

C-7381 Transcription

Eban, Abba. Address to the United Nations General Assembly

Political Committee. 5 May 1949.

M1:

So the committee will now listen to the representative of the government of Israel

Abba Eban:

[clears throat] Uh, Mr. Chairman, I am grateful to this committee for giving me this opportunity of clarifying before it the views of the government of Israel on the questions which have been here under discussion. I have followed the deliberations of this committee with close attention, and kept my government informed of the problems here arising. I am in a position to make a comprehensive statement on all the questions mentioned in the preamble to the resolution inviting our presence here. It is my understanding that these questions are discussed in this committee not with the aim of formulating their solution but [1:00] in the context of the principle of compliance with the General Assembly's resolution of November the 29th and of December 11th, and in connection with the effect

of those problems on the application of Article 4 of the Charter. It is then against this background that I shall clarify the government of Israel's attitude to the specific problems referred to in this resolution.

Mr. Chairman, it was on the 29th of November, 1948, that Israel's application for membership in the United Nations was submitted to the Security Council in accordance with Article 4, Paragraph 2 of the Charter. This was the anniversary of the General Assembly's original resolution...which had called upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan of partition into effect. [2:00] On the 14th of May, 1948, just one year ago yesterday, according to the Hebrew calendar, the State of Israel proclaimed its independence, responding both to its own rights of self-determination as a distinctive political and cultural unit, and to the explicit instructions of the General Assembly itself. The resolution of November the 29th contained a recommendation...that when either state envisaged by that resolution had made its independence effective, sympathetic consideration should be given to its application for membership in the United Nations, in accordance with Article 4 of the Charter. A year later, the State of Israel had successfully

withstood a violent and aggressive onslaught organized and launched against it by seven states including six members of the United Nations, in an effort to overthrow the General Assembly's resolution [3:00] by force. Israel had established the foundations of its government. It had secured recognition by nineteen states. It had persistently made efforts, directly and through the agencies of the United Nations, to negotiate with neighboring Arab states for an end of the war and the establishment of peace. Alone amongst the states involved in that war, Israel had undertaken to comply with the Security Council's resolution of November the 16th, 1948, calling upon the governments concerned to negotiate an armistice as a transition to lasting peace. Israel was already a vibrant reality. Rarely in history had a people so small, in all the attributes of physical power, surmounted so many ordeals and adversities on its path to independence. It had emerged out of mortal danger into the clear prospect [4:00] of survival. Having reached this degree of stability, both in its domestic institutions, and its international position, Israel came forward to seek the shelter of the Charter, and to assume its obligations. This application has thus been on the agenda of the United Nations for five months. When it was first discussed in mid-December, there was

already a considerable body of opinion in the Security Council, represented by the United States, the Soviet Union, Argentina, Colombia, and Ukraine, ready to favor an immediate recommendation. [coughs] Others, however, counselled a brief delay. They pointed out that no beginning had yet been made in the process of negotiation called for by the Security Council on November the 16th, and by the General Assembly on December the 11th. Indeed, no former [5:00] Arab-Jewish contact had then been established anywhere at that time. Others again invoked the provisional character of Israel's governmental institutions and the somewhat restricted basis of its international recognition at that time. We found it difficult to admit that any reading of Article 4 of the Charter made those considerations strictly relevant. Many states had been admitted to membership before the establishment of elected governments, and if the conciliation effort had not begun by last December, this was no fault of Israel, which was the first to propose direct armistice and peace talks in a formal communication to Arab states through the mediator, as far back as the 1st of August, 1948. Nevertheless, it must be realized that the Security Council is the body which has been entrusted by members [6:00] of the United Nations with primary responsibility for the maintenance of international

peace and security. Its decisions or hesitations must carry great weight in a matter so closely bound up with the issues of international peace. Accordingly, my government took sympathetic note of the Council's hesitations, and waited until the early days of March before asking for renewed consideration of that application. Meanwhile, the imagination and sentiment of the world had been profoundly impressed by the spectacle of Israel's swift consolidation. Israel had now secured recognition by an overwhelming majority of other states, in all the five continents, in the Old World, and the New. It had conducted the only democratic elections with full popular participation which this part of the Near East [7:00] had seen for several years. It had established a legislature based on popular suffrage. It had formed a government dedicated to the principles of parliamentary democracy and social reform. It had elected as the head of the state its most respected and venerated citizen. To symbolize both Israel's concern for international prestige and its vision of scientific humanism, it has successfully concluded its first experience in the most crucial task of all, for on February the 24th, after direct and intricate negotiations, under the skillful direction of the acting mediator, the government of Israel had concluded an agreement of armistice with the leading power in

the Arab world. In an official statement, the government of Israel declared that it wished to regard this most notable agreement as the prelude to peace between Israel and Egypt.

[8:00]

Such were the circumstances in which the Security Council met on March the 3rd and March the 4th, at its 413th and 414th meetings. By nine votes to one, with one abstention, it adopted the following resolution: "The Security Council, having received and considered the application of Israel for membership in the United Nations, decides that in its judgment, Israel is a peace-loving state, and is able and willing to carry out the obligations contained in the Charter, and accordingly recommends to the general assembly that it admit Israel to membership in the United Nations [clears throat]."

In every other case of admission such a resolution of the Security Council has had a decisive effect when Assembly confirmation has been sought. But this particular resolution of the Security Council has a special authority, deriving [9:00] from circumstances which did not attend the Council's judgment on any other application...for Israel's claim to admission was hotly contested within the Council itself by one of the states which had felt themselves entitled to make war, violent and

brutal war, for the extermination of Israel and the overthrow of the General Assembly's resolution by force. The majority in the Security Council was thus not achieved by any cursory or perfunctory review. A suggestion that the residual problems of the war, especially those of the status of the city of Jerusalem and Arab refugees should be clarified before this admission was recommended was put forward with great force and clarity by the United Kingdom the Security Council implicitly rejected this suggestion by its vote, [10:00] remaining with austere fidelity within the terms of Article 4 of the Charter, and in full consciousness of Israel's position on both of these questions, it sent its impressive verdict to this session of the general assembly. Yet the most striking and vivid circumstance lending weight to the Security Council's resolution is the long record of the Council's discussions on the Palestine question. At its own very table, the Security Council has had an unrivaled opportunity of observing the rise of Israel to independence, its successful struggle against overwhelming invasion, its persistent appeals for methods of pacific settlement, its constant recourse to the basic principles of the Charter, which by forbidding the use of force in international relations should have prevented that violent obstruction of the partition [11:00]

decision, which is the source of all subsequent troubles and of all outstanding problems.

From the early weeks of the war in May and June, when the Arab states officially and boastfully refused to comply with five ceasefire resolutions of the Security Council all accepted by Israel, to the happy climax when the armistice resolution of the Security Council began to bear fruit, the Security Council had kept events in and around Israel under constant and vigilant examination. No less than eighty-nine meetings, eighty-nine meetings of the Security Council, have been devoted to the Palestine question, and at the end of this unprecedentedly minute investigation, the Security Council decided that in its judgment Israel is a peace-loving state able and willing to fulfill its obligations under the Charter. This verdict of the august body [12:00] charged with primary responsibility for the maintenance of international peace and security now comes before this committee against a unique background of experience and scrutiny.

Mr. Chairman, what has happened since the Security Council gave to Israel's application such impressive and emphatic support? The significant developments since that time may be briefly summarized. On March the 23rd, Israel concluded an

armistice agreement with Lebanon by a unilateral withdrawal of its own forces and the establishment of defensive zones. On April the 3rd, an armistice agreement was concluded between Israel and the Hashemite Kingdom of Transjordan, through processes of reciprocal concession, whereby any serious threat of renewed hostilities was removed from the greater part of the area which had formed the [13:00] Palestinian battlefield. Under the terms of this agreement, lasting and durable peace has been assured to the city of Jerusalem and its inhabitants. At this moment, armistice negotiations between Israel and Syria, which were delayed by recent upheavals in Damascus, are approaching what we hope will be their successful consummation. On the 26th of April, the government of Israel dispatched a delegation to Lausanne, where the Conciliation Commission has invited the parties to meet for a preliminary exchange of views. [clears throat]

Mr. Chairman, eight months have elapsed, since my government formerly requested the Arab states to meet with it for a settlement by negotiations of all outstanding military and political questions. Nearly six months have gone by since the distinguished representative of Canada in the Security Council [14:00] proposed and secured the adoption of the momentous

resolution calling for an armistice, a resolution supported by my government and opposed by the Arab states. Hundreds of thousands of people in Israel and in neighboring areas are denied the prospect of security and welfare, so long as the conclusion of formal peace is delayed. The government of Israel has accordingly informed the Conciliation Commission that it wishes to regard the Lausanne meetings not as a mere preliminary exchange of views, but as an earnest attempt by both parties to achieve a final and effective peace settlement.

On the 30th of April, my colleague, Dr. Eytan, on assuming his responsibilities as head of the Israeli delegation at Lausanne, publically declared: "We to Lausanne determined to do all possible towards the attainment of an honorable and lasting peace, under the general [15:00] auspices of the Conciliation Commission, and by direct contact with the delegations of the Arab states which in recent months have signed armistice agreements with Israel. We shall make every effort to settle outstanding questions by peaceful discussion. The government of Israel sincerely hopes that the conference will lead to the complete stabilization of relations between Israel and the neighboring Arab states, including an undertaking to respect common boundaries, and to the permanent settlement and

rehabilitation of all those who have left their homes in the course of the war against Israel. At its first meeting with the Conciliation Commission, the Israeli delegation inquired whether Arab delegations are similarly prepared to institute discussions of peace, in compliance with the General Assembly's resolution of December the 11th, which calls upon the governments [16:00] and authorities concerned to seek agreement by negotiation, conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them. We are awaiting the Arab reply. The whole issue of peace and stability in the Near East hangs upon that reply."

It is clear, Mr. Chairman, that the progress towards peace between Israel and its neighbors has maintained and indeed increased its momentum since the Security Council recorded its decision on the 4th of March, 1949. Everything, everything that has happened since the 4th of March fortifies and confirms the judgment which the Security Council then made. Mr. Chairman, a state seeking membership in the United Nations may be properly expected to study the jurisprudence [17:00] of the United Nations relating to the admission of new members. It is our understanding that nothing but the provisions of Article 4 are relevant in the consideration of an application for membership.

We base this conviction on the spirit and language of the Charter itself, and of that Article 4 which opens the door of this organization wide to any state fulfilling its provisions. Moreover, this is the first application for membership to come before the General Assembly since the resolution adopted on December the 8th identifying the General Assembly itself with an advisory opinion of the International Court of Justice. The General Assembly is committed by that resolution to the view expressed in the following paragraph adopted on December the 8th. And I quote: "A member of the United Nations which is called upon in virtue of Article 4 of the Charter [18:00] to pronounce itself by vote, either in the Security Council or in the General Assembly, on the admission of a state to membership in the United Nations is not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by Paragraph 1 of the said article."

While attaching full weight to the legal considerations involved, I should like to place special emphasis on the political and moral implications of that resolution. In this very committee, but a few months ago, a preponderance of opinion was revealed in favor of the principle of universality. This view was concisely expressed by the representative of the

Netherlands who said, and I quote, "all those countries which, like the Netherlands, attached great importance to the universality of the United Nations should constantly consider whether their objections [19:00] to the admission of a new state are really cogent." On that occasion, the representative of the Union of South Africa said, "all states which could show adequate proof of their independence and their peaceful character should be admitted as soon as possible." The representative of Burma advocated the admission of all countries who were candidates for membership, adding, "we want to have everyone as a member of this organization." In addition to the principle of universality, we have no doubt that the General Assembly must wish to uphold the principles of free discussion and argument. The General Assembly is a free tribunal, rejecting the principles of totalitarian conformity. A member state, and therefore a candidate for membership, is entitled to hold any views which its conscience and interests dictate, on the solution of international problems. [20:00] Member states are under no obligation to agree with each other, and I doubt whether any member of the United Nations could properly withhold its consent to Israel's membership on the sole grounds that

Israel does not share its particular views on any of the problems now at issue."

Mr. Chairman, in response to the request of this committee, and at the instance of the distinguished representative of El Salvador, I propose first of all to make a formal and authoritative statement of my government's views on the problems of Jerusalem and Arab refugees. In doing so, I am obliged to reserve Israel's opinion with regard to the relevance of extraneous issues to the question of admission to membership. I am aware that the procedure followed by this committee today establishes a new precedent. The distinguished representative of Pakistan, in pleading to [21:00] the General Assembly for what he called "a normal procedure" successfully prevailed upon the plenary to require committee consideration of this item. Yet the adherence of normal procedures cannot point to any other occasion on which a candidate for membership has been called upon to express his views on international problems in the context of a discussion on admission to membership. The distinguished representative of Pakistan referred in vivid terms to his own harrowing ordeals in guiding his country's application through the intricate routines of the General Assembly. Yet on that occasion when he eventually reached the

stage of committee discussion, the Pakistan representative was not interrogated on his intentions with regard to Kashmir. He was not called upon to explain his country's intentions with regard to the eleven million, the eleven million refugees, who were rendered homeless through the establishment of [22:00] his state. On the same occasion when the application of Yemen for membership in the United Nations was considered by the first committee, there was no discussion as to whether an officially sponsored policy of organized slavery conformed with the Charter's requirements on fundamental human rights. It may be assumed that the General Assembly took the liberal and logical view that international problems such as these are better solved within the framework of the United Nations than outside it. It is precisely because states have problems of an international character that they need an international organization, within which such problems may be examined and solved."

Accordingly, I should like to clarify my delegation's views on the purposes and objectives of our discussion this morning. We are not here, I understand, to find solutions [23:00] to the problems of Jerusalem or the Arab refugees. That task has been allocated to the Conciliation Commission, with which my government is in the closest and most formal contact at this

moment. One question and one question alone is relevant: is Israel eligible for membership within the meaning of Article 4 of the Charter? Are its policies on Jerusalem or on Arab refugees, or on any other problem, consistent with the free exercise of judgment and conscience by an aspiring member of this organization, coming forward to accept the obligations of the Charter? I shall submit that Israel holds no views and pursues no policies on any question which are inconsistent with the Charter or with the resolutions of the General Assembly and the Security Council." [24:00]

Mr. Chairman, the responsibilities of the United Nations in the city of Jerusalem originated in the General Assembly's resolution of the 29th of November, 1947. That resolution envisaged the establishment of a special regime [clears throat] designed primarily to protect and preserve the unique spiritual and religious interests located in the city. In establishing that regime, the United Nations pledged itself to undertake the most solemn and critical responsibility for the welfare and development, nay, for the very lives of tens of thousands of people. The United Nations pledged itself in the words of that resolution "to ensure that peace and order reign in Jerusalem." It undertook to promote the security, the wellbeing, and any

constructive measures of development for the residents. [25:00]

According to the terms of the resolution, the exercise of these heavy responsibilities required the establishment of a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The United Nations undertook to appoint a governor at the head of a large military and administrative staff charged with the duty of preserving the holy places and religious buildings, and of maintaining free access to the holy places and religious buildings or sites. The Trusteeship Council was instructed, instructed to elaborate and approve a detailed statute of the city. The Jewish and Arab populations of Palestine were called upon to take all necessary steps to put this plan into effect. Looking back at this resolution, with a retrospective wisdom of experience, [26:00] we cannot fail to be impressed by the magnitude and gravity of the responsibilities which the General Assembly then undertook. I need not delay the committee long with an enumeration of the events which frustrated those high purposes. The major cause, indeed the sole cause, is the one which lies at the root of all the complex problems which come now under the heading of the Palestine question. One single factor alone is responsible for the slaughter and destruction, for the anguish and bereavement,

for the squandering of life and treasure, for the disturbance of international relations, for the desecration of holy places, for the panic of flight and the misery of exile, and all the other tragic consequences of this futile and unnecessary conflict. The cause is set out by a commission of the United Nations in a report to the General Assembly [27:00] at this period last year...And I quote, "powerful Arab interests, both inside and outside Palestine, are defying the resolution of the General Assembly by force, and are engaged in a deliberate attempt to alter by force the settlement envisaged therein. Armed Arab forces from neighboring states, together with local Arab forces, are defeating the purposes of the resolution by acts of violence. The Jews, on the other hand, are determined to ensure the establishment of the Jewish state as envisaged by the Assembly's resolution."

Mr. Chairman, these grave words, unprecedented in the international literature of our time, were conveyed by the United Nations Palestine Commission to the General Assembly in April, 1948. A few weeks later, this monstrous aggression took official form, [28:00] when the Secretary General of the Arab League, acting on behalf of seven states, six of them members of the United Nations, informed the Security Council that those

governments has undertaken what he called, "military intervention." Unless we can keep in our minds a clear vision of initial responsibility for this war, no single aspect of the Near Eastern situation can be evaluated in its true perspective. Around your table sit the representatives of six states who have the blood of martyred thousands on their hands, and the misery and exile of tens of thousands upon their consciences. I shall have occasion in the course of my remarks to comment upon the fantastic paradox whereby the only states which have ever taken up arms to overthrow an Assembly resolution by force solemnly sit in this committee to accuse their intended victim of a lack [29:00] of concern for Assembly resolutions. If any state eligibility for membership should be under question, it should be the eligibility of those who consciously selected war as a method of contesting the authority of international judgment. The Lebanese representative informed us this morning that an attitude of compliance with General Assembly resolutions should be a condition of membership in the United Nations. But, Mr. Chairman, if that were so, he would not be here at all! I shall circulate the statements of the Lebanese prime minister, urging that General Assembly's resolution of November the 29th, 1947, should be drowned in blood. For the moment, however, it is

sufficient to recall to this committee that the Arab states took up arms not only against the establishment of Israel, but also, with equal fervor [30:00] and with greater success, against the establishment of an international regime in Jerusalem."

The opposition of the Arabs took the form both of parliamentary boycott and of military violence. In the Trusteeship Council, the representative of Iraq said, "it is my duty to show that the plan for the city of Jerusalem is illegal. The people of Jerusalem who are not sacred should not incur political punishment because their city is. Neither the Iraqi government nor other Arab states are prepared to enter into the details or to participate in the discussion of the plan." In the meantime, the Trusteeship Council proceeded to elaborate a statute with the full cooperation of Jewish representatives, many of whose suggestions were embodied in the draft statute... [End Side A; overlap in recording]

...for the city of Jerusalem is illegal...should not incur political punishment because their city is. [31:00] Neither the Iraqi government nor other Arab states are prepared to enter into the details or to participate in the discussion of the plan." In the meantime the Trusteeship Council proceeded to elaborate a statute with the full cooperation of Jewish

representatives, many of whose suggestions were embodied in the draft statute... [gap in recording]

...the Jewish religion was the only religious denomination whose representatives came forward to cooperate in the formulation of that plan. It is significant that the Arab violence directed against the General Assembly's resolution began in the city of Jerusalem itself, with the establishment of armed gangs in the old city, [32:00] and the organization of an iron ring around Jerusalem's communications with the coast. Within a few weeks of the adoption of the Assembly's resolution, at a time when the mandatory regime was still operating, the city became a scene of anarchy and violence. With the coastal route firmly in Arab hands, and the water supply at the mercy of Arab forces, there began a slow and dreadful process of strangulation. On the commencement of the official Arab invasion, on the 15th of May, the armed forces of Transjordan, Iraq, and Egypt joined together in a concerted attempt to throttle the lungs and arteries of the Holy City, to rain down devastation upon its ancient shrines and modern habitations, and to wrest it from the international community for immediate incorporation, without any reserve, in an Arab Muslim regime. [33:00] There were many weeks when the issue hung in the

balance. Bombardment, starvation, pestilence and thirst stared the Jewish inhabitants of the city in the face. By the month of June, the population was living on a handful of barley and beans. The average diet was brought down to eight hundred calories a day. Many months before the expectation of the first rain, water was being doled out from carts, in measure barely sufficient to sustain human life. In this situation of thirst and malnutrition, the utmost technical resourcefulness was necessary, in order to save the city from dire epidemic. Added to all these terrors was the carnage of war itself, which took on unendurable proportions in the latter weeks of May."

Mr. Chairman, the people of Jerusalem, [34:00] to this very day, look back with a sense of deliverance and escape to the horrors which faced them in those unforgettable weeks. As the bombardment of the new and old cities took a heavy toll of life, the holy places themselves came under converging fire. In the old city of Jerusalem, in the Jewish quarter, corpses lay piled up unburied, since there was no access to the Jewish cemetery on the Mount of Olives, or indeed to any part of the city outside the walls. Arab forces from Transjordan, immediately on the termination of the Mandate, crossed into Palestine and laid

waste to the Jewish villages in the Kfar Etzion group, with the death of most of their inhabitants and the capture of the rest."

The Security Council, in constant session, was bombarded by clamorous appeals for the rescue of the city on whose behalf the United Nations had accepted the most solemn obligations. [35:00] Nothing availed. The Trusteeship Council plodded a leisurely course against fierce Arab opposition in elaborating the statute envisaged by Assembly's resolution. At the height of Jerusalem's distress, the General Assembly convened in special session during April and May 1948. Thus, all the principal organs of the United Nations were constantly at work at this very climax of the city's agony. Nothing in history is more incongruous than the pitiful contrast between this torment of the Holy City and the determined resolve of the international community at that time to take no steps whatever for its relief. The debates in the Trusteeship Council had patently revealed that in face of Arab boycott and resistance, nothing but a considerable military force would avail [36:00] to secure the implementation of the Assembly's statute. Week after week, with a regularity that must have grown monotonous to distinguished representatives themselves, Jewish spokesmen appeared in the various organs of the United Nations, imploring them, imploring them to assume the

responsibilities to which they were pledged, responsibilities which were and are inseparable from any rights to exercise authority or jurisdiction in any village, town, or country, in the world. For those who aspire to rule must be prepared to govern. You cannot have a fiction of sovereignty. It is not only a question of integrity; it is a question of life. But nothing happened. The majority of the Trusteeship Council swiftly reached the conclusion that the statute was no longer realistic in the existing condition of the United Nations [37:00] and in the context of Arab-Jewish war."

On the 21st of April, the Trusteeship Council passed a resolution, referring the future of the statute to the General Assembly for such further instructions as it might see fit to give. The General Assembly saw fit to give no further instructions. Early in May, a municipal commissioner was appointed to assume on behalf of the United Nations such functions and prerogatives as he could secure. The commissioner was appointed, arrived in Jerusalem at the height of the siege and warfare, and turned away. On June the 16th, 1948, the Trusteeship Council opened its third session with a provisional agenda, which prudently avoided all mention of the statute of Jerusalem. [clears throat] On July the 28th, 1948, the

representative of the Soviet Union, [38:00] urging constant fidelity to the November resolution, again sought action by the Trusteeship Council on the Jerusalem statute. A Belgian proposal for postponement *sine die* was adopted, by eight votes to one with three abstentions. Nothing has been heard of the statute ever since. The Jewish population of Jerusalem, submerged in death and famine, fighting against odds for sheer survival itself, probably had little time to reflect on the attitude of those who but a few months previously had undertaken responsibility for their security and wellbeing, and constructive measures of development. The right to destroy and besiege Jerusalem was officially claimed by Arab representatives as a legitimate action of war. The idea [39:00] that even a truce would involve the lifting of this brutal siege evoked the solemn indignation of Arab representatives."

The 313th meeting of the Security Council, Jamal Bey Husseini of the Arab Higher Committee, supported by the distinguished representative of Syria, upheld the divine right of starvation. He said, and I quote, "the Zionist spokesman yesterday assumed that the truce terms adopted by the Security Council should cover freedom of access to Jerusalem, together with transportation of goods for civilian needs of the hundred

thousand besieged Jews. We assume the contrary. The abandonment of the state of siege is obviously a net gain for one party and a loss for the other. The assumption of the Zionist spokesman should be corrected." The Security Council was naturally unwilling [40:00] to preside over the complete destruction of Jerusalem by famine during a truce, and it therefore undertook to supply the Jews of Jerusalem with quantities of food in such measure as would ensure that the end of the truce period Jerusalem's food supply would be exactly equivalent to what it was at the beginning of the truce. By a dismal paradox, the first active intervention of the United Nations in the administration of Jerusalem was to ensure the population should not have too much to eat. While these terrible processes were going on, it is not surprising if the Jews of Jerusalem deduced the harsh lesson that they could expect no salvation, except from one quarter alone, from their brethren in the State of Israel, who while grappling desperately for their own very survival bethought themselves of their kith and kin in Jerusalem. [41:00] The State of Israel girded all its strength to throw a lifeline to the beleaguered city. The Jewish quarters of the old city surrendered, amidst the destruction of its holy places, on May the 28th. All but five of its ancient synagogues were destroyed,

and those that remained have since been laid waste by the Arab occupation forces. The historic Wailing Wall, the most hallowed sanctuary to adherents of the Jewish faith was barred from access by worshippers and remains so to this very day. If the new city were not similarly to succumb, its supply routes had to be opened. Within the very gun range of besieging Arab forces, the Jews built a detour on the coastal road. This narrow strip, carved through the steep inclines of the hill country, began to relieve the stringency of the food situation. [42:00] Yet, for the most part, it was necessary to run a gauntlet of shell fire and ambush in a desperate attempt to bring convoys to the starving city. The people of Jerusalem carry inscribed in their hearts the memory of the occasions when such convoys passed through the perils and hazards of the road to deliver their cargo at a point when the very extremities of endurance had been reached. Upon the trucks of the first large convoy to reach Jerusalem at the peak of its danger was inscribed a message from the people of Israel to the Jews of Jerusalem. "If I forget thee, O Jerusalem, may my right hand forget its cunning." The Jews of Jerusalem were not forgotten or alone."

Mr. Chairman, when we speak, as I shall, of the profound and organic attachment between the Jews of Jerusalem and the

Jews of Israel, the Committee should think not merely of those links [43:00] of language, religion, culture, and other forms of natural allegiance, but also of that link forged by a fight for survival in those desperate days. The battle of Jerusalem was won, in a victory snatched from the very imminence of defeat, but it was a not a victory lightly or cheaply achieved. As you travel from the coastal plane to Jerusalem, through the Bab al-Wad, you can see to this day the overturned hulks of trucks, lorries, and cars, ambushed and set on fire. The ashes which litter the roadside are not those of lorries alone. The youth of Israel fell in their hundreds to save Jerusalem from the disaster and reproach of famine and surrender. It cannot be seriously doubted that in saving Jerusalem from capture by the combined Arab forces the Jews of that city and of Israel not only preserved Jewish rights [44:00] in the very cradle of the Jewish tradition, they also kept Christian interests alive, for it is beyond all question that had the assault upon the city succeeded, it would have become incorporated immediately and irrevocably in an Arab state which explicitly and avowedly asserted its own undisputed right to wield complete sovereignty over the whole city, including its holy places. If today it is still possible to make plans for giving statutory expression to

the international interest, as it is, that possibility derives solely from the success of this Jewish resistance at that time. For at that time the Arab position on internationalization was clear, both in theory and in practice, [45:00] and Dr. Malik was expressing the deep stirrings of his soul by sharing in a war-like coalition, raining down shells, unholy shells, and bullets, unsacred bullets, upon both parts of the city of Jerusalem."

I will not harry the feelings of this committee any further by descriptions of the ordeals and perils out of which Jerusalem has now emerged. Nothing is more splendid or impressive in the whole record of Israel's achievement than the swift rehabilitation of the city and its return to normal and dignified life. A year ago there was anarchy; today there is effective administration, both in the Jewish and Arab parts of the city. A year ago there was bloodshed; today there is peace. A year ago there was famine; today there is relative plenty. [46:00] A year ago there was devastation; today there are all the symptoms of recovery. A year ago the holy places were imperiled by the clash of arms; today they are at peace, and all the facilities of access and worship to all the holy places except the Jewish holy places are being gradually restored. [clears throat] This restoration of peace and normality to

Jerusalem is by far the most significant factor to be borne in mind in any consideration of the question and future of the holy places. Unless there is peace in Jerusalem between Arabs and Jews, no juridical status can assure the protection of the city or the immunity of its sacred shrines. If there is peace in Jerusalem between Arabs and Jews, then the assurance of safeguards for the holy places becomes a task easily [47:00] responsive to the processes of bilateral and international agreement."

In the ill-fated history of the November statute, it should be carefully borne in mind that there was the most absolute Jewish compliance and cooperation, and the fiercest Arab resistance, carried to the point of violent attack. There is nothing inconsistent, Mr. Chairman, between our solitary readiness, our almost solitary readiness to uphold the Jerusalem statute last year, and our most profound conviction this year that the application of the international principle to Jerusalem requires the formulation of new proposals, the institution of new thinking, and if necessary the acceptance of a new approach. The past actions and omissions which I have briefly described cannot be swept lightheartedly away. [48:00]

In November, 1947, we regarded the Jerusalem statute as the most effective and practical way of expressing the international interest in Jerusalem, in the conditions then prevailing.

[clears throat] If we wish to apply the international principle in Jerusalem today, as we do, we cannot fail to take account of the changes that have occurred since then. These changes arise from the refusal of the United Nations to ratify or apply the statutes worked out by the Trusteeship Council; the armed resistance of the Arab states against the November resolution, and particularly against the internationalization of Jerusalem. The terrible privations and sufferings endured by the Jews of Jerusalem, reminiscent of the days of siege in the life of the prophet Jeremiah; the successful defense of [49:00] Jerusalem by Jewish forces against its imminent annexation to an Arab state; the restoration of peace, order, and dignified life in Jerusalem; the accompanying integration of the life of the city into the life of the states to which its people are bound by every tie of natural allegiance. [clears throat] The obvious, patent, and evident unwillingness of the United Nations to undertake a heavy military, administrative, or financial commitment in the city, a commitment which would in any case be unnecessary, [clears throat] now that a pattern of order and

security exists. It is important to emphasize that nobody can simultaneously applaud the restoration of peace to Jerusalem and deplore the integration of the life of the city into the life of the neighboring states which are now exercising the functions of administration. [50:00] For it was precisely this process of integration into the authority of effective and competent governments which accompanied, and indeed made possible, the pacification of Jerusalem. This process of integration took place, I must emphasize, not in any desire to create new political or juridical facts, but as an essential condition for the restoration of the city's life. If the city was not to fall, it was necessary for Jewish forces to defend it. If the city was not to starve and perish from thirst, it was necessary for the Jews of Israel to revive its supply lines. If the city was not to become a center for all the rebellious and dissident elements in the country, as it was on that dark and terrible day of September the 17th, 1948, it was [51:00] necessary to introduce administrative and legislative controls. If the city was to emerge from the arbitrary authorities of military government to the enjoyment of free civic life, it was necessary to replace the military governorships by civilian administrations. If the city, sustained not by industry but by educational and

governmental institutions, was not to become impoverished and depressed, it was necessary to establish institutions of health and learning, and at least a proportion of the official business which had once been its main support. This and nothing else, this and this alone, was the motive for transferring to Jerusalem the personnel of non-political departments, whose presence might stem the flight from Jerusalem and preserve for the city its traditional primacy in the religious, educational, [52:00] and medical life of the country. No juridical facts whatever are created by such steps, which are dictated by nothing but a reverent desire to heal Jerusalem's wounds and to add economic recovery to the other aspects of its splendid recuperation."

Mr. Chairman, the statement in the Lebanese draft resolution, to the effect that Jewish part of Jerusalem has been proclaimed as a part of the State of Israel, is a false statement. It is extraordinary that the representative of a member state should find it possible to introduce a falsehood into the preamble of a draft resolution, for the most salient feature in the Israeli attitude to the Jerusalem problem today is my government's earnest and ardent desire to see the juridical status of the city satisfactorily determined by

international consent. In his meeting [53:00] with the Conciliation Commission on April the 7th, 1949, the prime minister of Israel said, "we shall attempt to convince the United Nations of the justice of our proposals. We shall bring our views to the Assembly of the United Nations. The matter will come to the Assembly, and the decision will be made there." The second progress report of the Conciliation Commission, in an effort at brevity, does not accurately reflect the prime minister's attitude as revealed by the verbal record. My government would have preferred to continue its discussions with the Conciliation of the Commission, until such time as the fourth regular session was prepared to consider substantive proposals on the future status of Jerusalem, yet the expression of international society, anxiety, and in particular the alarmist misrepresentation of certain events, compel us to state the main principles of our approach at this time. [54:00]

We believe that the international principle must be maintained, but that in the existing circumstances it should be expressed more realistically and practically than was envisaged in the ambitious proposals worked out by the General Assembly last November. We must seek to apply the international principle with some regard to the conditions existing in April 1949, and

not in accordance with the conditions which our predecessors might have reasonably envisaged in November 1947. The peace secured in Jerusalem by the cooperative action of the governments of Israel and Transjordan is too precious an asset to be disrupted by reversing the cloak of history, even if this could be done. I notice that in the recent Paplical [Papal] Encyclical, [55:00] the principle is laid down that the status of Jerusalem must be one which in the present circumstances, not in the circumstances of November 1947, but one which in the present circumstances will ensure the safety and protection of the holy places. The fact of Jerusalem's integration into the neighboring states, and the necessity and possibility to take a more practical view of the United Nations' administrative task, must be taken into account."

One possible way of solving the problem...is by limited the international regime and area so that it applies not to the entire city, but only to that part of it which contains the greatest concentration of religious and historic shrines. This was a proposal put forward by my government in Paris, in the earlier part of the current session. On the other hand, it is possible to go further, [56:00] and to envisage an international regime which applies to the whole city of Jerusalem, but which

is restricted functionally so as to be concerned only with the protection and control of holy places, and not with any purely secular or political aspects of life and government. This is the kind of approach which we favor at our present stage in the consideration of this problem. To this end, the government of Israel made a statement on the 23rd of April, through the president of the state, expressing its policy in the following words, which I quote: "The government and people of Israel are conscious of the international interest in the safety of the holy places and the right of free access to them. We pledge ourselves to ensure full security for religious institutions, in the exercise of their functions, [57:00] to grant the supervision of the holy places by those who hold them sacred, and to encourage and accept the fullest international safeguards and controls for their immunity and protection. Just as we are resolved to give complete and practical expression to the universal interest arising from the holy places, so we expect that the international community will understand the direct and inescapable responsibility of which Israel bears and exercises in the daily life and administration of Jewish Jerusalem. I am satisfied," President Weizmann continued, "that no real incompatibility exists between the interests and concerns of

Christianity, to which His Holiness the Pope has recently given eloquent expression, and the aspiration of the people of Jerusalem to ensure their government and security in conformity with their national allegiance. [58:00] If there is a genuine desire to reconcile these two interests, a harmonious solution can swiftly be secured with international consent."

Mr. Chairman, this is a far reaching commitment, surrendering to the international community the right of control and jurisdiction over holy places in Israeli territory. It deserves the closest examination by all parties concerned. It is important to draw attention to the fact that no similar pledge has been made by the Arab government which controls the majority of the holy places in Jerusalem. If a commitment similar to ours were elicited from Transjordan, it cannot be doubted that the problem of the holy places would be on the way to solution, provided only that the United Nations were to assume [59:00] even this more modest responsibility in an active and responsible spirit. The sad history of the Jerusalem statute should have taught us that it is of little value to cede responsibilities to the international community if the United Nations shows not tendency to take them up. The position, as we understand it, is that if the United Nations could secure from

the Arab government concerned a commitment similar to that made by Israel, and were then to establish an international regime in Jerusalem which would confine its jurisdiction and authority to the holy places, the Jerusalem problem could be successfully solved. The Conciliation Commission's sanguine belief, shared by the representative of Lebanon this morning, that some Arab states have modified their hostility to international control, carries us no further at all, [1:00:00] since it does not commit the only government which here matters, the only Arab government in control of any part of Jerusalem or the holy places. Lebanese acceptance at this stage is tactically clever but ineffective. The fact is that the Arab government controlling the majority of the holy places in Jerusalem has not given any undertaking comparable to ours accepting international control of any areas or any functions. The effective Arab attitude to the surrender of jurisdiction over holy places thus remains effectively negative. We remain just as far in advance of the effective Arab position as we were last year."

I should like to add, Mr. Chairman, that the foreign minister of Israel, in a statement to the press last week, while discussing the possibility both of an international regime for the old city and an international regime [1:01:00] for the

entire Jerusalem confined in its functions to the control of holy places added, "There may be alternative solutions to the problem of Jerusalem which we would be prepared to consider. We are still, therefore, in an intermediate stage of discussion. We seek the reconciliation of two interests, for each of which we have a deep and abiding concern. There is the universal interest arising out of the holy places, an interest quite understandably seeking juridical expression; and there is the necessity, the necessity of providing the people of Jerusalem with an administration that conforms with their welfare, their interest, and their national sentiment and allegiance. These two interests are to be reconciled. We do not and should not seek the complete subordination of one [1:02:00] to the other. Any proposal which genuinely harmonizes the two..." [Recording cut off]

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