by public auction.

The successful bidder, generally a member of a local *a'yan*

family, paid the sum of the accepted bid to the central treasury, and was allowed to collect as much tax as he was able to extract from the village headmen and *fellahin* in kind or specie. In the process, the *a'yan* families in the urban centres accumulated more power, while both the local sheikh's and the provincial governors lost power, the latter often having to have recourse to 'short term' borrowing – sometimes from Jewish financial institutions – to fulfil their immediate obligations to the Porte. In so doing the Ottoman governors became vulnerable to external pressure to relax the implementation of central government policy regarding Jewish migrants and land acquisition.

Although the sheiks retained their social standing in their communities, under the administrative reforms, the Local Administrative Councils now took effective control of the tax collection system.

As shown earlier in section c (i) above, in Ottoman Palestine a relatively small number of influential families in Jerusalem, Nablus and in the other towns succeeded in maintaining control of the major municipal councils throughout successive generations or were members of it while their relatives found influential executive and clerical employment in the many administrative offices which the system created. These included tax commissions, land registries, courts, agricultural committees, chambers of commerce.

(Walter F. Weiker, *The Ottoman Bureaucracy: Moderization and Reform*, 13 (1968) Administrative Science Quart, pp 451-470; Stanford J. Shaw, *The Nineteenth-Century Ottoman Tax Reforms and Revenue System*, 6 (1975) Int. J. Middle East Stud 421-459; Stein, *The Land Question* p 8)

Thus, in addition to the inconsistency displayed by the central Ottoman government towards Jewish immigration and land acquisition, the local Ottoman authorities were

very much left to themselves as to the manner in which central government policy in relation to Jewish immigration and land acquisition was to be implemented, leaving bribery and corruption to play their part.

(see Neville J. Mandel, *Ottoman Practice as Regards Jewish Settlement in Palestine:1818-1908*, vol. 11 (1975) Middle Eastern Studies 33; David Kushner, 'Ali Ekrem Bey, Governor of Jerusalem 1906-1908', Int. J. Middle East Studies, vol. 28 (1996) 349-362

iii. Loopholes in Ottoman Immigration Control and Land Registry Administration

Regardless of the inefficiency or otherwise in the implementation of Ottoman governmental policy, immigrants could enter Palestine indirectly relatively easily by landing legally in Port Said or Constantinople and make their way overland or landing directly at Jaffa or Haifa under a variety of pretexts; pilgrimage being the most common. Rather than returning home after the expiration of their three months visa, Jewish migrants simply remained in Palestine.

Due to uncertainty of the situation and fluidity in the local implementation of central government policy, Jewish non-Ottoman domiciliaries continued to acquire land indirectly as before, but depended on finding (a) qualified Jewish middlemen possessing Ottoman citizenship or even a local Arab to act - for a consideration- as a nominal purchaser and (b) a lax or corrupt local Ottoman administrator, dilatory in implementing the Ottoman legislation in respect of the residential status of the émigrés, requests for naturalisation and the registration of land transactions. Such matters lay in hands of the local officials who were employed by or appointed to the local administrative councils which the urban notables controlled. Even after successfully acquiring land, immigrants still faced a very different cultural environment in developing the land of Palestine from that previously experienced in Europe.

In summary, this Chapter has attempted to outline the nature and character of the European Jewish immigrants participating in the Second Aliyah and their interests which differed from those of their Sephardic co-religionists and the context within which that Aliyah had to manoeuvre among the Ottoman central and local governmental policy makers and administrators. Although these interactions were to influence the future political direction of Jewish and Arab relations, the human interaction which lies at the basis of the Arab-Palestinian and Israeli-Jewish conflict finds its roots in the their respective attitudes towards the acquisition of land and of the Jewish exclusionary employment policies in respect of Arab labour. These two major issues form the topics of Chapter IX following next.