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MS-4787: Abba Hillel Silver Papers, 1902-1989.

Series I: General Correspondence, 1914-1969, undated.

Sub-series A: Alphabetical, 1914-1965, undated.

Reel
32

Box
12

Folder
799

Israel, general, 1949-1950.

THE MASTER MECHANICS COMPANY

CREATORS AND MANUFACTURERS

**CHEMICAL MAINTENANCE ACID, HEAT
AND WATERPROOFING PRODUCTS**

2097 COLUMBUS ROAD

CLEVELAND 13, O.

November 25, 1949

Dr. Abba Hillel Silver
The Temple
Cleveland, Ohio

Dear Dr. Silver:

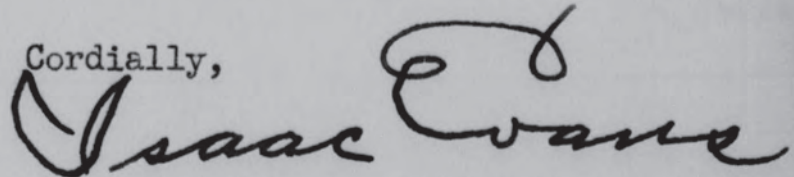
I was glad to have had the opportunity to discuss with you the subject of my offer to Israeli. Am enclosing complete file.

I have dismissed the subject, and some day in the future the parties who are interested in this matter may come around and reinstate themselves. Mr. L. E. Shmaragd, who is the Secretary of the Cattle Breeders Association, was here, with Mr. G. Ben Levinson of the Levinson Livestock Company, who evidently are also interested in the project. At any rate, they wanted - as referred to in the Bible, "Rachel, your daughter, the little one". They were looking for something that is very rare, Holstein bulls with a pedigree of 4% butterfat. I doubt very much if there are any to meet this specification in this vicinity.

My letter to him under date of October 9, as you will note, does not indicate dissatisfaction with their ways, that is their business. All I could do was to make an offer of the best of our herd, the same as I do to other countries, as an example of Good Neighborliness.

With kind regards.

Cordially,



Isaac Evans.

IE:V
encls.

May 13, 1949

Zionist Organization of America
41 E. 42nd Street
New York, N. Y.

Attention: Dr. Sidney Marks

Gentlemen:

I am arranging to add to my annual gift to Latin American countries to include Israel and a neighbor of Israel. I would like your advice as to what neighbor. The gift will consist of three fine registered young dairy bulls to aid in the dairy improvement programs.

In the past I have made such gifts to Mexico, Cuba, Peru, and Colombia. This year I intend to make similar gifts to Guatemala, Italy, Israeli, and an Israeli neighbor. To acquaint you with this program, I am enclosing the 1947 and 1948 folders which refer to this project.

As in the past, I will pay the transportation charges to New York or such other eastern seaboard Port of Embarkation.

With kind regards.

Sincerely,

Isaac Evans.

IE:V
encl.

ZIONIST ORGANIZATION OF AMERICA

41 EAST 42nd STREET

New York 17, N.Y.

May 17, 1949

Mr. Isaac Evans
Master Mechanics Company
2097 Columbus Road
Cleveland 13, Ohio

Dear Mr. Evans:

I was truly delighted to receive your letter dated May 13th.

I am communicating with the Israeli Consul and will let you know in due course.

My kindest personal regards and please extend them to the family.

Sincerely,

(Signed) Sidney Marks

Dr. Sidney Marks
Executive Director

SM/M

ZIONIST ORGANIZATION OF AMERICA

41 EAST 42nd STREET

New York 17, N. Y.

May 24, 1949

Mr. Isaac Evans
Master Mechanics Company
2097 Columbus Road
Cleveland 13, Ohio

Dear Mr. Evans:

With further reference to your questions, I have spoken to competent authorities and they indicated to us that it is a matter of indifference to them where the livestock goes as far as other countries adjacent to Israel is concerned. They are not in a position to advise which of these is the most worthy recipient.

With reference to the Israeli delivery, I am advised as follows: "So far as the animal intended for Israel is concerned, we shall be very happy to receive this gift. As it happens, a delegation of the Israeli cattle breeders is expected in America next month and they would be glad to advise on details such as matters of shipment, etc. In the meantime, his appropriate contact would be Mr. David Stern of the Israeli Supply Mission, 250 West 57th Street, New York City."

Of course, I can tell you that there is another avenue for delivery of these cattle and that is through the Farmer's Federation of Israel. I can handle this aspect of it directly, if you so desire.

I trust that this information will be of help to you.

Accept my kindest personal regards.

Sincerely yours,

(Signed) Sidney Marks

Dr. Sidney Marks
Executive Director

SM/dhf

May 27, 1949

Zionist Organization of America
41 East 42nd Street
New York 17, N. Y.

Attention: Dr. Sidney Marks, Executive Director

Dear Sir:

Pleased to acknowledge receipt your letter of May 24.
Note that there is no preference as to what neighbor to send
the gift of cattle.

As my annual gifts have been made through the respec-
tive Embassys at Washington, I probably will make the same
formal tender to the Embassy of Israel, Washington, D. C.

I will, however, give due consideration to possible
handling of same through the Farmers' Federation of Israel, as
mentioned in your letter. I will keep you advised.

With every good wish.

Very sincerely yours,

IE:V

Isaac Evans.

ZIONIST ORGANIZATION OF AMERICA

41 EAST 42nd STREET

NEW YORK 17, N.Y.

June 2, 1949

Mr. Isaac Evans
2097 Columbus Road
Cleveland 18, Ohio

Dear Mr. Evans:

Many thanks for your letter dated May 27th with reference to presentation of the cattle.

If the Farmers' Federation can be of any help, you can communicate with me and I shall channelize your gift.

I saw your son at the Convention and I was delighted to note his most active participation.

Accept my kindest personal regards.

Sincerely yours,

(Signed) Sidney Marks

Dr. Sidney Marks
Executive Director

SM/mf

June 9, 1949

Israeli Embassy
Washington, D. C.

Gentlemen:

Congratulations on the realization of a dream come true in the newborn State of Israel! May it be the beacon light and lead the path to a world united in cooperation, with peace and tranquillity.

For a number of years I have been making an annual gift of registered young dairy bulls to sister republics, to aid them in their dairy improvement programs. I started working on this program during the depth of the war, in 1944. My first gift was to the Republic of Mexico in 1945. I am enclosing the 1947 and 1948 greeting cards which relate to this activity.

It is my pleasure, privilege and honor to offer to the State of Israel, on behalf of my country and myself, three registered young dairy bulls, one Brown Swiss and two Holsteins. I will pay the transportation charges to New York, or such other eastern seaboard Port of Embarkation. I will furnish the required Health Certificates to accompany the shipment.

In honor of the occasion I expect to have a Good Neighbor Gathering at Comema Farms, which is nearby, late this summer or early fall.

The Cleveland Office, U. S. Department of Commerce, is thoroughly familiar with my gifts to other countries.

With every good wish for ever continued friendly relations between your country and ours.

Very sincerely,

IE:V
encls.

Isaac Evans.

June/7, 1949

Dr. Sidney Marks, Executive Director
Zionist Organization of America
41 East 42nd Street
New York 17, N. Y.

Dear Dr. Marks:

Pleased to acknowledge your letter of June 2nd.

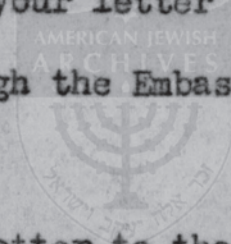
As my gifts have been made through the Embassys, therefore
will do likewise.

Find enclosed copy of letter to the Israeli Embassy.

Sincerely yours,

IE:V
encl.

Isaac Evans.



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O
P
Y

ZIONIST ORGANIZATION OF AMERICA

41 East 42nd Street

New York 17, N. Y.

June 13, 1949

Mr. Isaac Evans
Master Mechanics Co.
2097 Columbus Road
Cleveland 13, Ohio

Dear Mr. Evans:

Many thanks for your letter dated June 9th together
with the enclosure.

It is a wonderful gift and a wonderful service that
you have performed.

Accept my kindest personal regards.

Sincerely,

(Signed) Sidney Marks

Dr. Sidney Marks
Executive Director

SM/M

GOVERNMENT OF ISRAEL SUPPLY MISSION

250 West 57th Street
New York 19, N. Y.

June 22, 1949

Mr. Isaac Evans
The Master Mechanics Company
2097 Columbus Road
Cleveland, Ohio

Dear Mr. Evans:

Your kind letter of June 9th to the Embassy of Israel in Washington, has been forwarded to this office.

We accept with deep appreciation your generous offer to the State of Israel of three registered young dairy bulls, a gift which will help a great deal in the development of cattle breeding and raising in Israel, a problem of much importance to us.

We take the liberty to draw your attention to the fact that cattle breeding in Israel is based on Holstein cattle only. A few years ago we tried some Brown Swiss cattle but without success. We would, therefore, be very grateful to you if you would present us with pure-bred Holstein bulls only.

A delegation of cattle breeders in Israel is expected to visit this country in the very near future for the purpose of procuring about one thousand registered Holstein dairy cows and about two thousand young calves.

We shall use the occasion of this visit, to call on you for advice, based on your experience; to acquaint you with the progress achieved in the branch of cattle breeding and raising in Israel and to discuss the transportation of your gift, which can be executed together with the transportation of the cattle to be purchased by the above delegation for Israel.

We shall be pleased to contact you as soon as the cattle breeders' delegation arrives in this country, in order to fix a mutually convenient time for a meeting. We look forward to meet with you soon and remain, until then, with kind regards and good wishes,

Sincerely yours,

(Signed) D. Stern

David Stern

DS;ms

cc Embassy of Israel

TELEPHONE
MU 2 - 3205

ZIONIST ORGANIZATION OF AMERICA

41 EAST 42nd STREET

NEW YORK 17, N.Y.

June 29, 1949

Mr. Isaac Evans
The Master Mechanics Co.
2097 Columbus Road
Cleveland, Ohio

Dear Mr. Evans:

You have undoubtedly heard from Mr. David Stern of the Government of Israel Supply Mission. I was delighted to note their response.

If I can be of any further assistance to you, please do not hesitate to call upon me.

I trust that you and your family are in the best of health and spirits.

Accept my affectionate regards.

Sincerely yours,

(Signed) Sidney Marks

Dr. Sidney Marks
Executive Director

SM/br

July 1, 1949

Mr. David Stern
Government of Israel Supply Mission
250 West 57th St.
New York 19, N. Y.

Dear Mr. Stern:

It is indeed a pleasure to receive your very nice letter of June 22 with reference to my giving foundation dairy bulls to aid in your dairy improvement program.

The material giving is insignificant compared to the spiritual part that prompts this act. It is an expression of friendship existing between my country and myself and your country and your people. We have a common interest to be helpful to each other, and through this have a common feeling and understanding. It is indeed a privilege and pleasure for me, as a private citizen in this good land of ours, to be able to extend the Good Neighborly act to others.

I will be glad to meet with your delegation when they arrive.

With every good wish.

Cordially,

Isaac Evans.

IE:V

KIBBUTZ GESHER HAZIV

NAHARIA

ISRAEL

American Office: Room 1301, 45 East 17th Street, New York 3, N.Y. Telephone
Algonquin 4-8257

July 28, 1949

Mr. Evans, Sr.
Master Mechanics Co.
2097 Columbus St.
Cleveland, Ohio

Dear Mr. Evans:

If you recall I spoke with you when I was in Cleveland last April about giving certain assistance in the form of machinery and loans to our newly founded kibbutz. In the course of our conversation you promised to ship us a Holstein bull to be used for breeding in Israel. To date we have not heard from you. Since the bull will be an important part of our stock inventory, I'd appreciate very much hearing from you as to when we could expect this very generous contribution on your part.

I'm returning to my home in Israel in a very few weeks and would like to conclude all the business that has been begun. Please notify me at your earliest convenience approximately when you will be able to ship the bull, so that we can notify you as to shipping instructions and so forth.

I am enclosing several copies of a little pamphlet which may be of interest to you. Please give my best regards to your son William.

Sincerely,

(Signed) Shmarya Lieberman

Shmarya Lieberman

August 17, 1949

Mr. David Stern
Government of Israel Supply Mission
250 West 57th Street
New York 19, N. Y.

Dear Mr. Stern:

I expect to be in New York for a few days and will be glad to visit with you on the subject of cattle breeders for Israel.

I have an appointment with Prof. T. Bonadonna of Milan, Italy. This year I am making it a gala affair by giving to four republics - Israel, Italy, Turkey, and Guatemala.

In your letter of June 22 you mention you prefer Holstein, therefore I will reserve three nice young Holstein bulls for shipment to Israel.

Looking forward to the pleasure of meeting with you.

Very sincerely yours,

IE:V

Isaac Evans.

cc Dr. Sidney Marks

August 17, 1949

Dr. Signey Marks, Executive Director
Zionist Organization of America
41 E. 42nd St.
New York 17, N. Y.

Dear Mr. Marks:

Find enclosed copy of letter to Mr. David Stern.

I expect to leave pretty soon, therefore making this letter
brief. Would be happy to meet with you and Mr. Stern.

With kind regards.

Very sincerely yours,

IE:V
encls.

Isaac Evans.

Telephone
MU 2-3205

ZIONIST ORGANIZATION OF AMERICA

41 East 42nd Street

New York 17, N. Y.

August 19, 1949

Mr. Isaac Evans
The Master Mechanics Company
2097 Columbus Road
Cleveland, Ohio

Dear Mr. Evans:

Your letter addressed to Dr. Sidney Marks arrived after his departure for several weeks vacation.

I am of course very happy to learn of your successful arrangements which you have made with the government of Israel Supply Mission.

If there is anything I can do to assist you in this matter, please do not hesitate to call upon me.

With cordial regards, I am,

Sincerely yours,

(Signed) Jerome Unger

Rabbi Jerome Unger
Assistant to the President

JU/br

GOVERNMENT OF ISRAEL SUPPLY MISSION

Telephone:
Circle 6-7818

250 West 57th Street

New York 19, N. Y.

August 22, 1949

Mr. Isaac Evans
The Master Mechanics Company
2097 Columbus Road
Cleveland, Ohio

Dear Mr. Evans:

Many thanks for your kind letter of August 17th.

I am pleased to learn of your forthcoming visit to New York when I shall have the honor and pleasure of making your acquaintance personally.

I have informed my government of your generous gift and have been advised that the delegation of Israel cattle breeders, which is expected from Israel very shortly, will be very pleased to visit you.

With kind regards and best wishes,

Sincerely yours,

(Signed) D. Stern

David Stern

ms

September 9, 1949

Israeli Embassy
Washington, D. C.
Gentlemen:

Sorry that time did not permit me to make another call at the Embassy and visit with Hon. Eliahu Elath in connection with my gift to the Government of Israel of three foundation dairy bulls.

I note from the correspondence that my letter of June 9 went by without an acknowledgment.

I received a letter from the Supply Mission advising that there will be a representative call on me. I will be happy to cooperate and make shipment to your Government of three registered young Holstein bulls. I will pay the transportation charges to New York, or such other eastern seaboard Port of Embarkation.

With every good wish.

Cordially yours,

IE:V

Isaac Evans

Dict. but not reread

EMBASSY OF ISRAEL

No. 8314

2210 Massachusetts Avenue
Washington, 8, D. C.

Adams 5411

September 12, 1949

Dear Sir:

I wish to acknowledge with thanks the receipt of your letter of September 9, 1949.

I hope that a representative of our Supply Mission has, in the meantime, called on you and taken care of your generous offer which is very much appreciated.

Please let us know if we can be of any help.

Sincerely yours,

(Signed) Uriel Heyd

Uriel Heyd
First Secretary

Mr. Isaac Evans
The Master Mechanics Company
2097 Columbus Road
Cleveland 13, Ohio

UH:jg

September 16, 1949

No. 8314

Mr. Uriel Heyd, First Secretary
Embassy of Israel
2210 Massachusetts Ave.
Washington 8, D. C.

Dear Mr. Heyd:

Pleased to acknowledge receipt of your
letter of September 12.

Mrs. Evans and I take pleasure in extending to you and Mrs. Heyd our cordial invitation to attend our annual Good Neighbor Party in connection with my giving of foundation dairy cattle, at Comema Farms, the 27th of this month, at 11:00 A.M.

Looking forward with great pleasure to your visit, I am

Very cordially yours,

Isaac Evans, President
THE MASTER MECHANICS CO.

IE:V

EMBASSY OF ISRAEL

No. 8544

2210 Massachusetts Avenue
Washington 8, D. C.

Adams 5411

September 19, 1949

Dear Mr. Evans:

I wish to acknowledge receipt of your letter of September 16th and to express sincerest thanks for your kind invitation to attend your annual Good Neighbor Party on the 27th of this month.

Unfortunately, Mrs. Heyd and I are leaving this country at the end of the month for Israel and, therefore, deeply regret that we are unable to attend the Party.

Yours sincerely,

(Signed) Uriel Heyd

Uriel Heyd

Mr. Isaac Evans, President
The Master Mechanics Co.
2097 Columbus Road
Cleveland 13, Ohio

UH:rme

CATTLE BREEDER'S ASSOCIATION
IN PALESTINE

TEL-YOSEF

PHONE 207

L. E. Shmaragd
Hotel St. Paul
St. Paul, Minn.

Oct. 15, 1949

Mr. Isaac Evans, Esq.
Master Mechanics Co.
2097 Columbus Rd.
Cleveland, Ohio

Dear Sir:

In accordance with our phone conversation of Oct. 13th, I beg to inform you that I will be very happy to meet you in your office on Oct. 19th. I shall be more than happy to give you any information which I have about our colonization program in general and also our cattle and dairy improvement program.

Should any happen beyond my control that would prevent me from being there on the above date I shall inform you beforehand.

Looking forward with pleasure to seeing you on this date, I am

Sincerely yours

L. E. Shmaragd

October 19, 1949

Mr. L. E. Shmaragd
Hotel St. Paul
St. Paul, Minnesota

Dear Mr. Shmaragd:

It was indeed nice to visit with you today.

I will keep you informed if we have one or more bull calves that will meet your specifications. I congratulate you on the fact that you are introducing into Israel the top quality foundation dairy stock.

Whenever you are again in Cleveland I will be happy to visit with you and drive out to the farm.

With kind regards.

Cordially,

Isaac Evans

IE:V

מדינת ישראל

ISRAEL

נציגות ישראל
באומות המאוחדות
DELEGATION OF ISRAEL
TO THE UNITED NATIONS

11 EAST 70TH STREET
NEW YORK 21, NEW YORK
TRAFALGAR 9-7600

November 29, 1949

Dear Dr. Silver:

I regret exceedingly that the continuation tomorrow of the sub-committee stage in the consideration of the problem of Jerusalem, which, in our delegation, is my personal responsibility, has made it impossible for me to be with you and other friends tonight.

I am happy to recall our close association of two years ago, when under your chairmanship in America, the great task was brought to a successful conclusion.

The Resolution of November 29, 1947 would have been torn to shreds, drenched in Jewish blood, if in the hour of supreme trial, the moral and physical strength of the Yishuv had failed. But without the Resolution passed at the General Assembly of the United Nations just two years ago, that hour of supreme trial might not have arrived at all and the course of Jewish history might have been far different.

There are still some lesser battles to be fought and won on the international front, but the decisive victory has been achieved and we can feel reasonably confident in confronting the difficulties which still lie ahead. As to the future, the center of gravity of our problems has definitely shifted from the external political front to the inner arena - that is to say to Jewish capacity to cope with the gigantic tasks of reconstruction, of the land and of the people, with which we are now faced. All the latent energies of the Jewish people throughout the world, and primarily those of American Jewry, must now be mobilised to respond to this momentous challenge.

With kindest regards,

Yours very sincerely,

M. Sharett
Moshe Sharett

ms:sh

Dr. Abba Hillel Silver
Waldorf Astoria Hotel
New York City, N.Y.

WITH THE COMPLIMENTS OF

WRHS
a. d. Eban
AMERICAN JEWISH
ARCHIVES
EST. 1977

נציגות ישראל
באומות המאוחדות
DELEGATION OF ISRAEL
TO THE UNITED NATIONS

מדינת ישראל

ISRAEL OFFICE OF INFORMATION

GA 50

STATEMENT OF AUBREY S. EBAN, REPRESENTATIVE OF ISRAEL

BEFORE THE AD HOC POLITICAL COMMITTEE

November 29, 1949

Mr. Chairman:

The policies and aspirations of Israel in Jerusalem have been the subject of much comment, both friendly and critical, in the course of this long and memorable debate. My Government's position has been criticized on three main counts. First, it has been suggested that our opposition to internationalisation was not frankly expressed or revealed in the debate on Israel's admission to membership in the United Nations. Second, it has been stated that in deviating from the Jerusalem Statute recommended on November 29, 1947, we repudiate a still valid international obligation, and deny the fulfilment of an immutable religious aspiration especially incumbent upon Israel. Third, we have been told that Israel's present position is a "mere accomplished fact" resting on the results of conquest without the sanction of law or right. With all our desire to proceed as rapidly as possible to a substantive consideration of the proposals before us, we cannot neglect the duty of a frank and comprehensive reply to all three criticisms.

But before addressing myself to these matters, I feel impelled to say a word on Israel's vital interest in a constructive outcome to this debate. One hundred thousand people in the City of Jerusalem depend on the Government of Israel for the dignity and order of their lives; for their daily bread and water; for the security of their homes, and the development of their institutions; for their sense of historic memory and of partnership in a wider political community.

In the summer of last year, at the lowest point in Jerusalem's fortunes in modern times, at a moment when the horrors of bombardment, siege and hunger threatened its complete annihilation, the City was rallied by Israel into a slow but inspiring struggle for rescue and rehabilitation. Its people were defended, its supply lines renewed, its institutions restored, its administration consolidated, its cultural activity revived. In this process a link of duty and sacrifice, of mutual responsibility and common aspiration was established between Israel and Jewish Jerusalem. This link has now been welded into a firm and indissoluble spiritual union. Remove the full authority of the Israel Government from the New City today -- and this hard won stability will instantly collapse. A hundred thousand embittered and disfranchised people, stripped of their political freedom and their vital defence, will be plunged into confusion, resentment and fear. Their deeply cherished allegiance will be inevitably driven underground, while a new outside authority strives in vain to divert to itself their loyalty and obedience. With United Nations security agreements set aside against the will of their signatories; with today's stability overthrown without the least assurance of its effective replacement, the Holy City will become the scene of popular discontent to the peril both of its religious and its secular peace. When we read some of the resolutions and amendments now before us in the intimacy of our knowledge and responsibility, this is the grim and certain picture that we see unmistakably emerging between the written lines. My delegation will devote its utmost effort to avert such a tragic outcome with all that it would involve for Jerusalem and for the repute and welfare of this organisation.

Experience has taught us to apply to every resolution submitted here the test of practicability. It is not the adoption of resolutions but their implementation which preserves their real validity. It was primarily in Jerusalem itself that we learned that salutary lesson. For when the forces of Arab States took up arms against Jerusalem to prevent its internationalisation by

NEW YORK
11 East 70 Street
TRafalgar 9-7600

WASHINGTON, D.C.
2210 Massachusetts Ave., N.W.
ADams 5411

LOS ANGELES
208 West Eighth Street
TRinity 5215

force and violence, Israel called upon the United Nations to assume the responsibilities which it had solemnly incurred in the 1947 Resolution for Jerusalem's "security, well-being and constructive development." Neither in the Trusteeship Council, nor in the Security Council, nor in the General Assembly itself could our persuasion avail to induce the organs of the United Nations to assume any active responsibility in Jerusalem when the Mandate expired. On the fateful morning of May 15 the Jews of Jerusalem, as the most fearful dangers closed in upon them, knew that they could not expect from the United Nations either defence or administration; either a focus of allegiance or the means of subsistence. Internationalisation had faced the decisive test and failed. It was in the light of this experience written deep upon their memories and inscribed on 1500 graves that the Jews of Jerusalem have irrevocably and unanimously revised their views on the capacity of internationalisation to assure the peace or development of the City. This judgment derives added authority and weight from the fact that for several critical months Israel and the Jews of Jerusalem were the almost sole supporters of the November Statute against the powerful onslaught of the Arab States; against the scepticism of the Trusteeship Council; against the resolute inertia of the Security Council; and against the apathy of the General Assembly itself which, on May 14, 1948, emphatically rejected every single one of the successive resolutions put before it for assuming United Nations responsibility in Jerusalem. It was thus that Jerusalem became a fateful vacuum the following day.

The people of Jerusalem have thus become convinced that separation from Israel is tantamount to their encirclement and eventual destruction, and that only in union with their brethren in their independent State can they secure their very preservation. As soon as this became the clear conviction of the Government of Israel and the Jews of Jerusalem, it was conveyed without any concealment to the United Nations and its organs. At the Third Regular Session of the General Assembly in Paris we argued against any internationalisation except one limited to the single square mile of the Walled City within which the great sanctuaries and shrines of the three world religions are gathered in a unique concentration. On April 1, 1949, the Prime Minister of Israel repeated to the Conciliation Commission his belief that the withdrawal of Israel's authority from Jerusalem was incompatible with the security, the sentiment and indeed the survival of 100,000 Israel citizens within the City. On May 5, in this very Committee, we contributed the proposal for a functional internationalisation applying the jurisdiction of the United Nations to the Holy Places in Jerusalem and outside. I invoke this record in order to refute the suggestion put forward by some delegations implying nothing less than that my Government concealed its opposition to internationalisation during the debate on its admission to membership, only to reveal its attitude once that objective had been gained. Israel deeply cherishes its links with the United Nations. Both its historic universal traditions and the sentiment of its population inspire it with a high sense of international solidarity. To achieve membership in this Organisation was therefore a task to which my Government devoted much energy and zeal. Yet in no circumstances could we -- or can we -- ever be prepared to purchase political victories either at the sacrifice of integrity, or at the expense of our people, our institutions or our freedoms in Jerusalem. If last May the choice had been between acquiescence in the withdrawal of Israel's authority from Jerusalem or the renunciation of the prospect of membership in the United Nations, we should unhesitatingly, though with profound regret, have taken the latter course. It was in order to make this position crystal clear that I imposed on the indulgence of this Committee on May 5 for a detailed exposition of my Government's views on the Jerusalem question. The records are faithfully preserved. I said:

"The Government of Israel advocates and supports the establishment by the United Nations of an international regime in Jerusalem concerned exclusively with the control and protection of Holy Places and sites. If such a regime for the Holy Places is established, my Government will cooperate with it."

As another alternative which could be envisaged together with the establishment of functional internationalisation, I recalled our previous proposal for "limiting the international regime in 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." My Government adheres today to every word of this declaration made on its behalf on May 5, of which note is formally taken in the General Assembly's Resolution of May 11. In expressing opposition to any separation between the State of Israel and Jewish Jerusalem, we do no more than reaffirm the doctrine which my delegation expounded before this Committee on the eve of its admission to membership. We have never sought to suggest that the admission of Israel to membership in the United Nations involved approval of our views on the Jerusalem question; for the problem of Jerusalem's future was not then substantively before the Committee at all. But we must insist that in the light of recorded statements it is entirely inadmissible for anyone to make the invidious charge that our views on internationalisation were suppressed for tactical advantages last May. Indeed, I am grateful to the representatives of Pakistan, Lebanon and Denmark for reminding the Committee that my Government's insistence on a purely functional internationalisation or one limited to the main Holy Places area was fully known to this Committee when it cast its vote last Spring.

A still more serious and unfounded charge was made by the distinguished representative of Colombia who claimed that his Government had received last May a letter expressing "Israel's support for the internationalisation of Jerusalem", thus enabling his delegation to vote in favor of Israel's membership. The object of that letter was not to conceal, but frankly to emphasise the limitations which after the lapse of two years we regard as essential in the application of the international principle. The relevant passage in the communication to the representative of Colombia reads : -

"My Government has suggested two alternative means of approach for expressing the international principle in a practical and realistic way within the immediate capacities of the United Nations.

- (1) The establishment of an international regime limited in area so as to apply to the greatest concentration of Holy Places and sites,
- (2) An international regime covering the whole area of Jerusalem but restricted functionally so as to be concerned exclusively with the protection of Holy Places and sites."

It will thus be seen that both publicly and privately we made it abundantly clear that the possibility of any full-scale internationalisation comprising the New City had been superseded in our view and judgment by the processes of fusion and integration which had taken place in Jerusalem during the months and years when the November Statute remained unimplemented and Jerusalem was left to work out its own salvation and build its own future without international protection or aid. I am confident that the representative of Colombia will hasten to correct the impression which he gave that his Government received a letter from my Government last May favoring the internationalization of Jerusalem beyond the limited extent which we favor today.

The principles now advocated by my delegation for a solution of the Jerusalem problem have been ^{further} criticised by the representatives of El Salvador, Egypt, Cuba, Australia, Colombia, Pakistan and Greece on the grounds that they deviate substantially from the Statute contained in the Resolution of November 29, 1947. In his statement to this Committee last week the Foreign Minister of Israel described how for many critical months we alone of all the parties addressed by the 1947 Resolution moved forward against military violence and political obstruction towards the fulfilment of such provisions as depended upon our initiative and support. There is not the slightest moral inconsistency between our solitary efforts at that time to secure the faithful implementation of that Resolution and our firm conviction today that the General Assembly must take into account not merely the facts and principles created by the adoption of that Resolution, but the consequences arising from its non-implementation.

It will be recalled that the November 1947 Resolution was a complex recommendation addressed to many international bodies and to specific Member States. The Arab States were called upon together with all members of the United Nations, to acquiesce and assist in its implementation; instead they took up arms against all its provisions, and particularly against the internationalisation of Jerusalem. The Security Council was requested to assume specific responsibilities for the enforcement of the Resolution; it refused to comply with that recommendation. The Trusteeship Council was called upon

ratify and apply the Statute for Jerusalem; it did no such thing. The Economic and Social Council was allotted certain functions, not one of which it undertook. The Mandatory Power was called upon to facilitate certain arrangements, it facilitated none. A Five Power Commission was appointed to go to Palestine, establish governmental institutions, constitute security forces and arrange an administrative transfer; it accomplished not one of these tasks. In May 1948 the General Assembly deliberately suspended all machinery for the implementation of that Resolution. In December 1948, during the session in Paris, as my Australian colleague will vividly remember, every attempt to reaffirm any single part of the November 1947 Resolution was rejected with resounding emphasis. Neither the Mediator nor the Conciliation Commission was endowed with terms of reference containing any hint of the validity of that Resolution. We may leave it to the jurists to decide whether the legal force of a resolution can be completely unaffected by such an avalanche of rejection and abandonment on the part of its authors. Historians of the future may be left to speculate why the international community, having adopted this historic and momentous decision, thereafter lent no hand towards its fulfilment.

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But Israel cannot be reproached for having fallen short of any of its critics in the effort and sacrifice required to make that Resolution effective. Indeed the only element of the Resolution which was ever translated from abstract recommendation to vital reality was that part of the Resolution which the people of Israel were called upon to accomplish: the establishment and consolidation of their State. It is strange after all this to find Israel criticised for a lack of orthodox fidelity to the November Resolution by some Member States who took up arms against that very Resolution in defiance of the Charter, and by many others whose votes and influence were never available during those critical months when vigorous international action might have secured a peaceful implementation of the Resolution.

Indeed and instead, the General Assembly itself declared its complete freedom to seek a solution of the Jerusalem problem along principles other than those contained in the November Statute; for the Resolution adopted in Paris on 11 December 1948 chose to make no reference to the Statute of the Trusteeship Council or indeed to the Resolution of November 1947. It is impossible to understand why the General Assembly should have charged the Conciliation Commission with the task of working out a new plan for Jerusalem over an entire year, if the Statute worked out in 1947 had been regarded both as legally valid and as practically effective at the same time. The fact that the policies of my Government on Jerusalem today do deviate from the unimplemented Resolution of November 1947 may evoke either agreement or disagreement; but in no circumstances can it rightly be said that for Israel, in common with many delegations here, to embark upon a new quest for an effective solution is a repudiation of its international responsibilities or as has been suggested, a reflection on its original right of statehood. Furthermore, the statements of the distinguished representatives of Australia and Lebanon that the establishment of Jerusalem as a separate political entity reflects the "unanimous desire of religious opinion" requires serious qualification. Christian leaders of unquestioned authority and devoutness, in many lands, have often submitted proposals which involve the maintenance of Israel's political connection with Jerusalem.

This emerged quite clearly even from Dr. Malik's impressive correspondence which was made available to the Committee yesterday. My Government, through its Ministry of Religions, is in daily and constant touch with religious leaders in Israel, including all the Patriarchates and the Papal Envoy accredited to Israel. The opinion that a separate political status for Jerusalem is an indispensable condition for the preservation of the Holy Places and religious rights is far less unanimously held than Dr. Malik, claiming, I understand, to speak for the whole of Christendom, would appear to believe. Mr. Chairman, Jerusalem has been a Holy City for three thousand years, from the day when Solomon, King of Israel, built a Temple to the Lord. Never once in that long span of history, witnessing the rise and fall of many empires and regimes right up to the Ottoman and British regimes in our times, has an international status for the City been regarded as an indispensable attribute of its holiness. That Jerusalem can preserve its holiness without internationalisation is thus proved by four millennia of history. Throughout the modern stages of that history, the typical method for the protection of the Holy Places has been a system of guarantees offered by the political authorities concerned to the great churches or in more recent times to the organised international community. I am far less certain than Dr. Malik that if the new and altogether dubious and unproven experiment of internationalisation is not effected now, posterity will rise up to reproach us. Indeed, if the proposed solution which we still ^{advocate} for establishing full United Nations control over the Holy Places themselves is effected now, as it can be, in harmony and peace, we shall have achieved the most direct expression of universal responsibility for the protection of Jerusalem's holiness that recorded history has ever known. Let us then beware of imagining that any particular political regime for Jerusalem is an immutable or unanimous dictate of the Christian conscience. To complete the religious picture, I was fascinated but not entirely convinced by Dr. Malik's sudden appearance as the spokesman of the Moslem world, generously handing over to a partnership with the Christian world all the Holy Places of Jerusalem for when I listened to the representatives of the Moslem dynasty now in actual control of all the Holy Places of all the three religious groups in Jerusalem, I could hear no such offer. Indeed, I recall that when the idea of such a separate regime was proposed in 1947, the entire Moslem world vehemently opposed it, and the course of our debates has shown that Moslem opinion is in no sense united in support of internationalisation at this time. In a recent communication to the Secretary-General, their Eminences the Chief Rabbis of Israel advocated the international supervision and protection of all Holy Shrines together with what they call the maintenance of the connection between the capital of David and Solomon with the State of Israel reborn in literal fulfilment of Divine prophecy. Thus in the light both of history and of the contemporary religious scene, surely no delegation is entitled to claim that only the supporters of the November 1947 Statute are animated by religious sincerity and by a desire to fulfil the

spiritual interests of mankind.

Mr. Chairman, a third and very serious criticism was advanced in the course of this discussion against the principles underlying Israel's position. Many speakers urged the Committee not to attach too much weight to current facts in Jerusalem and in particular to the fact that Israel now exercises all the functions of governmental authority in the New City. In many speeches it was alleged that this fact arose out of an illegitimate situation, resting on military "conquest" and not on law. The distinguished representative of Bolivia in an ardent and eloquent address warned the Committee against the ratification of accomplished facts. The representative of Egypt informed us "that the United Nations has been confronted with a series of acts designed to prevent internationalisation and thus thwart the will of the United Nations." (He was referring not to the Egyptian invasion of Palestine and the assault by Egyptian forces upon Jerusalem itself with the avowed aim of preventing internationalisation, but to the measures taken by Israel in promoting the institutional development and economic rehabilitation of the City under its own governmental control.) The Representative of Greece considered that the existing situation in Jerusalem had been "created in defiance of United Nations authority" and he even found it possible to apply to the present situation in Jerusalem the epithet of "aggression." The distinguished representative of Australia considered that the total integration of the Jewish area into the Israel Government structure should be regarded as "the admission of activities on the part of the Government of Israel which are contrary to the spirit and letter of previous United Nations decisions." By thus questioning the legitimacy of Israel's position in Jerusalem today those representatives were inevitably led towards proposals for disrupting Jerusalem's institutions, rescinding laws and measures already adopted under the authority of the Government of Israel and advocating as a desirable, if unattainable end, the banishment of the Government of Israel from the exercise of its functions in favour of other authorities, endowed with a more legitimate right to impose their will and their law upon Jerusalem's population.

I will not conceal from this Committee that my delegation has listened to the exposition of these doctrines with growing amazement. What is the moral nature of Israel's rule in Jerusalem today? Is it an act of aggression and conquest; or does it accord with the elementary principles of self-defence, self-determination, democracy and government by consent? Perhaps the question can best be answered by assuming that the Government of Israel had refrained from the actions which have been subjected to this remarkable torrent of criticism and had declined from any assumption of governmental duties and responsibilities in Jerusalem. Presumably we should now be faced with a "legitimate" situation in Jerusalem today. The Committee will recall that on 15 May 1948 when the Mandatory Power completed the withdrawal of its governmental machine and security forces, no authority existed in Jerusalem to interfere with the exercise by the United Nations of the authority which it had claimed and received. On that day and in the ensuing weeks Jerusalem was theoretically and potentially the undisputed domain of the United Nations. What did this unique status entail? When Arab forces marched upon it, the Holy City was ravaged by such chaos and carnage, such devastation and anarchy, such a falling apart of all the amenities and decencies of civilised life, that we should have to go back to the siege of Jerusalem in the time of the Prophet Jeremiah to find the Holy City in a comparable state of degradation and disorder. While civilians and defenders in the beleaguered Jewish City fell faster than they could be buried. While corpses mounted up amidst the ruins of historic synagogues destroyed within the Walled City; while stocks of food and water rapidly and ominously dwindled; while the knot of besieging forces on four sides closed round the throat of the City for its strangulation; while parents in Jerusalem began to wonder whether they would be called upon to watch their children in the agonies of starvation, the State of Israel, itself in not much better fortune than Jerusalem at that time, gathered up all its forces to rescue the New City from its intolerable plight to defend its life and restore its vital arteries. That is how the process began which has been described by distinguished representatives in this room as "aggressive" "illegitimate" and "inappropriate" and "contrary to the spirit and letter of the United Nations decisions."

Now if there is a spark of truth in this accusation, then it was presumably an act of aggression for the Government of Israel to intervene in the affairs of international Jerusalem by constructing under enemy fire an alternative road for its relief. When Arab forces at Ras-el-Ein possessed themselves of the City's water sources and thus condemned it to slow death by pestilence and thirst, it was an "accomplished fact" by the Government of Israel which improvised a minimal water supply along the alternative route. Let the Committee reflect on the manner in which these activities, which even Mr. Hood regards as "inappropriate," were to unfold themselves in the ensuing months. Jerusalem was falling apart in anarchy and dissidence through lack of organised machinery of government; the Government of Israel established first a military governorship, then a civil administration which later merged into a complete union with the administrative structure of Israel itself. The economy of the City, always a hard-pressed and precarious

economy, had been struck a nearly fatal blow. The Government of Israel began to pump its life-blood back.

Financial subsidies were lavished upon the City by the hardpressed Treasury of Israel for the revival of Jerusalem's commerce and industry and the creation of new sources of livelihood. Public institutions were restored, buildings repaired, damaged areas cleared. The process of rehabilitation gathered momentum. The City was gradually raised up to the full dignity of a peaceful daily routine. In the political sphere the Government of Israel concluded an international agreement under United Nations auspices which brought the current situation in Jerusalem under the sanction of international law, resting upon mutual consent and enabling a considerable diminution of military tensions. Thus you can see the "illegitimate aggression" embodied in the yellow pages of the Security Council's Official Records and registered with the Secretary General as a valid international agreement, not merely allowing but requiring the Government of Israel to exercise its jurisdiction for the maintenance of law and order in the City.

Mr. Chairman, the legal and moral validity, as well as the practical effects of Israel's existing authority in Jerusalem is perhaps the central element in the Committee's present discussion. For the crux of our whole problem on which everything depends is the degree to which the General Assembly should seek to confirm or undermine that authority. It is astonishing to hear branded in such invidious terms a process of valiant defence which in the nick of time averted for the people of Jerusalem the worst consequences of unfortunate international failure. Would the advocates of juridical legitimacy be better pleased if the Government of Israel had been content regarding Jerusalem as the exclusive preserve of the United Nations to undertake no action or intervention in its ordeal and thus let it perish? Would this school of thought, which holds no action in Jerusalem appropriate unless it emanates from international will condemn the Government of Israel for the IL 170.000 which it has provided for the City's education, or for the two million pounds loan which it covers through the official exercise of its governmental responsibilities? Are these amongst the illegitimate acts of governmental intervention which the Cuban amendment would like to have rescinded and set aside by the International Court of Justice? I freely admit that many of these activities may have been said to collide juridically with the letter of a United Nations resolution. Thus, in August 1948, the Security Council instructed its own representatives in Jerusalem to make good the City's water supply which had been blown up by Arab forces in the middle of the truce. Some representatives may well hold that it was an act contrary to the letter and spirit of that Resolution for the Government of Israel suddenly to intervene and to assert its own responsibility in that very sphere. Not a hand was ever lifted by any international authority to restore Jerusalem's water channels since and despite the Security Council's resolution. The Government of Israel is creating this "accomplished fact" itself at the cost of 300.000 pounds. Can it be said that the population of Jerusalem, instead of perishing by legitimate thirst, are sinfully sustaining their life by the results of these "inappropriate activities". Day by day similar actions continue. The Jews of Jerusalem elect their government, organise their defence, pay homage to the flag which symbolises their liberation, share with their fellow citizens the duties and obligations of democracy, lean upon the Government of Israel for the renewal and development of their economic and cultural life, organise their security by a valid international agreement, pay taxes to a government which in complete identity of life and fortune extends to them all protection and service. Such are the deeds of defence, of peaceful living and of democratic self-determination which have been so unjustly abused in the course of this debate.

Mr. Chairman, in no circumstances can the Government of Israel concede that the integration of Jewish Jerusalem with the State of Israel is open to the slightest echo of justifiable reproach from international bodies. Nobody who recalls the tragedy and achievement of the past two years can be seriously impressed by the charge that the present situation in Jerusalem arises from an "accomplished fact" and not from an international decision. For the fact which Israel helped Jerusalem to accomplish was nothing less than the rescue and rehabilitation of the City which, had it waited passively, for international action, would be a graveyard and a shambles today. Some of Israel's achievements in the past two years have not failed to evoke the sympathy and admiration of the liberal world. But sublime and illustrious above every other deed that Israel has been able to accomplish in its earliest years is this legitimate, patriotic, democratic and deeply reverent process which has raised the Holy City from dust and ashes and established its life upon secure foundations, once again.

It is a higher and purer act of reverence to save Jerusalem from death and famine than to pronounce eloquent speeches about Jerusalem's sanctity, while Jerusalem falls into anarchy and chaos. The implication that our young soldiers who met their death in the Judean Hills by the hundreds in a herculean effort to bring a few food convoys or a trickle of water to besieged Jerusalem were engaged upon inappropriate activities or aggression evokes nothing but resentment in our hearts. The position of the Israel Government in Jerusalem today rests squarely upon the foundations both of morality and of law.

You cannot regret the integration of Jerusalem into Israel unless you regret

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the restoration of peace and order in Jerusalem. For it was this integration alone which accompanied and made possible the restoration of peace and order in Jerusalem. When you hear it said that Jerusalem must be withdrawn from the authority of any single government, you would do well to reflect that the only moment in modern times when Jerusalem was in danger of destruction was the moment when it was withdrawn from the authority of our Government.

To sum up my Delegation's reaction to the three main points of criticism leveled against it:

First, my Government's views on Jerusalem today are completely identical with those put forward on its behalf at the Third Regular Session in Paris and during our discussion last Spring on Israel's application for membership in the United Nations. Whether or not these views commend themselves to all our colleagues, it is not just to claim that they represent any deviation from the policies on the strength of which my Government sought admission to this great Organisation.

Second, while it is true that we no longer regard the Statute recommended in 1947 as a just or realistic solution in present conditions, we share that conviction with many important sections, both of international and religious opinion. Israel, as the only State which sacrificed the blood of its sons in defence of the November 1947 Resolution against armed assault cannot rightfully be reproached if it frankly confronts the effects of the non-implementation of that Resolution by the United Nations and the consequent revolution in the life and sentiment of Jerusalem. We have the right and duty to search for a new solution now in conformity with the justice and reality of our times.

Third, the present integration of Jewish Jerusalem into the life of Israel is not an "accomplished fact" produced by illegitimate force. It is a situation fully sanctioned by the circumstances out of which it arose, by the legal basis on which it rests, and by the over-riding Charter principles of self-preservation, self-determination and government by consent.

Mr. Chairman, the expectation of an early discussion in a sub-committee induces me to confine my remarks on the proposals before us to a few general reflections of principle. The solutions advanced so far fall into four categories.

First, the Australian resolution advocates the implementation some time in 1951 of the Draft Statute for Jerusalem worked out in 1947.

Second, the United States has argued eloquently for the adoption of a Resolution on the basis of the Conciliation Commission's report as interpreted in the statement of the Conciliation Commission on November 12, 1949.

Third, the Government of Israel has advocated the establishment of a functional system of internationalisation whereby a United Nations representative would exercise jurisdiction for the protection of the Holy Places, which are the original and immutable source of international interest in Jerusalem. This control could apply to each Holy Place individually, or could also be extended over the limited area in which Holy Places are gathered in a unique concentration within the Walls of historic Jerusalem. With regard to the Jewish area, we consider a formal agreement as the most effective and binding method of implementing this United Nations jurisdiction in the Holy Places. The main point, however, is the substance of United Nations supervision of the Holy Places. What we have suggested is only one particular form of effecting that supervision -- the form which we ourselves regard as most effective.

Fourth, we have the proposal of the representative of the Hashemite Kingdom of Jordan for maintaining present agreements and positions, leaving the Holy Places entirely to the care and responsibility of his Government. The distinction between this last position and the proposal of Israel, is that Jordan, unlike Israel, does not invite the United Nations to exercise any function of direct control over the Holy Places.

My delegation is convinced that the Australian proposal, and all those allied with it, must be judged by their capacity to offer a practical solution of the Jerusalem problem today. They cannot be supported by mere reference to the virtues of heredity. For the only serious claim so far made on behalf of the Australian proposal is that it does reaffirm the solution advocated by the General Assembly in 1947. Yet for reasons which I have ventured to submit, these historical circumstances should not commend the proposal to this Committee, unless it can be shown that the application of the Statute is both just and practicable in terms of a solution for 1949.

beyond. If the implementation of this proposal would lead to tension and discontent, not only failing to improve the present situation but also radically undermining the peace and stability already achieved, it will be no consolation to this Committee to reflect that its decision is consistent with the proposals which the General Assembly formulated to meet the different circumstances of 1947. This Committee has its own wisdom, its own freedom and its own responsibility. It is competent to evolve a settlement for the present problem of Jerusalem, and would be simply abandoning its judgment by relying blindly on the infallibility and prescience of its predecessor two years ago, who never envisaged a situation in which the Statute would be forcibly set aside and left in suspense for months and years. In the forthcoming discussion in the sub-committee we shall unceasingly/confront the authors of all proposals with the over-riding issues of current applicability and implementation. The supporters of the Australian resolution propose to cut off from the State of Israel a city bound to that State by innumerable links of life and sentiment. How do they propose to do it? Will the Jewish population of Jerusalem consent to withdraw its obedience from the laws of Israel, and confide it to new authorities imposed from outside? Does history know of any precedent whereby a people already in complete union with its accepted and kindred government has ever voluntarily reverted to semi-autonomy under foreign rule? Can the United Nations, against its very nature and purpose, convert a mature and independent area into a perpetually non-self-governing territory? Will the enactments of this new regime secure the voluntary compliance of Jerusalem's population, and compete successfully for obedience with the laws of Israel? If the Jews of Jerusalem prove sufficiently perverse to cherish the independence which they have so dearly won, and withhold their consent to the imposition of this new regime, does the Australian delegation have proposals for enforcement? How does the representative of Australia envisage that the Jews of Jerusalem will abruptly cease to be elected or to elect others to Israel's legislature; to have recourse to Israel's Courts, to celebrate Israel's national holidays; to travel on Israel's passports, to organise their collective expressions of national culture in harmony and unison with Israel's strivings in those realms? How will he prevent the youth of Israel from enlisting in Israel's forces? In short, what are the means and method at his disposal whereby to disfranchise, denationalise and subjugate a hundred thousand loyal and ardent Israel citizens against their will? When Jewish Jerusalem is cut off from the economic and financial influences of Israel, which now nourish and sustain its life, where will the authors of this proposal find the resources necessary to compensate the City for this separation and to maintain Jerusalem as a self-supporting economic unit?

Dr. Malik dealt too lightly with these difficulties yesterday. It was all very well for him to solve the financial problem by generous allocations from the budgets of United States, Pakistan and France. But how does he solve the basic political dilemma, creating without force a state with 200,000 people none of whom wish to belong to such a state? Is there any such precedent in all history? How and when and with what forces will the new regime assure the City's protection against aggression from outside? If the writ of the Government of Israel no longer runs within the City, on whom will the United Nations Governor rely for the maintenance of law and order and the suppression of lawlessness? Unless they can give a completely convincing and practical answer to each and every one of these questions, how can the authors of this proposal seriously invite the General Assembly to affirm that the "principles underlying its resolution of 29 November 1947 represent a just and equitable settlement of the Jerusalem question at the present day?" For the advocates of this proposal cannot take their stand on the pinnacles of juridical consistency; they must at some time or other come down to level ground of realities and give a conclusive answer to the practical questions of Jerusalem's life and future. For our part, we have every confidence that even the first and most superficial glance at the problem of implementation will cause this proposal to collapse even in the eyes of its distinguished and sincere adherents. Any attempt to turn historic currents backward in their path will generate confusion, may breed resistance but must in any case frustrate the very religious and universal purposes which the authors of this proposal are so devoutly anxious to promote.

No friend of the United Nations should commit this Organisation to a resolution which contains not a single one of the elements of implements.

Since several Arab states have appeared amongst the supporters of the 1947 Statute, I should like to offer a few reflections on the Arab aspect of this problem. I will not detain this Committee long with a detailed refutation of the somewhat virulent and abusive charges levelled against my Government by the representatives of Syria, Iraq and Yemen. The Syrian representative estimated the knowledge of this Committee to be so slender that he even brought himself to portray Jerusalem in 1948 as though it were surrounded on all sides by Jewish forces, subjecting the beleaguered Arab population to a determined siege. It is difficult to imagine a historic truth so comprehensively distorted and reversed. The records of the Security Council tell the tale of violence initiated in Jerusalem on November 30, by Arab forces; of religious buildings, churches and mosques becoming the scene of Arab war in December 1947; of repeated Arab attempts which brutally denied Jerusalem its water and food supply. Those who initiate warfare cannot absolve themselves of full responsibility for the entire sequence of blood and suffering inflicted by and upon both sides in the terrible give and take of battle. It is initial responsibility which counts. The desecration of churches in one heat of war, like every other consequence of that war, is one direct and exclusive responsibility of those who initiated that war. Those who are guilty of the first and, happily, the only attempt to overthrow a resolution of the General Assembly by force; those whose actions have caused the only breach of international peace ever determined by the Security Council under the Charter, cannot come here as the innocent victims of unprovoked attack. The point is that in the light of the record it is clear that the attitude of those Arab States who now seek implementation of the November Statute is transparently governed by tactical consideration, not by principle. Egypt, Syria, Lebanon who have advocated here the revival of the November Statute not merely cast all their votes and influence against that Statute when the project was discussed. In the crucial months following November 1947 they moved to destroy the Statute both by political opposition in the Councils of the United Nations, and by violent assault of the Arab armies in the field. As I listened to the distinguished Ambassador of Egypt urging fidelity to Assembly Resolutions and clamouring for the implementation of the Statute, I could hardly believe that this was the representative of the same great country whose spokesman led the fight against internationalisation in the decisive debates for its implementation in May 1948 and whose armies attempted the conquest of Bethlehem and Southern Jerusalem last year. International literature contains no more furious attacks upon the justice, legality and practicability of the international Statute than those whereby the representatives of Egypt and Syria on the eve of the Mandate's expiration successfully prevented the General Assembly from establishing its authority in Jerusalem. Lebanon was with them all the time. Is it not abundantly clear that these States resisted internationalisation when the alternative appeared to be full Arab domination of Jerusalem, and now, belatedly, hark back to internationalisation as a method to eject Israel from Jerusalem or as a method of settling certain scores within the divided Arab world. From the point of view of tactical ingenuity they are acting perfectly within their rights. Their object is not the positive one of establishing international rule in Jerusalem but the negative one of dismissing its present peace and authority. I will then leave it to this Committee to judge whether it is edifying or dignified for those who overthrew an Assembly Resolution by force to appear as its disinterested and pious champions when their violent work has been done.

The representative of Syria, now tells us that he would like to "reconstruct" the complex pattern of the November Resolution.

The Arab States can break an egg, but once broken it is beyond the capacity of science and human ingenuity to reconstruct it in all its complex composition. It was relatively easy to smash a pane of glass in 1947; to reconstruct the broken fragments is as impossible in politics as in nature. The fact that the Australian proposal is based on high and sincere considerations of formal principle should not blind us to the fact that some have rallied to its support for other and different motives. The Arab attitude to the question of the Holy Places must once and for all be summarised. Those Arab States which have not a single Holy Place under their control, generously offer them all to the international community.

The one Arab State which has all the Holy Places of Jerusalem - the Jewish, Christian and Moslem Holy Places - under its control refuses the United Nations the slightest vestige of control or supervision.

At first sight, it may appear that the proposal put forward by the Conciliation Commission involves a much less abrupt departure from reality than that suggested in the Australian proposals. Yet, even the Draft Instrument fails in the test of implementation, inasmuch as it aspires, in many spheres, to introduce separation or division where there is now indissoluble unity. Some of the difficulties involved in this proposal have been reflected in the interpretative document issued by the Commission. In many important respects the text of the Draft Instrument cannot even be reconciled with the objectives which its authors have defined. Thus, while the Conciliation Commission in its statement on November 12 declared that the Government of Israel and the inhabitants of the Jewish area should "decide as to which political regime shall prevail" in that area, the original text of the Draft Instrument confers upon the Government of Israel not a fraction of the normal powers of government. For example, the Draft Instrument in Articles 4 and 5 denies to that Government the capacity to control the movement of people and institutions in Jerusalem. In Article 21 it denies Israel the right to maintain its international agreements with its neighbours - agreements the continued observance of which has been demanded by the Security Council. The representative of Egypt is entirely correct in criticising Articles 10 to 13 of the Draft Instrument for impossibly attempting to "impose cooperation" on two independent authorities. Cooperation in Jerusalem can only arise from full and spontaneous agreement.

The Commission is clearly torn between the two magnetic poles of internationalisation and integration. In the Draft Instrument the United Nations is represented by a "Commissioner" with paramount executive powers. In the explanatory statement he is more realistically a "representative" charged primarily with the protection and supervision of the Holy Places. In the statement of the Conciliation Commission and of the representative of the United States, the General Council is a purely "advisory or consultative" body. In the Draft Instrument there is no hint of any such limitation of the functions of the General Council. The distinguished representative of the United States in conformity with the Commission's recent statement, declares that the tribunals established under the Draft Instrument are not meant to set aside any of the jurisdiction of existing Courts. But in the Draft Instrument itself, wide areas of existing judicial authority already covered by Israel's Courts are suddenly occupied by those tribunals. While in the clarifying statement the United Nations is said to be concerned exclusively with matters affecting the international community, in the Draft Instrument itself there are countless occasions on which the outside authority clashes with existing jurisdiction in a tangle of obscure and conflicting responsibilities.

The crucial question of implementation must be faced in respect of this proposal as well. If the plan recognises the Government of Israel as the responsible authority in Jewish Jerusalem, how can any of the functions ascribed to international organs be carried out unless there is a clear functional distinction between the secular and the religious domain, with the Government of Israel maintaining its full responsibilities in the former and the United Nations representation concerning itself with its momentous and historic responsibilities in the latter.

It will surely be necessary at some early stage for the advocates of the Draft Instrument to explain how the proposed demilitarisation of Jerusalem can be reconciled on the plane of law with the Armistice Agreement, and on the plane of reality with the vital security needs of the New City. One of the most frequent arguments heard in this debate, both in favor of demilitarisation and on behalf of complete internationalisation, has been the imminence or prospect of renewed hostilities. The representative of Egypt regards Jerusalem today as an "arsenal", as a "powder barrel" likely to explode at the least spark. Other representatives spoke in similarly ominous terms.

Now, if the situation in Jerusalem is as full of imminent danger to peace and security as the advocates of internationalisation and demilitarisation would have us

believe, then the most abrupt and sudden changes must have occurred since the 11 August, 1949. For on that date the Security Council subjected the position in all areas, including Jerusalem, to a close scrutiny and review. Dr. Bunche reported in these words:

"The Armistice Agreements are not the final peace settlement but the only possible interpretation of their very specific provisions is that they signal the end of the military phase of the Palestine situation... In my opinion great care should be taken to avoid any action which would tend to discredit the Armistice Agreements or to question the good faith of the parties signatory to them."

Surely, Mr. Chairman, this latter exhortation might well be addressed to those who persistently portrayed Jerusalem, without any reference to existing facts, as being on the brink of renewed war. The Acting Mediator continued:

"The Armistice Agreements are proving very effective. There is certainly no basis whatever for questioning the good faith of the parties to these Agreements or their future intentions as regards their observance."

The representative of the United Nations considered that the Security Council had received effective "pledges of mutual non-aggression." When my delegation raised the cautious question whether the prospects of peace were sufficiently strong to enable the lifting of all arms restrictions, the unanimous response of the Security Council, and not least, of the representative of Egypt, was that each one of these Agreements was a firm and ever-lasting guarantee of permanent peace in all the areas covered by them.

Mr. Chairman, my delegation is fully aware of the provisional nature of these Agreements and of their liability to be altered or replaced by the consent of the parties when a final peace settlement is attained. Yet, however provisional they may be, while they prevail they must be assumed to be binding and effective. On what grounds, therefore, do the advocates of demilitarisation base their dire predictions, why do they take upon themselves the responsibility of setting aside the carefully drawn up security agreements upon which the peace of Jerusalem rests? Are these distinguished representatives certain that if they annul the present equilibrium they can immediately replace it by another giving the parties at least the same assurance of security? My delegation further hopes that in the course of this debate the advocates of demilitarisation will answer the practical question which we have already formulated twice during this session: how can the demilitarisation of Jerusalem give equal security to both areas, when in point of face the Jewish area is surrounded on three sides by an Arab hinterland so that the dismissal of all forces from Jerusalem would not create an equal security for both areas but would place the Jewish area at the Arab mercy. It is not that we are faced with a situation of disorder which we are called upon to pacify. We are faced with a situation of peace which these resolutions would shatter and disturb.

Mr. Chairman, these are some of the main reasons which lead us to regard the Conciliation Commission's Draft Instrument as basically unacceptable in any form or interpretation. For while acknowledging some of the fundamental defects of full internationalisation, the plan is still not free from the influences of a doctrine of which its authors are clearly sceptical. Thus, on the one hand they would confirm the Government of Israel as the responsible authority in the Jewish zone; on the other hand they would disrupt the authority of that Government in countless spheres by creating competing organs of administration and law, and thus attempting vainly to dilute or divide the allegiance of the population and the authority of its Government. The plan establishes a duality of authority with the United Nation Commissioner set above or aside an independent government which with its weakened authority is still to bear the full burdens and obligations of law and order, administration and economic development. The Commissioner and Councils who subordinate the Jews of Jerusalem to unelected organs, who take away their defence forces, who intervene in their accepted laws and regulations, are unlikely to introduce added harmony into the life of Jerusalem. It is a dilemma which can only be solved by abandoning the entire structure and frankly defining the purposes and the obligations of the United Nations solely in terms of the protection of religious interests.

The resolution and Draft Agreement submitted by the Foreign Minister of Israel last Friday was an attempt to point way^{the} out of this dilemma. My Government is convinced that it is the Holy Places and religious sanctuaries which are both

the source and the justification of special United Nations concern for the City of Jerusalem. We are convinced that if the United Nations at this session can take adequate and agreed measures for the protection of Holy Places it will have secured the main objective of the international interest. When the Palestine problem first came before the United Nations, the special situation of Jerusalem was explicitly defined in terms of the existence of Holy Places and sites. Religious leaders on behalf of the Vatican and the Custos of the Holy Land testified that their concern was not for any particular political regime, but for the guarantees of the protection and accessibility of the Holy Places within the framework of whatever political authority might prevail in the area. It is understandable if some religious leaders in the name of what is their primary and urgent concern put forward proposals in which the protection of religious interests relegates the rights and sentiments of Jerusalem's population to a secondary place. Indeed in many such statements the population of Jerusalem, and their political and national freedoms, do not appear, figure or exist at all. But this Organisation owes a duty not merely to religious aspirations, but also to legitimate political realities. It must seek to harmonize the two, and not subject one to the other. The solution clearly lies along a line of demarcation dividing the realm of secular government from the domain of religious interests. In the former realm, the people of Jerusalem and their government cannot be denied full self-expression. In the latter domain the United Nations should operate unhampered as the agent of the international community holding the sanctuaries of the world's religions in trust. When Dr. Malik correctly declares that the United Nations interest in Jerusalem is primarily religious and not political, the logic of his own statement should compel him to support an arrangement whereby the functions of the United Nations are confined exclusively to the religious domain while the principle of self-determination applies in the political field. My Government continues to support the establishment by the United Nations of its jurisdiction over the Holy Places in the entire area of Jerusalem. For reasons which the Foreign Minister of Israel explained we believe that the most effective form for the exercise of such control within the Israel area would be an act of formal agreement concluded between the United Nations and Israel pursuant to a resolution of the General Assembly itself. My Government is also willing to bring Holy Places outside Jerusalem under an appropriate form of United Nations supervision. It is further prepared to make solemn declarations and give binding guarantees with regard to the freedom of all religious institutions to pursue their worship, social and charitable work with the full support and cooperation of the civil authorities and with all traditional immunities.

When we are asked which of these interests we would subordinate to the other, we answer neither. The political and religious aspects, the national and international, the particular and universal, must and can be harmonised and coordinated.

Mr. Chairman, the question of the Holy Places can only be examined realistically if there is a clear sense of their geographical distribution. Many speakers in this discussion who have exhorted Israel to accept certain limitations on behalf of the sanctity of the Holy Places seem hardly aware of the subsidiary extent to which the problem of the Holy Places falls within Israel's responsibility at this time. The Status Quo as defined in 1757 designated the following Holy Places: The Church of the Holy Sepulchre, Deir al Sultan, the Sanctuary of the Ascension, all in the Old City of Jerusalem; the Tomb of Mary outside the walls of the Old City, the Church of the Nativity, the Grotto, and the Shepherds' Fields, all in Bethlehem. By commonly accepted practice the following holy sites have also come to be governed by the same regulations as the Holy Places under the Status Quo: The Haram es Sharif, the Wailing Wall and Rachel's Tomb. Mr. Chairman, does the Committee realize that each and every one of these places falls within the area under the control of the Hashemite Kingdom of Jordan. This fact, so little emphasised in the course of this debate, emphasises the illogical nature of any proposal which seeks to deprive Jewish Jerusalem, built within the past eighty years outside the sacred walls, of its independence for the sake of the Holy Places which it does not contain. The problem of the Holy Places is pre-eminently a problem of the Walled City covering a little more than one square mile -- of which every inch is saturated by hallowed memory.

In the larger sense the religious problem of Jerusalem, which is the primary concern of the United Nations, is a function of the relations between Christendom and Judaism on the one hand and Islam on the other. Let the Committee listen carefully to the following summary which it may find startling. All the Holy Places of Islam throughout the world are in Moslem hands. All the Holy Places of Christianity in Jerusalem are in Moslem hands. All the Holy Places of Judaism in Jerusalem are in Moslem hands. Is it genuinely possible for anybody to begin to prove that the forcible disturbance of government, security and authority in the new Jewish City has any relevance or justification in terms of universal religious interests. The Committee may well reflect on the fact that the government now in control of all Holy Places and most religious institutions has ignored any claim for United Nations jurisdiction in Holy Places, such as Israel has not merely accepted, but offered fully to satisfy and implement.

My delegation is hopeful that a close study of these and other detailed current facts of Jerusalem will enable the religious and national factors to be examined each in their true proportions and with the aim of their harmony and coordination. We shall continue to pursue the search for a solution giving full expression both to the universal interests of the great religions and to the aspirations of Jerusalem's population for independence and national freedom. We doubt that any delegation will be able to assert that any proposal yet put forward can compete with the solution that we shall offer for direct United Nations control of the Holy Places in its realism, harmony and undeniable capacity of implementation. Only a free, independent, self-reliant and contented population in Jerusalem can generate an atmosphere of tranquil harmony wherein the contemplation of the Holy City may inspire the reverent thoughts and memories of mankind.



* * * * *



December 6, 1949

His Excellency
Mr. Moshe Sharett
Minister of Foreign Affairs
11 East 70th Street
New York 21, New York

My dear Friend:

Thank you for your kind letter of November 29th which was read at the celebration of the Manhattan Zionist Region. I enjoyed hearing from you, and I trust that you are well. I tried to reach you by phone both at the home of Mr. Lourie and at the office of the Delegation of Israel to the United Nations, but you were not in. I wanted to extend to you my greetings in person during my visit to New York.

I know of the heavy burdens which you are carrying. All indications at the moment seem to point to a more or less satisfactory action in the United Nations in relation to Jerusalem. I hope that that will be the case.

Do you plan to remain in the United States for any length of time? With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

LOCAL COUNCIL

RAMAT-GAN

Phone 7105



מועצה מקומית

רמת-גן

טלפון 7105

Ramat-Gan, the

P. O. B. 5

א' סבת תש"י

רמת-גן, יום

ת.ד. 5

21.12.49

מס' 30/3123 ב

לכבוד

ד"ר אבא הלל סילבר, -אזרח כבוד,
ארצות הברית.

נכבדי,

אני פונה אליך הפעם הן כאל ידיד והן כאל אזרח
כבוד של רמת-גן, ומקווה כי תיאות לבקשתי ותקריב שעה
קלה מזמנך היקר.

בימים הקרובים עומדים אנו לחוג חג גדול ברמת-גן
שלנו המשתחררת מחתולי מעמדה בתור מועצה מקומית ומקבלת
מעמד של עיר בישראל.

לרגל החגיגות אשר אנו עומדים לערוך לכבוד המאורע
הגדול הנ"ל, החלטנו להוציא ספר מיוחד אשר יכיל סקירה
מפורטת על פעולות המועצה במשך למעלה ממחצית יובל שנים
האחרונות.

אודה לך מאד אם תואיל להמציא לי בהזדמנות
הראשונה את ברכתך לעירנו ואם לא יקשה לך גם את דבריך
בתור אזרח כבוד של רמת-גן, בכדי שנוכל לפרסם בספר
הנוכח לעיל.

ברגשי כבוד
ובברכת ציון,

א. קרניצקי,
נשיא המועצה המקומית.

ח/ג

Kunitz

January 10, 1950

Mayor A. Krinitzi
Local Council
Ramat-Gan, Israel

My dear Friend:

I was delighted to receive the information that Ramat-Gan is about to assume the status of a city in Israel. On this auspicious event may I send you a word of warmest felicitations as well as to the citizens of your beautiful city. Frequently during recent years I have thought of the sunny and happy day which I spent in Ramat-Gan when I was privileged to be elevated to the position of an Honorary Citizen of the municipality. I recall inspecting the parks and gardens which make of Ramat-Gan a beauty spot in Israel, and your many fine institutions and homes.

I have treasured the volume of photographs of Ramat-Gan which you graciously sent me and whose pages I turn from time to time to re-capture the charm of the lovely community which you and your people have built with your love and labor.

Please include me among your many friends who will rejoice with you on the occasion of your incorporation as a full-fledged city. May a kind providence guard and shelter you in peace and in prosperity, and may your days be many and blessed.

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

L. B. DAVENPORT
TERMINAL TOWER
CLEVELAND

January 11,
1950

Dear Rabbi Silver,-

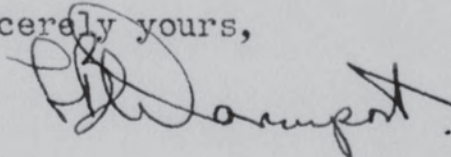
Mrs. Davenport and I are sailing on the BRITANNIC January 28th for a cruise in the Mediterranean. We will be in Tel Aviv on February 14th and 15th.

In our trip to Jerusalem I know it would be extremely helpful if I had a letter of introduction or some one who could directly guide us, and it occurred to me that you could assist me, although, frankly, I do not want to inconvenience you too much.

Lately at the Freiburger dinner and again at the luncheon for Dr. Millis I thought I would speak to you about this matter, but decided it would be better to send you this note. Any suggestions that you might have or people that I might see in Jerusalem, I would appreciate.

With kindest regards, I am,

Sincerely yours,



Rabbi Abba Hillel Silver,
The Temple,
Ansel Road and East 105th Street,
Cleveland, Ohio.

January 12, 1950

Mr. Arthur Lourie
Consul General of Israel Government
111 East 70th Street
New York 21, New York

My dear Mr. Lourie:

From time to time prominent persons (V.I.P.'s), both Jews and non-Jews, here and throughout the country, write to me saying that they plan to visit Israel for a few days and that they would appreciate a letter of introduction to someone who would guide them during their stay. I have in the past given a few letters of introduction to Mr. Sharett. I know, however, how busy he is. On the other hand, it would not be advisable to direct these people to some information bureau in Israel.

Who would be the proper person of some status to whom such letters could be directed - probably not more than three or four a year?

With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

מדינת ישראל
קונסוליה כללית
CONSULATE GENERAL OF ISRAEL

11 EAST 70TH STREET
NEW YORK 21, N. Y.

TR 9-7600

ניו-יורק,

L/1052/50

January 16, 1950

Dr. Abba Hillel Silver
The Temple
East 105th St. at Ansel Road
Cleveland 6, Ohio

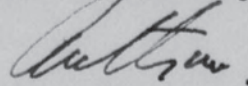
Dear Dr. Silver:

I believe the most appropriate person to whom to refer the V.I.P.'s referred to in your letter of January 12th would be the head of the American desk at the Foreign Office. At present Miss Esther Herlitz is the Acting-Director of this division. She is assisted in matters of this kind by Nahum Astar (formerly Steinberg) who has been specifically assigned to take care on behalf of the Foreign Office of distinguished visitors.

It would, of course, be advisable, if at all possible, in addition to giving the intending visitor a letter of introduction to Miss Herlitz to write her separately in advance of the former's arrival.

With warm regards,

Yours sincerely,


Arthur Lourie

AL:gr

January 18, 1950

Miss Esther Herlitz
Foreign Office
Tel Aviv, Israel

My dear Miss Herlitz:

Mr. and Mrs. L. B. Davenport of Cleveland are on a cruise in the Mediterranean and will be in Tel Aviv on February 14th and 15th. Mr. Davenport is a very prominent lawyer in our city, a leader in its civic life, and very important in business circles here. He requested that I should give him a letter of introduction to someone who could guide him during his short stay and make his visit as informative as possible. Upon contacting Mr. Arthur Lourie at the Israeli Consulate, he advised me to write to you. I have accordingly given Mr. Davenport a letter of introduction to you.

A few times during the year I have such requests from people here as well as throughout the country. Heretofore I used to give them letters of introduction to the Foreign Secretary, but knowing how extremely busy he is, I have hesitated to do so. If it is not burdening you too much, I shall avail myself of the opportunity of introducing a few V.I.P. people to you from time to time.

With all good wishes, I remain

Very sincerely yours,

ABBA HILLEL SILVER

AHS:er

January 18, 1950

Miss Esther Herlitz
Foreign Office
Tel Aviv, Israel

My dear Miss Herlitz:

This letter will introduce to you two friends of mine, Mr. and Mrs. L. B. Davenport, who are on a cruise in the Mediterranean and who plan to spend a few days in Tel Aviv. Their stay will be brief and I am very eager that they should see some of the important facets of the new State of Israel.

With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

January 18, 1950

Mr. L. B. Davenport
Terminal Tower
Cleveland, Ohio

My dear Mr. Davenport:

Please pardon the delay in answering your kind letter. I have been away from the city a good bit of the time.

I am enclosing herewith a letter of introduction to Miss Esther Herlitz who is the head of the American desk to the Foreign Office in Tel Aviv, and I am sure that she will make every effort to make your short stay in Israel profitable.

I trust that you and Mrs. Davenport will have a very pleasant time on your cruise in the Mediterranean. With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er



MINISTRY FOR FOREIGN AFFAIRS
HAKIRYA, ISRAEL

מ ש ר ד ה ח ו ז
ה ק ר י ה י ש ר א ל

31st January, 1950.
FO/H/19061/30357

Dr. A. H. Silver,
The Temple,
East 105th Street at Ansel Road,
Cleveland 6, Ohio.

Dear Dr. Silver,

This is to acknowledge receipt of your letter of January 11th concerning the Davenports. Unfortunately, people on this Mediterranean cruise will not be in Israel for more than just a day during which they will go to Jerusalem on a conducted tour. We don't quite know yet how to get hold of the V.I.Ps. on board, and shall certainly try to contact some of them, including the Davenports.

Mr. Lourie had written to me about your general request and I shall certainly be glad to assist anybody whom you recommend as much as I can (though, as you know, this should not be my major occupation in life). Please let me know about the arrival of such people in advance and also who they are and how they ought to be treated.

With best wishes,

Yours sincerely,

Esther Herlitz

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

W. P. MARSHALL, PRESIDENT

1201

SYMBOLS

DL = Day Letter

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

The filing time shown in the CTC7 14 is and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

CT•CDU580 25 PD, INTL=CD TELAVIV VIA MACKAY 23 1610=

NLT RABBI SILVER=

105 ST CLEVE=(

CONTRADICTORY NEWS ABOUT YOUR PARTICIPATION ISRAELI
GOVERNMENT STOP PLEASE CABLE STATEMENT YEDIOT TELAVIV
STOP BEST REGARDS HAPPY PESACH=

ROSENB LUM=

YEDIOT=00

April 17, 1950

Ambassador and Mrs. Elath
2210 Massachusetts Avenue
Washington, D. C.

My dear Ambassador and Mrs. Elath:

Mrs. Silver and I are deeply grateful for your kind invitation to attend a reception on Monday, the 24th of April, on the occasion of the Second Anniversary of the State of Israel. Unfortunately, it is not possible for us to be in Washington at that time.

We should like to extend our heartiest congratulations on this occasion to you as well as to the State of Israel.

Most cordially yours,

ABRA HILLEL SILVER

AHS:er

ROSENBLUM
YEDIOT
TEL AVIV, ISRAEL

Def.

KNOW NOTHING WHATSOEVER ABOUT CONTENTS YOUR
TELEGRAM. WARMEST REGARDS.



In celebration of
The Second Anniversary of Israel's Independence

The Ambassador of Israel and Mrs. Elath
request the honor of your company
at a reception

on Monday, the twenty-fourth of April
from five to seven o'clock
at the Carlton Hotel

R. S. V. P.

2210 Massachusetts Ave.

May 1, 1950

Mr. Arthur Lourie
11 East 70th Street
New York 21, New York

My dear Mr. Lourie:

I do not know whether the enclosed article has been brought to your attention. It appeared in the Cleveland Press last Friday.

With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er
Enc.



CONSULATE GENERAL OF ISRAEL

11 East 70th Street
New York 21, New York

TRafalgar 9-7600

L/1466/50

קונסוליה כללית
של ישראל

May 3, 1950

Dr. Abba Hillel Silver
The Temple
East 105th St. at Ansel Rd.
Cleveland 6, Ohio

Dear Dr. Silver:

Many thanks for sending me the article
from the Cleveland Press of April 28th. I was
interested to receive this material and am
sending it on to our Foreign Office for at-
tention.

With warm regards,

Yours sincerely,

Arthur Lourie

AL:gr

EMBASSY OF ISRAEL
WASHINGTON, D. C.

No. 5052/50

May 8, 1950

My dear Dr. Silver:

Thank you for your letter of May 4 and the interesting enclosure. I had lunch today with Mr. John Foster Dulles and was very much impressed with the clarity of his views and the friendliness of his attitude.

You may be interested to know that my government has appointed me as the successor to the late Dr. Eliash, and as soon as the King gives his consent to the appointment I shall move to London.

I want to use this opportunity to tell you how much I shall cherish the cooperation that you have so generously given throughout these crucial years of our fight for statehood and independence. Your leadership, which rallied around it American Jewry in support of our struggle, is of historic importance and I shall always treasure the fact that I was privileged to be so close to the scene of American Jewry's great efforts.

With warm personal regards, I remain

Very cordially yours,

E. Elath

Dr. Abba Hillel Silver
The Temple
East 105th Street at Ansel Road
Cleveland 6, Ohio

ee/mf

EMBASSY OF ISRAEL

WASHINGTON, D. C.

The Ambassador of Israel wishes to
express his appreciation for the kind wishes
you extended on the occasion of the Second
Anniversary of the Independence of Israel.

May 15, 1950

Ambassador E. Elath
Embassy of Israel
Washington, D. C.

My dear Ambassador:

Thank you for your letter of May 8th. I was pleased to receive the confirmation from you of the news that you are to go to the Court of St. James as the successor to the late Dr. Eliash. May I extend to you my heartiest felicitations and all my good wishes for a distinguished career of service in your new and very important post.

You have represented the State of Israel in Washington during its very critical and formative years in a manner which reflected honor and dignity not alone upon the State which you represented, but upon the Jewish people everywhere. I am sure that you will bring to your new post the same high qualities of heart and mind which characterized your diplomatic service in Washington.

With warmest regards, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

מדינת ישראל

ISRAEL

נציגות ישראל
באומות המאוחדות
DELEGATION OF ISRAEL
TO THE UNITED NATIONS

11 EAST 70TH STREET
NEW YORK 21, NEW YORK
—
TRAFALGAR 9-7600

ID 2574

May 16, 1950

Dear Dr. Silver:

The other day I received a long letter from Phil Porter of the PLAIN DEALER, in which he enlisted my interest in a project to send Buck Warshawsky to Israel.

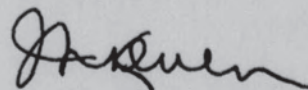
I had lunch with Buck yesterday and he is keen to go to Israel and willing to donate pictures he does and the proceeds to the organization subsidizing his trip. I have been in touch with the American Fund for Israel Institutions, since it seems to me that this is the only agency which might consider this project.

It occurs to me that if you are interested you might want to drop a note to Mr. Itzhak Norman, recommending Warshawsky and the entire idea. To my mind, this would be to the great advantage of the American Fund.

Warshawsky is now leaving for Paris, and if the American Fund is interested, we shall get in touch with him there.

With best personal regards.

Cordially yours,



I. L. Kenen

Dr. Abba Hillel Silver
The Temple
Cleveland, Ohio

The Consul General of Israel and Mrs. Arthur Lourie
request the pleasure of the company of
Dr. and Mrs. Abba Hillel Silver

at a farewell reception
in honor of Ambassador and Mrs. Eliahu Elath
on Wednesday, May 31, 1950

at five to seven o'clock
Eleven East Seventieth Street

R.S.V.P.

May 31, 1950

The Consul General of Israel and Mrs. Arthur Lourie
11 East Seventieth Street
New York, New York

Dr. and Mrs. Abba Hillel Silver regret that they
are unable to attend the farewell reception on
Wednesday, May 31, 1950, honoring Ambassador and
Mrs. Eliahu Elath.



June 1, 1950

His Excellency
Mr. Aubrey S. Eban
Ambassador of Israel
Washington, D. C.

My dear Friend:

It is with delight that I read in the press the announcement of your appointment as the Ambassador of Israel to the United States. I send you my heartiest felicitations and all my good wishes for achievement and success for which your extraordinary talents and equipment are a rich promise indeed.

I am sure that American Jewry shares with the people of Israel the deep satisfaction of knowing that the very important post in Washington will be filled in these decisive days by one who is possessed of sound political judgment, firmness and tact which are yours in such fine measure.

Most cordially yours,

ABBA HILLEL SILVER

AHS:er

Please return to Dr. Silver



Bethany English Lutheran Church

TRISKETT ROAD AT LORAIN AVENUE

REV. J. H. L. TROUT, D.D., *Pastor*

REV. JAS. W. MILLER, B.D., *Assoc. Pastor*

MISS LOUISE MARKS, M.A., *Director of Christian Education*

MR. WM. C. HINTZE, *Financial Secretary and Treasurer*

Mailing Address: 15470 Triskett Road

CLEVELAND 11, OHIO

June 7, 1950

Rabbi Abba Hillel Silver
19810 Shaker Blvd.
Cleveland 22, Ohio

Dear Dr. Silver:

When I received the June 7 issue of "The Lutheran" this morning and read page 4, I was amazed and shocked by the news about the loss of our Lutheran mission properties in Palestine. We Christian pastors who have favored the establishment of a homeland for the Jewish nation (risking another world war in order to establish it) were led to believe by leaders like yourself that there would be religious freedom under the government of Israel. We also assumed that the government of Israel would not be the kind of government that would confiscate church properties but would protect properties like houses of worship, orphanages, hospitals and other institutions established and owned by religious groups other than Jewish. If the statement on page 4 of the enclosed journal is correct--and I am sure that it would not be published if it were in error--we Christian pastors have been disillusioned.

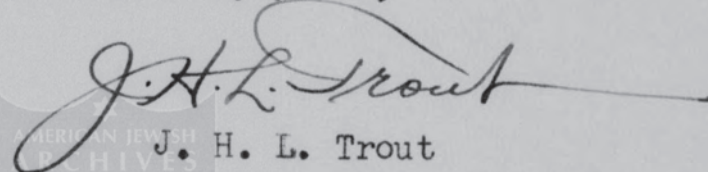
Will you please read the news item referred to and investigate for yourself if you believe that there is some mistake? It is one thing for the Jewish National Army to take temporary possession of Lutheran mission property worth 25 million dollars. The necessities of war make such temporary possession understandable and excusable. But to announce that the properties will never be returned, and to bar from the country of Israel the director of the Lutheran World Federation (who has been carrying on this work for years) and the attorney of the organization who is trying to regain possession of the property, is an act that I would not expect anywhere in the world except under a communist regime.

You will note that the editor of "The Lutheran" has closed the article with a statement about the plan for internationalizing Jerusalem, mentioning the fact that the plan for internationalization includes a provision for returning the property to Lutheran ownership. That may or may not be intended to suggest that we Lutherans should support the United Nations plan for internationalization of Jerusalem in order to regain possession of our properties. After reading this page I ask you to tell me frankly whether you expect a single Lutheran pastor in America or in the world to oppose the plan to internationalize Jerusalem. I dare say that this action may cause some of the prominent men who have opposed internationalization to reverse themselves. In view of the fact that the Lutheran church throughout the world is numerically the strongest Protestant

church, I should think that the government of Israel would not wish to antagonize the Lutheran people of the world in order to gain property worth a few million dollars. The Roman Catholic Church throughout the world is working for internationalization. If the Lutheran people, as a result of this act by the government of Israel, should join forces with the Catholic people, I do not see how internationalization can be prevented, even though both Jews and Arabs threaten to use force to prevent it.

I am writing to you because I believe that a few leading rabbis like yourself could compel the government of Israel to reverse itself in this matter, and I beg of you to do something to right this wrong which has been committed by a government that would not be in existence if it were not for men like you and for the financial support, the moral influence, and the strong right arm of the United States, where the moral decisions of our government in cases like this are influenced very largely by the Christian clergy.

Fraternally yours,


J. H. L. Trout

JHLT/nb



The LUTHERAN



BOYS' CHOIR IN GERMANY

Outfitted with vestments by Church of the Reformation, Rochester, N. Y.

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JUNE 7, 1950

5 CENTS

THE CHURCH IN THE NEWS

Lutheran barred from Israel

To Palestine the Lutheran World Federation had sent an attorney. His assignment was to negotiate with the government of Israel for the return to Lutherans of valuable mission properties seized by the Jewish army in 1948.

Mr. G. Bernhard Fedde of Portland, Oregon, who was assigned to represent the Lutheran World Federation, came home last month. He didn't think there was any use making further efforts. Since last September the Israeli government had refused him permission to cross the borders of their land.

One trip was enough

Last summer Mr. Fedde had been granted an entry visa to Israel. He conferred with Israeli officials on giving back to the Lutherans the mission properties worth about \$25 million. Next time he tried to get entrance to Israel his application was refused. Since then he made two more applications, also refused without explanation.

Dr. Edwin Moll, director of the work of the Lutheran World Federation in Palestine, has been refused entry into Israel.

On Feb. 24 a representative of the Israeli government, Mr. Aubrey Eban, told the United Nations Trusteeship Council that his government did not intend to return the mission properties to Lutheran ownership. The Council in the plan for internationalization of Jerusalem which it approved in April made a specific provision for return of the properties. Dr. O. Frederick Nolde, a secretary of the World Council of Churches, interviewed Israeli officials in Tel Aviv and Geneva in midwinter regarding the mis-

sion property problems. Both Israel and the Kingdom of Jordan have warned the Council they will not accept the plan for making Jerusalem an international city.

Don't want Jerusalem internationalized

Bright names in the American Protestant firmament were signed to an appeal sent May 24 to President Harry Truman. The list included names of 19 bishops of the Protestant Episcopal Church, 18 Methodist bishops, presidents of 42 theological seminaries (including Hamma Divinity School, Concordia Seminary, Wartburg Seminary), 20 college presidents, and so forth.

The appeal requested President Truman to use his influence to end the planning to make Jerusalem an international city. It said that "the statute which has been drafted by the Trusteeship Council can never be carried out, not only because Jordan and Israel both oppose it, but primarily because the statute is based on neither a legal nor a practical reality."

Instead of placing Jerusalem under the United Nations, the proposal was to split up the city between Jews and Arabs. A United Nations curatorship should be established, said the proposal, "to protect 36 Holy Places concentrated in an area of less than one and one-half square miles." Most of these places are scenes of events in the last hours of the earthly life of Jesus.

Some Canadians want a Taylor

During the 1950 Holy Year the government of Canada should send an ambassador to the Vatican, said the Knights of Columbus of Ontario. The Knights decided to ask their 100,000 members to urge action by their government.

The Knights said they could expect

June 13, 1950

Mr. Arthur Lourie
Israeli Consul
11 East 70th Street
New York 21, New York

My dear Mr. Lourie:

I am enclosing herewith a letter which I received from Dr. Trout of the Bethany English Lutheran Church of Cleveland and the magazine article to which he refers. I wish you would procure the essential facts in this matter and make them available to me as I should like to reply to Dr. Trout, who is an important minister in the city.

With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er
Enc. 2

June 13, 1950

Dr. J. H. L. Trout
Bethany English Lutheran Church
Triskett Road at Lorain Avenue
Cleveland 11, Ohio

My dear Dr. Trout:

Permit me to acknowledge the receipt of your letter of June 7th and the copy of "The Lutheran" of June 7th containing information about the Lutheran mission properties and the barring of Lutheran representatives from Israel. I suspect that there is much more behind this matter than what is reported in the magazine. I am accordingly taking the liberty of writing to Israeli quarters to learn the facts. As soon as I hear, I shall be very happy to get in touch with you.

With all good wishes, I remain

Very sincerely yours,

ABBA HILLEL SILVER

AHS:er

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CONSULATE GENERAL OF ISRAEL

11 East 70th Street
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קונסוליה כללית
של ישראל

June 16, 1950

Dr. Abba Hillel Silver
The Temple
East 105th St. at Ansel Rd.
Cleveland 6, Ohio

Dear Dr. Silver:

Thank you for sending me the letter from Dr. J.H.L. Trout of the Bethany English Lutheran Church and the copy of the June 7th issue of "The Lutheran", both of which I return herewith.

The article referred to by the Rev. Trout had already come to the attention of our Embassy and I gather that they have addressed an enquiry on the subject to the Foreign Office. I am accordingly sending you this by way of interim reply and shall advise you further as soon as we have word from Tel Aviv.

The position, of course, is not as simple as the Rev. Trout suggests and I hope he will agree that in the light of the facts his strictures are not justified.

To deal first with the alleged exclusion of representatives of the World Lutheran Federation from Israel, I have no information as to why Mr. Fedde who was originally admitted to Israel was not subsequently given a return visa, though I imagine that in the present state of relations with the Arab countries which is neither peace nor war, the fact of his crossing to and from Lebanon would not be looked on with favor. So far as Dr. Moll is concerned, his German antecedents would certainly be a factor in considering the grant of a visa.

The suggestion, however, that Lutheran representatives as a whole have been barred from Israel and from investigating the situation with regard to these properties is not correct. I myself arranged for the entry of Dr. Fredrik A. Schiotz who visited Jerusalem in January on behalf of the National Lutheran Council. And thereafter Dr. Frederick Nolde visited Israel together with Dr. Habicht, a Swiss lawyer, in order to discuss with the Government the future of these properties. Dr. Nolde and Dr. Habicht had lengthy conversations on the subject in Tel Aviv with the Administrator General, Mr. Kadmon, with the Foreign Office, and also with Mr. Kaplan, our Minister of Finance. Although nothing final was decided at these meetings, I was informed that they were

conducted in a most cordial atmosphere and that a working arrangement was agreed on pending further clarification, which incidentally involves legislation by the Knesset. Indeed, Mr. Nolde subsequently wrote to Mr. Kaplan expressing warm appreciation of the manner in which he was received and the matter dealt with while he was in Israel.

I come now to the merits of the matter itself. The property in question (of which the most important is the so-called Schneller quarter in Jerusalem comprising an orphanage and workshops and other buildings of a secular character) belonged to the German Lutheran Mission. Some ten years ago on the outbreak of World War II it was taken over by the British Military and on the evacuation of the British forces in May 1948 was occupied by Israel. Under the British it was held by the Custodian of Enemy Property and now is under the care of our own Custodian.

As you will observe, these properties were German-owned and you can well imagine that any suggestion of their return to German ownership would evoke a violent reaction on the part of the Jews of Israel, many of whom represent the surviving remnants of Nazi barbarity. To this it must be added that as of this date there are very considerable synagogue and other religious and communal Jewish properties in Germany which were confiscated by the Nazis and have neither been restored to Jewish ownership nor compensated for.

As regards the property of non-German missions and churches, whether Protestant, Catholic or otherwise, the position is quite different and the Israel Government has hastened to return such property to the denomination concerned. The matter came up for discussion on the initiative of the United States delegate in the Trusteeship Council last February and I enclose the statement on the subject made on behalf of the Government of Israel by Mr. Eban on February 24, 1950. Following this statement, Mr. Sayre withdrew from his original position in which he had virtually sought recognition of enemy property rights. In his revised draft resolution submitted jointly with the delegate of France, he finally accepted the view that where German property was involved, it was not necessary to return the property to the original owners but that ways should be sought to achieve a solution through transfer to non-German auspices.

In response to this statement, Mr. Eban declared that while refusing to acknowledge any claims on church or civilian property of which Germany or German persons would be beneficiaries, Israel would be prepared to consider a transfer of certain properties formerly owned by German churches to some other religious or charitable agency representative of the same confession. In the latest issue of the bulletin entitled "Christian News from Israel" issued by the Department for Christian Communities of the Israel Ministry for Religious Affairs, it is stated that "it is hoped that the negotiations with the representatives of the World Council of Churches which were started in January will be continued in June 1950."

Warm personal regards.

Yours sincerely,

Arthur Lourie
Arthur Lourie

AL:gr
Enc.

STATEMENT BY AUBREY S. EBAN, REPRESENTATIVE OF ISRAEL,

AT THE SIXTH SESSION OF THE TRUSTEESHIP COUNCIL

IN GENEVA ON FEBRUARY 24, 1950

My delegation wishes to comment on an issue of grave and far-reaching consequence which arose in yesterday's discussion on Article 36 of the draft statute. The representative of the United States suggested that provision be made for the restitution of property owned by churches and missionary organizations; and that the basic principle to be followed should be the recognition of property rights as they existed on 1 September 1939. The representative of the United States specified that the choice of that date was animated by the desire to recognize the title claims of ex-enemy institutions or nationals to the property which they owned on 1 September 1939, and which now remains sequestered under custodianship.

We thus have under consideration a general statement in favor of the restitution of religious property, with which I take no issue at all; and a particular statement - to which I must enter a strong exception - in favor of the return to their previous owners of Germany property now held by the Israel Custodian.

I am convinced that this latter suggestion must be of a tentative character and will be modified in the light of the following factors which I venture to submit to the earnest consideration and good-will of the representative of the United States. It is an issue to be disposed of with the utmost urgency in view of the deep sentiment which it arouses amongst our people and indeed throughout the democratic world.

I do not think that I need to detain the Council with any description of the particular circumstances affecting the relationship of Israel to Germany.

Our people achieved independence in the aftermath of the second World War, which left six millions of our brethren butchered and slaughtered in Nazi occupied Europe and one million Jewish children thrown deliberately and unbelievably into the furnace. A high proportion of the population of Israel are still haunted by their own physical and mental torment or by the far crueller memories of the bestial massacre of their loved ones. Perhaps never in history has a whole family of the human race been the subject of such concentrated and cowardly persecution as that directed against the Jewish people by the German people under the leadership of those in power on 1 September 1939. That an independent Israel arose at the very time when Germany suffered merited retribution is, in our view, a sublime example of historic justice. German nationals amongst the Palestine German colonies were intimately associated with the Nazi movement and played a particularly active role in the policy of racial extermination: they were in some cases the experts and specialists in this grisly art. Israel conserves all these memories. Within the limits of its modest international influence, Israel will work unceasingly against any movement for the restoration of German power.

It is against this general background that we are now faced with a suggestion that Israel should be the first State in the United Nations to co-operate in restoring the validity of title deeds existing under Nazism and that 1 September 1939, a date of monstrous associations in human history, should become a statutory date for the recognition of title claims! There is no difficulty in the acquisition from my government of full acknowledgment of the property rights of religious bodies; and I am prepared at a later stage to quote commitments already made to that effect, as well as actual steps taken to fulfil them. We do, however, make an exception to the detriment of German-owned property. We must continue to make that exception. In our negotiations with the Commission of the Churches on International Affairs, which are still

proceeding amicably and with some prospect of success, we frankly proclaim that exception. I know that this exception is irksome to certain important Church interests, which naturally expound their views to all delegations, including my own. In Israel the Minister of Finance, in personal negotiations with the representatives of these interests affiliated with the Lutheran Church, has made all possible efforts, within the limits of principle, to secure an equitable settlement. Legislation which may have a helpful effect is pending in the Israel Parliament, on the subject of which I am naturally unable to comment. But our principle of refusing to acknowledge claims beneficial to German nationals or institutions will, in all circumstances, be upheld. If these negotiations to find a way out of the difficulty are to prosper, they should continue to proceed directly between the Government of Israel and the representatives of the interests concerned, without the disturbance of premature public discussion or international influence in a matter where only bi-lateral good-will can effect a solution.

However, now that the matter has been submitted to public judgment it is relevant to invoke the practice of the Allied Powers. Only a few days ago the United States itself decided not to terminate the state of war with Germany - precisely, amongst other reasons, in order to avoid commitments on restitution. I leave it to the representatives of the United Kingdom, France and Belgium, as the repeated victims of German ferocity, and of the Philippines as a victim of Japanese aggression, to determine how their governments and peoples would react to a demand that they now compensate any interests for enemy property which they now hold in sequestration.

So much for the general position in Allied countries. A specific illustration of Allied practice may be found in a ruling of the United States Federal Court handed down on 20 February 1950. It is believed to be the first

judicial interpretation of Section 29 of the non-recovery Section of the Trading with the Enemy Act. An ex-German national resident in the United States for 45 years, and recently becoming a United States citizen, pleaded for the restoration of property seized by the Alien Property Custodian in June 1942. The court refused the application, citing Section 39 of the Trading with the Enemy Act, and Section 12 of the War Claims Act of 1948, which reads:

"No property or interest therein of Germany or Japan or any national of either such country vested in or transferred to any officer or agency of the Government at any time after 17 December 1941, shall be returned or subjected to compensation or interest."

17 December 1941 is, of course, both historically and legally, the United States equivalent of 1 September 193.

The admirably firm and uncompromising character of this legislation is worthy to be emulated by all democratic States and my Government will not fall short of it in any respect. There is also useful guidance to be found in the ruling of the same court that this Section ~~22~~ 39 is directed at the property rather than the claimants, and it is the status of the property when vested in the custodian rather than the status of the claimant at the time of suit which is controlling.

For these reasons, in its general policy of recognizing title claims of all occupied Church property, my Government not only refuses, as is now suggested, to make special retroactive arrangements in favor of German property; it will specifically exclude from any general commitment which it might make any property which is wholly or partially, directly or indirectly, German, fully reserving its freedom of action, in fidelity to its own conscience and to the justice of the democratic world.

It would be especially incongruous if this tenderness toward German interests in Jerusalem or the adjoining territory were to arise from the initiative of the United Nations. Israel's special viewpoint I have already explained, but the United Nations itself arose as an anti-Nazi coalition on the ruins of a world cataclysm let loose by Nazi aggression. The Charter proclaims it as our sacred trust "to save succeeding generations from the scourge of war which twice in our lifetime has brought untold sorrow to mankind". Twice in our lifetime. The second time was precisely on 1 September 1939.

These are the considerations which move me to suggest that any action in favor of the release of ex-enemy properties from custodianship should in no circumstances emanate from an organ of the United Nations.

I also suggest a point of order, respectfully requesting the President to refuse any future submission of any proposals for the release of enemy property. I base this point of order on Article 107 of the Charter, which reads:

"Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action."

Under this article it is clearly inadmissible for any organ of the United Nations to approve or recommend any action in favor of the release from custodianship of any property seized as a result of the Second World War.

June 19, 1950

Dr. J. H. L. Trout
Bethany English Lutheran Church
15470 Triskett Road
Cleveland 11, Ohio

My dear Dr. Trout:

I received this morning a reply to my letter of inquiry which I addressed to the Israeli Consulate General in New York in connection with the matter which is raised in your letter of June 7th. I am enclosing herewith a copy of the letter along with a statement which was made by the representative of Israel at the session of the Trusteeship Council on February 24, 1950. At the time that I received your letter, I felt that not all the facts were available to you. Perhaps the information contained in the letter of the Consulate General will help to set the matter in question in a truer perspective.

I am hoping to receive some additional information from the Israeli Embassy. When I do, I shall be very happy to communicate with you again.

With all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er
Enc. 2

מדינת ישראל

ISRAEL

נציגות ישראל
באומות המאוחדות
DELEGATION OF ISRAEL
TO THE UNITED NATIONS

11 EAST 70TH STREET
NEW YORK 21, NEW YORK
TRAFALGAR 9-7600

DEL/136/50

22nd June,
1950.

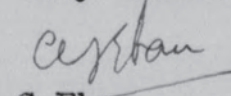
Dear Dr. Silver,

Further to Mr. Lourie's letter to you of 16 June, I enclose the copy of a letter which have had sent to the Lutheran. You may agree that your Lutheran correspondent should receive an advance copy.

I have been personally concerned in these negotiations at every stage and you would be on safe ground in any conversation in indignantly criticising the June 7th article as thoroughly tendentious and misleading. You will be interested to hear that our general attitude on the German property question was shared in Geneva by countries which, next to the Jewish people, had suffered most from German atrocities (France, Belgium, United Kingdom). The United States has suffered less and may therefore not react so sensitively. I do not know how far the Shuman proposal indicates a psychological change in France.

At any rate, the idea that any document with a German signature could be honoured in Israel, is utterly far-fetched, and the device of transfer which we require is surely legitimate.

Yours very sincerely,


A.S. Eban

Dr. Abba Hillel Silver,
The Temple,
Cleveland, Ohio.

ASE/RH

Please return to Dr. Silver

ID 2844

June 23, 1950

The Editor
"The Lutheran"
1228 Spruce Street
Philadelphia 7, Pa.

Sir:

Our attention has been drawn to the June 7th issue of "The Lutheran" in which reference is made to the question of Lutheran property in Israel, under the heading, "The Church in the News". The writer of these paragraphs cannot have been in contact with the negotiations which have taken place recently between the Israel Government and representatives of the Lutheran Church, for these paragraphs fail to give even an approximately accurate or equitable impression of the actual situation.

In order to clarify the position for the benefit of your readers, I propose to confine myself to a purely factual survey of the position.

1. The Government of Israel accepts and carried out the principle that the legal rights of Church Organizations with respect to their property should be recognized and respected. In upholding this principle, however, Israel makes one reservation: It is not prepared to take any action which might redound to the benefit of German organizations and nationals. Israel's German policy is deeply rooted in memories of profound horror. The massacre of six million Jews in countries under German occupation is still a fresh and vivid experience for their survivors and kindred who, for the most part, constitute the population of Israel.

2. In view of this German policy, which my Government upholds in the light of its own conscience and quite irrespective of the attitudes of other countries of dissimilar attitude or experience, Israel has expressed its opposition to the direct restoration of property to German owners. This reservation, which is also valid on legal grounds, was expressed by Mr. Eban in the Trusteeship Council on February 24th in reply to the suggestion of the United States Representative that property rights existing on the 1st September 1939 should be recognized without reserve.

3. The United States Representative at a later meeting of the Trusteeship Council acknowledged the force of Mr. Eban's reservations and withdrew his previous suggestion that pre-war property rights should be recognized unconditionally as they stood. He suggested a new approach which was later embodied in a resolution recommending that in cases where Church property could not be returned to its original owners, efforts should be made to transfer the title to Church Organizations of kindred denomination. The Israel Representative expressed appreciation for the spirit of this modification. It is clear, therefore, that the bare statement in your June 7th issue to the effect that "On February 24...Mr. Eban told the United Nations Trusteeship Council that his Government did not intend to return the Church properties to Lutheran ownership" is such an incomplete and inadequate description of what occurred in the Trusteeship Council that it must be judged as effectively untrue.

4. The paragraph in question goes on to state "Dr. Edwin Moll, Director of the work of the Lutheran Federation in Palestine has been refused entry into Israel." This statement, too, is thoroughly inaccurate. The Israel Government having been asked by Dr. Frederick Nolde and Dr. Habicht whether Dr. Moll would be acceptable as a future negotiator on behalf of Lutheran interests, replied that persons without German background would stand a greater chance of creating an atmosphere favorable to the protection of Lutheran interests. Dr. Nolde and Dr. Habicht appeared to appreciate this point, and are now negotiating with Israel concerning a Swiss representative of the Lutheran Church as a prospective negotiator.

5. Your columns give the impression that gratuitous impediments were placed upon the movements of Dr. G. B. Fedde when he was in Israel. There is no foundation whatever for this implication. Dr. Fedde was merely informed that whenever he left Israel he should re-enter on each occasion with visas through the proper ports of entry, and not by arbitrary crossings of the armistice lines in Jerusalem - a facility which, under the practise of the Armistice Agreements, is available to accredited diplomatic representatives only. Dr. Fedde, like everyone else, was required to adapt himself to the existing law.

6. Any reader of your June 7th issue would be forced to draw the conclusion that negotiations to solve the difficulties inherent in any relationship between Israel and German institutions and nationals, have failed, and that an impasse has been reached. This conclusion, however, would be entirely unwarranted. In a letter addressed to the Israel Minister of Finance in March 1950, the Representative of the World Council of Churches, Dr. Nolde, expressed his appreciation of the courtesy and good will which he and his legal adviser had encountered in all Israel Government circles during their visit in February 1950. This cordial atmosphere is certainly ignored and obscured by the tone and contents of your June 7th article.

More serious, however, is the omission in those paragraphs of any reference to the substantive steps which my Government is taking towards a solution of this problem. The most important of these steps is a bill introduced by the Minister of Finance, Mr. Kaplan, in Parliament whereby he would receive

discretionary power to restore certain religious property, notwithstanding the restrictions applying in general to German property in Israel. On June 12th, 1950, Mr. Kaplan informed Dr. Habicht by letter that steps are being taken to accelerate the passage of the German Property Bill in Parliament. In the meantime, the Finance Minister has agreed to proceed with arrangements for eventually handing over to trustees places of religious worship, such as Churches. The Government of Israel has suggested that the appointment of such trustees should be the subject of mutual agreement between the Government of Israel and the World Federation of Lutheran Churches. Recommendations and specific proposals of the Lutheran Churches have been invited to this end. Furthermore, the Government of Israel has formally invited Dr. Habicht to revisit Israel towards the end of July, by which time it is hoped that the German Property Bill will have become law and further steps in the solution of this problem can be discussed.

Your readers will not fail to observe the astonishing disparity between the facts which I have summarized above and the account appearing in your June 7th issue, in which all the most significant episodes of these negotiations are either omitted entirely or described without accuracy. I have no doubt that Lutherans everywhere in the United States will be gratified to learn that the position affecting these properties is by no means as dismal as your article of June 7th would imply, and that further progress is being made in an atmosphere of good will.

Respectfully yours,

I. L. Kenen, Director of Information
Israel Delegation to the United Nations

June 28, 1950

Dr. J. H. L. Trout
Bethany English Lutheran Church
15470 Triskett Road
Cleveland 11, Ohio

My dear Dr. Trout:

It was a pleasure to see you this morning.

I received today copy of a letter addressed to the Editor of "The Lutheran" by the Director of Information of the Israeli Delegation to the United Nations. It supplements the information contained in the earlier letter from the Israeli Consul which I sent you.

With all good wishes I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er
Enc.

מדינת ישראל

ISRAEL

נציגות ישראל
באומות המאוחדות
DELEGATION OF ISRAEL
TO THE UNITED NATIONS

11 EAST 70TH STREET
NEW YORK 21, NEW YORK
TRAFALGAR 9-7600

20th June,
1940.

Dear Dr. Silver,

I write to thank you for your letter of 1st
June in which you congratulate me on my appointment to
Washington.

I deeply value your good wishes and your
generous words. I am sure that I shall have many
opportunities in the future of making calls on your
experience and counsel in matters of common concern.

I remain,

Very sincerely yours,

Aubrey Haim

Dr. Abba Hillel Silver,
Cleveland, Ohio.

ASE/RH



Bethany English Lutheran Church

TRISKETT ROAD AT LORAIN AVENUE

REV. J. H. L. TROUT, D.D., *Pastor*

REV. JAS. W. MILLER, B.D., *Assoc. Pastor*

MISS LOUISE MARKS, M.A., *Director of Christian Education*

MR. WM. C. HINTZE, *Financial Secretary and Treasurer*

Mailing Address: 15470 Triskett Road

CLEVELAND 11, OHIO

July 26, 1950

Rabbi Abba Hillel Silver
19810 Shaker Blvd.
Cleveland 22, Ohio

Dear Dr. Silver:

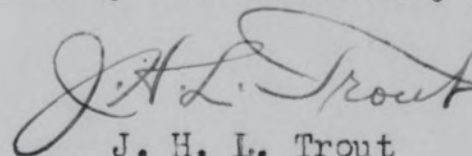
I have just returned from a vacation absence from the city. Many thanks for what you have done to get to the root of the matter of Lutheran Mission properties in Palestine.

Many thanks also for the copy of the letter from Mr. I. L. Kenen to the Editor of THE LUTHERAN. I see that this has been published in full in the July 12th issue of THE LUTHERAN on pages 33 to 35.

I am sending you a copy of this issue with the request that you read what Editor Ruff has said in reply to Mr. Kenen's letter. It is very apparent that Mr. Kenen does not know all the facts involved. It is certainly misrepresentation of facts to say that Dr. Moll has a German background. To leave Dr. Fedde's letter requesting a visa unanswered is not an indication of the kind of government that we Americans would like to see in Israel. To ^{refuse} ~~reject~~ a visa "for cause" is one thing; to ignore a request is too much like the governments of Hitler and Stalin.

Is it asking too much, therefore, that you forward this copy of THE LUTHERAN to Mr. Kenen and that you ask him to go into this matter further? I, for one, am not satisfied with Mr. Kenen's reply in view of the further statements made by Editor Ruff. And I hope that you are not satisfied. The ultimate fate of the country of Israel and the question of internationalization of Jerusalem may depend in very large measure upon the way the government of Israel handles such matters as this.

Cordially and fraternally yours,


J. H. L. Trout

JHLT/nb
Enc.