



## Abba Hillel Silver Collection Digitization Project

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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.

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Jewish Agency, "E", 1947-1948.



CONFIDENTIALTo - THE EXECUTIVE OF THE JEWISH AGENCY.From - A.S. EBAN.SOME RECENT CONVERSATIONS.

BRIG. CLAYTON is on release leave in England prior to a new appointment in the Middle East, probably under Foreign Office auspices. At dinner he spoke frankly about the internal difficulties of the Arab League. On the Sudan issue not one of the Arab States believed that Egypt has a good case, and Hafez Wahba (Saudi-Arabian Minister in London) has gone to Cairo to persuade the Egyptians to modify their attitude.

At the League Council Meeting great efforts were made to produce the impression of solidarity. The general belief there was that the League was too young and tender to be able to sustain divergent opinions at this stage. Unless all the other Arab States supported Egypt in her demands, they would not be able to rely on Egypt to support their claims.

At U.N.O., therefore, the Arab States will present a united front, and reserve their dissensions for internal argument.

The new Syrian Government considers that the time has come to revive the Alexandretta issue, and Egyptian support may be invoked in this as a reward for Syrian support of the Egyptian case over the Sudan.

I remarked that in my days in Cairo, British diplomacy had always underrated the Sudanese issue, and had urged that it did not really matter in Anglo-Egyptian relations. The Brigadier replied that it was easy to be wise after the event. Up till a few weeks ago the Sudan really did not matter. The issue was the product of a lively and well-organised agitation.

On Palestine he said that there was no harm in referring the matter to U.N.O. provided that H.M.G. made it clear that they would not take U.N.O. advice if they did not like it.

I remembered his identical remark about the Anglo-American Commission before its Report. (The Cairo pro-Consuls had good reason to be confident of their omnipotence.)

On the other hand, he again complained that the Foreign Office takes no notice of expert advice, and that he himself had not been consulted on any serious issue since his return. Even Cornwallis was not taken into confidence. The Whitehall pundits thought they knew best.

He referred to Kimche's article about himself in the "Tribune", saying that he only wished that it were true that he, Clayton, was the real force behind Middle Eastern policy.

SIR REGINALD COUPLAND, whom I saw in Oxford, does not conceal his contempt for the Bevin Foreign policy. "If Foreign policy is to be run by the Transport and Dockers General Union there is no need for Imperial historians at all." He is still convinced that the Partition logic will assert itself, whether peaceably or forcibly. By the latter he means that if Great Britain were to despair of the whole problem and leave Palestine drastically, the resultant situation would be Partition. The same is true of India. Sir Reginald's own proposals on this question were accepted by the Government, but he had not urged or recommended that a definite date be announced for British evacuation.



He thought that Zionist leadership had made an error in not sponsoring Partition more frankly in their recent conversations. Our object now, in his view, should be to get the American Government to sponsor this solution at the U.N.O. Assembly.

Sir Reginald again urged that we should be more tenacious about the Negev than about Western Galilee.

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GERALD BARRY, Editor of the NEWS CHRONICLE, is going to visit the United States to report on Anglo-American relations. He is very sane and completely sound from our point of view. He said that for Liberals like himself the greatest shock was the Government's conduct over the Anglo-American Report. After this he found it difficult to believe that Bevin was taking a judicial view of the problem.

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COLONEL OLDFIELD, late of the S.I.M.E. of the Middle East, and now of the War Office, confirms that the prevailing view is not to attach traditional strategic importance to Palestine as a British base. The dominant theme there was not so much fear of the Arabs in the event of a pro-Jewish solution, but fear of the Jews in the event of their becoming strong and independent. (He was, of course, merely reporting, and not in any way enunciating his own views.)

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RICHARD CROSSMAN believes that official British policy now is to deposit the Palestine "baby" on the American lap. The Americans are reluctant and must be cajoled, and British tactics at U.N.O. will be directed to this end. Man-power and conscription problems out-weigh all others in the Government's mind, and if U.N.O. can produce a scheme which enables Great Britain to reduce her commitments in Palestine, the British Delegation is unlikely to oppose it.

Crossman is preparing an article on American interests in the Middle East for the "New Statesman", in which he will endeavour to set the oil problem in the context of strategy.

We both agreed that it would not be advantageous for Henry Wallace, whose visit Crossman is sponsoring, to raise our banner aloft in his speeches.

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DR. ALICE RING suggests that Lord Beveridge should be carefully approached, as he is drawing closer towards sympathy with us.

H. BEELEY of the FOREIGN OFFICE asserts that it is juridicially correct to say that Great Britain will not be bound by a U.N.O. decision, but he admits that morally it would be almost impossible for Britain to disregard it, unless she can produce a policy of her own that will bring about public order in Palestine.

He again harped on the theme that a pro-Jewish solution would have an adverse effect in Iraq, which is a most important centre of British interests in the Middle East.

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ISAIAH BERLIN in a brief character sketch of Nevill Butler, Sir Robert Howe's



successor at the Foreign Office, prepares us for the worst.

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S.S. HAMMERSLEY, once our Conservative champion in the House of Commons, does not consider that it is impossible to gain a foothold in Conservative opinion, although this, of course, cannot succeed if terrorism persists.

The Party has a comfortable feeling on Palestine. On the one hand, they made no lavish promises to the Jews. On the other hand, they were ready with a plan in a pigeon-hole, which they would certainly have tried to realise if they had come into power, and this solution would have been close to the Peel Report.

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ALBERT HOUPANI tells me that he is retiring from the Arab Office in order to write a bigger and better "Antonius", dealing with the transformation of Arab society and the roots of the Nationalist Movement. He will continue to attend the Arab Office once a month for consultation.

He is off to Paris this week to meet Charles Malik, the Lebanese Ambassador in Washington, who is attending the UNESCO Conference.

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LYALL WILKES, M.P., one of the anti-Bevin Labour Back-benchers, is very gloomy about the small progress which the rebels have so far made. The Bevin myth is so strong in the country that his critics have a bad time in their constituencies. At Newcastle his own attack on Bevin's Palestine policy was heckled by indignant work-people raising the terrorist issue.

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Professor Einstein

letter from

Jawaharlal Nehru

7-11-47

see letter of





TO: MR. ROWSON  
MR. LOCKER

SECRET

RE: "EXODUS 1947"

In accordance with your request, herewith Diary of  
Events in connection with the above ship.

SUNDAY, JULY 20th, 1947.

B. B. C. evening news bulletin indicated the possibility of  
returning the refugees to France. This was our first indication.

MONDAY, JULY 21st, 1947.

B. B. C. morning news bulletin quoted report of stand-to order  
to troops in Cyprus - thus suggesting that the refugees would be taken to  
Cyprus.

11 a.m. Telephone conversation with Mr. Shertok asking for news. This  
was our first official indication of the seriousness of the situation.

11.15 a.m. Executive meeting. On instructions I telephoned Mr.  
Martin and asked if he could give me any information as to the whereabouts  
of the 4,500 refugees. He was unable to say, but read me the lengthy  
communiqué which had been issued over the week-end by the Palestine  
Government describing the boarding of the ship. The Executive thereupon  
decided to seek an interview with the Secretary of State. I communicated  
with his Private Secretary who later told me that the Secretary of State  
was unable to see Professor Brodetsky but had arranged for Mr. Martin  
to receive him.

5 p.m. Mr. Martin received Professor Brodetsky and myself. A Minutes  
of this interview is available.

The Jewish Agency in London issued a Statement that evening  
referring to this interview and indicating the protest that had been made. It  
was also pointed out that when the representative of the Colonial Secretary  
was asked what would happen to these people in France his reply was that he  
could give no information. This interview was reported by 'phone to Mr.  
Shertok, and also to Paris and Geneva.

TUESDAY, 22nd JULY, 1947.

On instructions from the Executive in London which were con-  
firmed during the course of the day after a telephone conversation between  
Mr. Shragai and Mr. Eisenberg, the following action was taken:

- (1) Dr. Goldmann was urgently requested to visit Paris.
- (2) Mr. Rosette visited the Columbian Legation and the  
French Embassy. The purpose of this interview was to  
seek information as to the attitude of these Govern-  
ments and to express our views as to what should be  
done.



- (3) I telephoned Mr. Lourie in order to enquire what action they were taking and to suggest that they also contact these Embassies.
- (4) I attempted to communicate with Jerusalem in order to ascertain the Executive's ideas as to the ultimate disposal of the refugees in France. Telephone communications, were, however, interrupted. I therefore cabled Mr. Shertok and yourself, suggesting our line would be to ask for the immediate return to Palestine or at least Cyprus.
- (5) An interview was sought with Mr. Martin for the following morning.

Constant contact was maintained during the day between London, Paris and Geneva, etc. Contact was also maintained with Mr. Silverman, M. P. He had told us that he would attempt to raise the question on the adjournment of the House as a matter of urgent public importance. He had put down his questions by private notice but did not move the adjournment.

WEDNESDAY, 23rd JULY, 1947.

The meeting with Mr. Martin was fixed for 10.45 a.m. but was postponed until the afternoon at our request, as no reply had been received to my telegrams.

11<sup>15</sup>a.m. Mr. Shragai spoke with Mr. Shertok who expressed his agreement with the formulation of our demand as being "return to Palestine or at least Cyprus".

3.45 p.m. Mr. Martin received Professor Brodetsky and myself. Nothing tangible emerged from this meeting, except that the British representatives were taking an extremely formal and legalistic line. They were unable to give us information about the crucial matter of how the refugees would be transferred from the ships to the shore. No statement was issued by us after this meeting.

On the same day Mr. Rosette visited the Ambassador of Panama and the Vice-Consul of Honduras, on the same lines as his interview of yesterday.

THURSDAY, 24th JULY, 1947.

Telephone conversation between Dr. Goldmann and Professor Brodetsky indicated that the situation in Paris had undergone a change, owing to the anti-British attitude of the French press and the clear indications that there might be an international incident if an attempt was made to disembark the refugees within French territorial waters with the use of force. In consequence of this information the Executive felt it its duty to convey its apprehensions to the Secretary of State. I therefore telephoned the Secretary of State's Private Secretary and made it clear that Professor Brodetsky and Mr. Shragai were most anxious to see the Secretary of State but would not be willing to be received only by Mr. Martin. The Secretary of State was apologetic that he could not receive Professor Brodetsky at such short notice but arranged for Mr. Iyer Thomas to do so. The meeting took place at 4 p.m., after which a statement was issued pointing out that no assurances had been received either about the use of force in securing disembarkation, or as to the ultimate fate of these refugees.

During the day several attempts were made to obtain an interview with



Colonel Oliver Stanley and Professor Brodetsky. Ultimately Colonel Stanley fixed the appointment for the following day, and agreed to receive Mr. Rosette and myself, in view of the fact that Professor Brodetsky had to proceed to Leeds.

FRIDAY, 25th JULY, 1947.

10.30 a.m. Colonel Stanley received Mr. Rosette and myself. The interview was not unfriendly and in the end he agreed that he would approach the proper quarters about the matter. A Minute of this interview is available.

Later I telephoned New York and asked what political action they were taking. They said they were taking action but the attitude of the State Department was undetermined.

The Executive decided to accept the advice which had been received from Professor Harold Laski and to ask Mr. Justice Frankfurter to intervene with the United States' President. A cable was accordingly sent to Mr. Justice Frankfurter and a copy sent to Mr. Lourie asking him to follow it up.

SATURDAY, 26th JULY, 1947.

Nothing particular to report.

SUNDAY, 27th JULY, 1947.

Nothing particular to report. When I learned that Mr. Shragai was going to Paris in a chartered aeroplane I decided to go with him, as I could come back within a few hours. In Paris I met Mr. Jarblum, Mr. Linton and others, but did not learn anything of particular importance except that there was a danger of non-Zionist Jewish organisations interfering by offering some sort of assistance to the French Government. I also suggested to Mr. Linton that he consult with our representatives in Paris with a view to more co-ordinated action in the event of a recurrence of this matter.

MONDAY, 28th JULY, 1947.

I drafted some Parliamentary questions and after consultation with Professor Brodetsky went to see Mr. Janner about them and he promised to put them down.

12 noon. I telephoned Mr. Martin in the name of Professor Brodetsky and asked if he had any further information that he could give us as to what would happen to the refugees. He replied that the Government had decided: "We will make them land." When I asked him what that meant, he said there was no food left on the boats, and if the refugees did not land then they would starve. I reported this to the Executive, and also to Paris and New York.

From a telephone conversation with Mr. Lourie I learned that the State Department had not decided on their line of policy. I later advised Mr. Lourie, and Mr. Epstein in Washington by telegram, that time was running very short.

In the course of the afternoon I mentioned the report about lack of food to two reliable journalists.

Throughout the week constant contact was made with Paris and



Geneva. My contact was with Mr. Fischer, Mr. Jackson and Mr. Shragai maintained contact with Mr. Jarblum.

Contacts with the Press in England were extremely difficult but not entirely without results.

Full minutes are available in the office about all important meetings.

29/7/47.





# Economic Union Aspects

see

  Oscar Haas report

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Oct 7, 1947



Beinisch Epstein

see folder

United Zionists - Revisionists





הסוכנות היהודית לארץ-ישראל

THE JEWISH AGENCY FOR PALESTINE

JERUSALEM,

P. O. B. 92

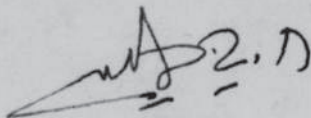
ירושלים, י' ח שבט, תש"ח

ת. ד. 92

(29.1.48)

אל : הרב אבאב הלל סילבר.  
מאת : מחלקת העליה.

רצ"ם העתק רשימתנו לכה' ---  
הכדינית ולה' בן-צבי, בצירוף  
התזכיר של ועד החירום ליהודי  
עדן, לידיעה.



חב. ג.



ירושלים, י"ח שבט, תש"ח  
(29.1.48)

אל : המה' המדינית,  
ה' י. בן-צבי.

פאת: מה' העליה.

אנו שולחים לכם את העתק התזכיר של ועד החירום ליחודי  
עדן. פיוס 22/12 ש"ע, הטכיל המונח מזעזעת על המאורעות ועל  
הסכנות הצפויות ליחודים בארץ ערבית הנתונה לשלטון בריטי.  
מן החומר הנ"ל נראה, שכמעט כל יחודי עדן הוא דומה מאד לכצב  
יחודי העיר העתיקה בירושלים. יש לשים לב במיוחד להחלשת  
לשכת המסחר בעדן ובן לברז (הסנתיג אכרחים) חרצ'ט.

נראה לי, שאריך לאחוז במעולה בלוגיון ובניו-יורק בקשר  
עם התזכיר הנ"ל.

ח. ברלט.

ח.ב.ג.



C o p y

JEWISH EMERGENCY COMMITTEE,  
Section A, Street No. 1  
Crater,  
Aden.

22nd December, 1947.

The Jewish Agency for Palestine,  
Immigration Department,  
P.O.Box 92,  
JERUSALEM

Dear Sir,

Further to our letter dated 18th December, 1947, we beg to state that on the 20th December large crowds of strange blood-thirsty hooligans infiltrated into the Jewish quarter from all sides and lanes and when a huge number of them succeeded to group, malicious and false rumours were circulated that the Jew killed, stoned and threw bottles on Arabs with a view to start the mobs to break into the Jewish houses and carry out their evil and infernal designs. Jewish life was in grave danger had not the police come in time and dispersed the mobs from the Jewish quarter; but the bulk of the mob was so large that there was a risk of their overwhelming the police and storming the Jewish quarter with the dire consequences. However, the Jews were saved by a miracle, as the mob did not reforce their way into the Jewish quarter. An intoxicated and furious mob could have finished the Jews in a few minutes, before British Troops could have come to our rescue.

We understand that these mobs came from the harbour areas and Sheikh Othman with a view to carry out a premeditated plot on the Jewish quarter. As a matter of fact, the mob started to stone Jews, burnt one house in Street No. 4, one house in Esplanade Road, rekindled the Jewish Girls School, all of which were extinguished by the fire brigade. Two Jewish shops were also looted.

As about 4.30 p.m. 17 military lorried full of British Troops paraded the streets of Aden with a view to demonstrate their presence.

A syrian (an ex convict) believed to be called Shafiq Abdul Razak Zohdi who took a leading role in destroying Jewish life and property in the recent disturbances still continues to incite the hooligans against us to destroy us by arson. He is responsible for most of arson and Jewish lives murdered by the Arab mobs in the disturbances. We understand that he is offering bonus to volunteers who will undertake the task of throwing balls of rugs saturated with petrol. On Saturday, 20th December he was heard asking the mobs to now turn into killing of Jewish lives as most of Jewish property has been finished.

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Many Jewish houses were spared from burning by the fact that they were occupied by non-Jews. Most of these inmates have now vacated these houses as a result of intimidation.

Unless strong measures are taken by the Government to put a stop to this destruction of life and property, the gravity of the danger to the community will not be over. As long as the instigators are at large, the Jewish community will have neither peace nor security.

Most of the Jewish community is already in a state of despair, as they are without means of livelihood. Shakespeare said: "If you take the means whereby I live, you take my life".

In view of the attempts of arson, Jews are ill at ease and most of them cannot sleep lest some one may sneak in and throw petrol saturated rugs at their premises in the stillness and darkness of the night.

Since the troubles began, the Jewish community have been confined to their quarter and most of them living on relief provided by Government and other charitable bodies, but how long can the Jews ~~continue to exist~~ under such conditions. Can arrangement be made for ~~emigration~~ to other parts of the world where they can feel safe?

We enclose copies of petitions and telegram sent to the Chief Secretary to the Government on this subject. We also enclose a copy of the Resolution passed by the Aden Chamber of Commerce and submitted to the Government which ipso facto supports our case.

We enclose a translation of an Arabic Manifesto issued by Yemenite Higher Association in Aden dated 20th December, 1947.

Yours faithfully,

JEWISH EMERGENCY COMMITTEE.



20-12-47

URGENT HIS EXCELLENCY THE GOVERNOR  
GOVERNMENT HOUSE ADEN

RUSH HELP STRANGE BLOOD THIRSTY MOB THIS MORNING  
INFILTRATED INTO JEWISH QUARTER GIVING MALICIOUS  
RUMOURS OF JEWS ATTACKED ARABS ARSON STARTED IN  
ONE HOUSE AND ANOTHER IN JEWISH GIRLS SCHOOL RUSH  
BRITISH MILITARY FORCES BEFORE TOO LATE SOS

JEWISH EMERGENCY COMMITTEE

Aden Camp 21st December 1947

To,

The Honourable the Chief Secretary  
to the Government,  
A d e n.

Sir,

We, the undersigned, beg to state that Mr. Shafik Abdul Razak Zaohdi, who is said to be Syrian, an ex-convict, residing at Section A, Street No. 3, Crater, is inciting Arabs most strongly to kill Jews, loot and burn Jewish property.

He has taken a leading role in burning and destroying Jewish life and property during the recent disturbances.

We therefore pray that prompt action be taken against him to stop his incitement and agitation before further serious and grave consequences ensue.

We beg to remain, Sir,,  
Your most obedient servants,



ADEN, 21st December, 1947.

The Honourable A.R. Thomas, Esquire,  
Chief Secretary to the Government,  
Aden Colony.

Sir,

We have the honour to state that yesterday morning the 20th December, 1947, large crowds of strange blood-thirsty hooligans infiltrated into the Jewish quarter from all sides and lanes, and when there were sufficient numbers, malicious and false rumours were whispered to each other that Jews have killed, stoned and threw bottles on Arabs, with a view to start the mob to break into the Jewish quarters and carry out their evil and infernal designs.

It is the practice of human intellect to invent for the prejudices, a cause seemingly reasonable. Probably wisdom has long been acquainted with the psychological law and puts it in a fairly expressive words: "If you have to drown a dog", says the proverb, "you must first declare him to be mad". These false rumours about the Jews were bruited about to justify their evil intentions.

Jewish life was in great danger had not the police come in time and dispersed the mobs from the Jewish quarter; but the number of the mob was so large that there was a risk of their over-whelming the police and storming the Jewish quarter with the dire consequences. However the Jews were saved by a miracle; an intoxicated and a furious mob can finish us in a few minutes, before British Troops can come to our rescue.

We understand that these mobs came from Hedjuff, Maalla and Sheikh Othman to carry out a premeditated plot on the Jewish quarter. As a matter of fact, the mob started to stone Jews, burnt one house in Street No.4, one house in the Esplanade Road, rekindled the Jewish Girls School and two Jewish shops were looted.

We are informed that one Syrian and others are preparing balls of rugs saturated with petrol, and are teaching the mobs how to throw it into Jewish houses and burn them and are offering a sum of money to volunteers who will throw the rugs on Jewish houses. How long this state of grave danger to our life and property will continue?

Please have mercy on our children and women and put a stop to this state of grave danger. Our women are fainting in face of this grave danger.

In the name of humanity, justice and equity, we request that these mobs should not be allowed to collect in the streets and especially to loiter and collect in around the Jewish quarter.

We entreat you in the name of God in Heaven and the Crown on earth to have a mercy on us and save us from destruction.

Thanking you sincerely in anticipation of your assurances that such incidence will not recur and that Jewish life and property will be permanently protected.

We beg to remain, Sir  
Your most obedient servants,  
JEWISH EMERGENCY COMMITTEE  
Chairman.



## RESOLUTION.

"Recent communal disturbances brought the trade of the Colony and Port to a standstill, and have undermined the public faith in the rights of all communities to expect protection of their lives and property. We, therefore, consider it necessary that Government should appoint an independent High Court Judge with three unbiassed Assessors, to constitute a Grand Jury, and conduct a full enquiry into the reasons for recent disturbances, and the handling of these, at the time, by the Authorities responsible for maintaining law and order. They should also be empowered to make suggestions as to steps that might be taken in the future to ensure the security of all communities either operating the trade of the Colony, or earning a legitimate livelihood therein. This Report should then be given full publicity, as a measure likely to restore prestige and faith in the forces of law and order in the Colony.

Meantime, we view with alarm the presence of and the continued infiltration from up-country of great numbers without visible means of support and urge that immediate steps should be taken to correct this state of affairs. It is our opinion that the looting after the recent fires and largely due to this type of persons and we, therefore, request the assurance of greatly increased security in the future by the permanent presence of British Troops, and a strengthening of the Civil Police Force by an increase in the strength of its British Personnel."

ADEN CHAMBER OF COMMERCE,  
ADEN.

18th December, 1947.



Translation from the Arabic.

Directions of Leader Ibrahim Ibn El Imam to the  
volunteers for the cause of Palestine.  
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1. Every one who desires to register his name as volunteer undertakes not to cause any disturbances or strikes in this Town and he should follow the instructions of the Leader Ibrahim.
2. The movement and activity of the Leader Ibrahim will conform to the instructions of the Arab League which will be broadcasted and published to the volunteers in due time.
3. The Leader Ibrahim request all the Moslems to create no incidents in this town because they may be exposed to great risks which will involve both the guilty and the innocent.
4. The dangerous enemies of the Arabs are those who gathered themselves in Palestine and if we wish to participate in saving Palestine it behoves us to assist in sending our forces there and not to spend one dirhem and not a drop of blood except in Palestine under the directions of the Arab League.
5. The criminal Zionists established in Palestine do not care and do not grieve if we butchered all the Jews in Aden and burnt all their houses but will be concerned or terrified if we sent to Palestine one Pound or one volunteer.
6. Lastly the Leader Ibrahim calls you all Moslems to fight in the cause of Palestine but in the tactful way which will be planned for us by our Leaders of the Arab League.

7th Safar 1367.

20th December, 1947.

YEMENITE HIGHER ASSOCIATION  
in Aden.



Aden, 23rd December, 1947

The Honourable A.R. Thomas, Esquire,  
Chief Secretary to the Government,  
Aden Colony.

Sir,

We have the honour to state that rumours are abroad that the mobs contemplate to storm our quarter and finish us on Christmas and Boxing Day, when the Services are enjoying the Festivals.

In view of what has happened to us we cannot hear of this rumour without bringing this matter to your Honour's notice in the fervent hope that the evil designs of the hooligans will be frustrated.

We submit with the greatest respect that the reduction of the Armed Police in our streets have added to our anxiety and suspense and we therefore request that sufficient Armed Police be posted even at our cost to forestall a surprise attack on our quarter, until the situation becomes normal.

Thanking you sincerely in anticipation of any steps that may be taken to put a stop to the intimidation and risk to our life and property.

We beg to remain, Sir,  
Your most obedient servant,  
JEWISH EMERGENCY COMMITTEE

Chairman.



[1947?]

316 W. 97 St

New York 25 NY

Dr Abba Hillel Silver,  
Lake Success, N.Y.

Dear Sir,

Your statements to the U.N. Special  
Palestine Committee are worthy of the  
highest praise, and you certainly brought  
out with great clarity how urgent  
it is to establish a Jewish Homeland.

However, I am amazed that  
none of the Jewish leaders is reminding  
the U.N. that about  $3/4$  of the original  
Palestine (Transjordan and Yemen)  
have already been given to the Arabs,  
and in the name of everything that is  
just, fair and proper, at least what  
constitutes the present Palestine, should be  
over;



declared The Jewish Homeland. What  
is left of the original Palestine is  
small enough, and for the UN to  
be frightened by Arab threats would  
be absurd.

So please stress how much has  
already been taken away. Palestine;  
since no one at the Conference  
is mentioning a word about it.

With my best wishes to you  
and my sincere appreciation for the  
great work you are doing, I am,  
Sincerely,

Louis Essrat.



TEXT OF ADDRESS TO POLITICAL AND SECURITY COMMITTEE OF THE GENERAL ASSEMBLY,

BY

AUBREY S. EBAN, JEWISH AGENCY FOR PALESTINE

May 1, 1948

Mr. Chairman and members of the Committee: In the course of yesterday afternoon's discussion, the distinguished representatives of France and of Greece expressed a desire to hear the detailed views of the Jewish Agency for Palestine on the Working Paper presented to this Committee by the United States Delegation. We believe that it may be most appropriate for our views to be expressed in the context of this general discussion on the Working Paper as a whole. For the Jewish attitude in this discussion takes the form of a complete rejection of the trusteeship scheme in principle, and not of a mere criticism of its specific proposals. We hold that the trusteeship system is based on principles and procedures which have no relevance or proper application to the Palestine question at all; that the institution of a trusteeship today is in itself an act of prejudice to the rights and position of the Jewish people; that the immutable facts of the Palestine situation cry aloud against any attempt to impose a trusteeship at this time; and that any attempt to force the country into a system of government so uncongenial to its historic, ethnic and cultural realities can only aggravate the condition of disorder in which it is unhappily plunged. For these reasons, we hold that the gaps and deficiencies in the Working Paper before us are inherent in the very nature of trusteeship as applied to the Palestine situation at this time. Therefore, if we refer in detail to certain specific provisions of the working paper, it is in order to illustrate the anomalies of trusteeship by reference to its practical consequences. This does not mean that we entertain any belief that amendments in detail of this proposal can make the trusteeship idea a feasible starting point in the quest for a solution.

Few references have been made in the course of this discussion to the circumstances in which this Working Paper appeared on the scene. It is not an abstract or judicial effort to write the future of Palestine on a clean slate. The trusteeship proposal of the United States Delegation arose -- as everyone admits -- as a reaction to an attempt to alter by force a solution already approved by the United Nations after a long process of deliberation. It is therefore essentially an attempt to appease violence. It has its roots, not in judgment, but in expediency; and as we shall indicate, in an expediency wrongly conceived. In an address to the Security Council some weeks ago, the Jewish Agency representative felt constrained to pose a question which challenges the very purpose of this Committee's discussion. He asked:

"Does the United Nations seek in the Palestine question a solution based on equity and mutual adjustment? Or is it merely in pursuit of a settlement against which the Arabs will graciously condescend not to use force?"

It is impossible, I believe, for anyone with a sense of realism to avoid the conclusion that this working paper sets out to fulfil the second criterion. And the characteristics of the proposal reflect its heredity: The desire to appease Arab resistance is clearly revealed in everything which the document records -- and in everything which it omits.

It is instructive to compare the proposal now before us, with the solution which won its way, by its own merits, over so many successive hurdles of scrutiny and criticism, until it came to be embodied in the momentous Resolution of November 29. On the one hand, a solution arrived at through the collective judgment of an impartial commission after long and careful weeks of appraisal, study and formulation; on the other hand, a proposal hastily conceived and unilaterally sponsored, remote in space and spirit from the Palestine scene. On the one hand, a solution involving independence,



the emancipation of two historic peoples from a long period of tutelage; on the other hand, an attempt to breathe life into a dying mandate and to build a new trusteeship on the ruins of the old. On the one hand, a solution involving finality -- a firm and authoritative definition of the limits within which Jewish and Arab aspirations respectively were to have free play; on the other hand, a proposal which leaves the future government of Palestine still suspended in the old fog of uncertainty, with no vision of finality ahead. On the one hand, a solution which confronted Arabs and Jews with each other as equal, independent partners, summoned by world opinion to respect each other's equality and to fashion a partnership on the basis of mutual interests and obligations; on the other hand, a proposal in which the Arab hope that the Jewish nation in Palestine might still be subjected, assimilated, or somehow dissolved into its environment is still allowed to survive as a perpetual incentive to conflict. The distance between these two proposals corresponds to the distance between contemporary Palestine and Lake Success. In Palestine, the logic of partition advances by its own momentum despite all attempts to resist, and all refusals to facilitate, its implementation. Surely there are few people in this room, whatever their views, who can avoid a sense of incongruity as they devise procedures for installing a dictatorial Governor-General from outside over a nation entering at this very moment upon that freedom which was recognized and approved by this great organization only five months ago.

Mr. Chairman, an air of unreality must attend any purely academic discussion which is not face to face all the time with the facts of Palestine today. But before appraising this Working Paper in the light of those facts, I would address myself briefly to a question of principle. Many distinguished delegates -- and most significantly, they were among those who have recently investigated this question in Palestine itself -- have testified to the sense of maturity and the urge for national freedom whereby both peoples in Palestine are inspired. The United Nations Special Committee recorded their unanimous testimony on this point in words which have already been quoted here. They concluded as follows:

"It is highly unlikely that any arrangement which would fail to envisage independence at a reasonably early date would find the slightest welcome among either Arabs or Jews."

This proposition is not open to question; it is endorsed by all available experience and judgment. The distinguished representative of the United States has subscribed to it himself in the discussions of this Committee. Yet it is now proposed to subject these mature populations, placed by the General Assembly on the threshold of statehood, to outside rule of indefinite duration. The Committee will note that one of the basic objectives of the trusteeship system as laid down in Article 76 of the Charter is:

"To promote the progressive development of the inhabitants of the trust territories.....towards self-government or independence."

Yet the effect -- indeed, the very intention -- of a trusteeship regime for the Jews of Palestine at this moment would be, not to promote their development towards self-government or independence, but to arrest and retard that development, and to throw them back from the threshold of statehood to a state of subjection. Thus, trusteeship in this context artificially stifles the very process which trusteeship is intended to promote; and the anomaly rests upon nothing less than the complete irrelevance of these particular Articles to the government of peoples who have utterly and finally outstripped the procedures which the trusteeship system involves.

But the maturity of the population is not the only reason why the trusteeship provisions of the Charter are incongruous in the context of the Palestine settlement. For another of the basic objectives of the trusteeship system as defined in Article 76 is:

"To promote the political, economic, social and educational advancement of the inhabitants of trust territories."



Thus the trusteeship provisions of the Charter have no reference to the unique position of Palestine in history in international law and in modern political life, as a territory in which the interests of the present inhabitants are not the sole, or even the predominant, object of international concern. In a previous submission to this Committee, the Jewish Agency has drawn attention to the absence from the trusteeship provisions of the Charter, and to the omission in the Working Paper before us, of any reference to the historic and contemporary motives which create an inseparable connection between Palestine and the Jewish people. In discussing the crucial matter of Jewish immigration into Palestine, the distinguished representative of Egypt yesterday affected surprise and indignation at hearing a connection assumed between Palestine and the Jewish people. Other distinguished delegates, in advocating mass Jewish immigration to Australia, India and China, have spoken as if the ties of history and sentiment between the Jew and Palestine were of no more validity and merit than their casual lien with any other country which might be suggested -- though not by those countries themselves -- for Jewish migration and settlement.

Mr. Chairman, historic facts are not changed by a refusal to face them. And the connection of the Jewish people with Palestine is not merely an historic fact deeply embedded in the consciousness of our civilization. It is also a fact of the contemporary political world, a fact sufficiently potent to assemble dispersed Jews the world over in a joint effort to achieve a common national purpose. It is a fact so little abstract and ethereal, so concretely and irresistibly alive, that it creates new patterns of life and new social realities almost entirely unassisted by any favorable circumstances around it. The community of nations has no choice between recognizing these rights or repudiating them; for the special rights and interests of the Jewish people with regard to Palestine have time and again been upheld through successive international instruments. These rights and interests composed the "primary purpose of the mandate, as expressed in the preamble and its articles," according to the testimony of the British Royal Commission. In Article 80 of the Charter, Jewish rights, derived from the Mandate, were preserved until such time as the Mandate might be replaced by a new settlement. The General Assembly itself conceived those rights and interests to have such validity that it gave them formal expression through the establishment of a Jewish State. No legal competence exists anywhere by which these rights can be annulled. It is quite inadmissible to brush them aside by assimilating Palestine to a political system in which they have no place. In its astonishing omission of any reference to these historic and legal connections, the Working Paper before us assiduously ignores the most distinctive historical, cultural and ethnic realities of Palestine today -- the very realities which set Palestine in a completely separate category from that of the vast neighboring territories in which the rights of the Arab inhabitants are supreme and unqualified.

This contradiction between the trusteeship system and the actual circumstances of Palestinian life could<sup>not</sup> be bridged by merely suppressing the word "trusteeship" in favor of a euphemism denoting a provisional regime under the United Nations. It is not a question of nomenclature. It is not a question of prestige. It is the fact of tutelage and the absence of independence which create this misfit. Those distinguished delegates who yesterday suggested a change of name came very near to implicit recognition of the discord between the trusteeship idea and the situation with which this Committee is faced. We would respectfully suggest that they look beneath the surface of a verbal difficulty in an attempt to discern the real difficulty of substance. In that task the most important step is to face the situation in Palestine and examine trusteeship in its light.

The first thing to remember in this connection, is that Palestine has been governed under a form of trusteeship for twenty-six years. Recently the conditions under which the British Mandate operated proved so intolerable to Jews, Arabs, to Great Britain and the community of nations as a whole, including American public opinion, that the replacement of the Mandate by a form of immediate independence became the only common aspiration of all the



parties concerned. The prospects of the new trusteeship cannot be unaffected by the discredit and unworkability of the old. It would not be useful at this stage to discuss the breakdown of the Mandate in terms of responsibility or blame. It is an agreed fact that trusteeship has proved itself permanently unable to secure Arab-Jewish agreement. In recent years, trusteeship has been unable to exercise even a formal authority upon the country as a whole. This fact is highly relevant when we come to study the Working Paper and find it replete with all the conditions which either created or reflected the deadlocks of the Mandate.

For any student of the Mandate, (including, I am sure, the distinguished representative of the Mandatory Power) can hardly look at this Working Paper without feeling that "this is where he came in." Here is the same unfortunate Governor-General failing to assemble a legislature and governing by decree. Here are the same two restive populations to be denied independence. Here are the same pressures and counter-pressures on the crucial matter of immigration, so acute that the sponsors of the plan cannot bring themselves to breathe an immigration figure, lest the whole illusion of possible agreement is prematurely dispelled. Here are all the anomalies of a unified centralized system which does not rest on agreement and which cannot be enforced. Here is that fatal uncertainty about the "eventual political settlement" -- an uncertainty which is the enemy of Arab-Jewish agreement and a permanent incentive to pressure by both parties on the trustee regime. Here, in short, is an anthology of all the conditions which contributed to the Mandate's collapse.

So much for the lessons of a quarter century's experience; but the strongest factors working against trusteeship are of more recent origin. It is quite unrealistic to plan a new trusteeship regime on a clean slate, without regard to the effect of November 29 or the implications of May 15. The situation in Palestine has been radically transformed since November 29 as a result of the General Assembly's Resolution. The turn of events in the past four months had had both a psychological and a practical effect. The United Nations having recognized the Jews of Palestine in November as a nation fit for imminent independence, is now being asked to regard them in May as a minority within the population of a non self-governing territory to be held in "temporary" tutelage for a period of "indefinite duration." The Jews themselves however, are unlikely to adapt their thinking to this violent reversal. Nothing will ever divest November 29 of its significance as a momentous day in their history. Henceforward they are never likely to think in any other Political idiom but that of national sovereignty; and the trusteeship regime will be separated from the Jews by a widening gulf of mental and spiritual distrust. The Arabs too may awaken early to their loss of an objective which the great majority of them had gained by the award of statehood in a part of Palestine on November 29.

But the trustee will not merely be called upon to swim against every current of political sentiment in the country. He will be faced with a process of virtual partition which has gathered such momentum in recent weeks that not even considerable armed force could now arrest it. This process has for long been inherent in the political and social realities of Palestine. Ten years ago the Royal Commission was already able to report that: "to maintain that Palestinian citizenship has any moral meaning is a mischievous pretence. Neither Arab nor Jew has any sense of service to a single State... There is little moral value in maintaining the political unity of Palestine at the cost of perpetual hatred." The United Nations Special Committee on Palestine and the General Assembly merely recognized and expressed this political separation. They did not create it. Palestine is inhabited by two peoples. They have separate political aspirations and common economic interests. The scheme of partition with economic union is such a full response to these basic realities that, having once begun to operate, it has inevitably crystallized very quiddly into the receptive framework of Palestinian life.



We have already pointed out that the disintegration of the Mandatory regime since November 29 has given a spectacular impetus to this partition tendency, both in its functional and its territorial aspects. As the Mandatory relinquishes an essential governmental service in the Jewish State area, the Jews begin to operate it. As the Mandatory virtually evacuates a certain zone in that area, Jewish authority asserts itself. There are large populated areas of the country, both Jewish and Arab, in which the writ of the central administration does not run at all. The degree to which this process had developed can best be appreciated from the fact that the Jews themselves exercise full responsibility in their community for the most vital governmental function -- that of defence. Meanwhile an existing tendency of Jewish autonomy has been accentuated in every field. The Mandatory's departure leaves a widening vacuum in food supplies, communications, postal and telegraphic services, currency, police, etc., etc. The Jews, anticipating chaos, have worked out plans and prepared machinery to assure continuity and order in the daily routine of life. The entire Jewish population reposes its trust and obedience not in any central government of the entire country, but in its own authorities, on the understanding that they will set up an administration for the Jewish State area. The provisional Jewish authorities are already endowed with that effective internal recognition which is the most vital test of independent nationhood.





Every item of news coming from Palestine brings confirmation of the facts which the Jewish Agency has constantly endeavored to keep before the eyes of this Committee. Nobody has had a better opportunity to observe the emergence of a spontaneous partition in recent weeks than the distinguished representative of the Palestine Commission, who headed the Advance Party to Jerusalem last February. Senor Ascarate is reported to have described the growth of a fully articulated and controlled system of life in the Jewish area, successfully defending itself and pursuing its own development. He also bears witness to the gravitation of Arab life into Arab control, albeit less centralized in character. The telegram of the Truce Commission read to this Committee yesterday by the distinguished President of the Security Council, tells the same story. Is it not obvious that the incoming trustee will find the country already organized into separate compartments of control and allegiance? The incentive of November 29 and the logic of May 15, both drawing their force from the facts of the situation, have done their work. Palestine is moving forward inexorably towards Partition in a pattern of growing decentralization.

In this situation, the Working Paper comes on the scene in a last-minute attempt to reverse the course of events. There is no precedent for such a tour de force. All other trusteeships in this organization have arisen as a smooth continuation of mandates previously held under conditions of unity and peace. To impose outside rule by newly-arrived administrators over these two virtually autonomous societies is technically far-fetched; and to create a new focus of authority and allegiance to which both Jews and Arabs will give the slightest attention is beyond human resource. The only United Nations authority which might play a constructive role in Palestine today would be one which would appear on the scene to guide and facilitate partition, not to arrest it.

It appears that the General Assembly is faced with two alternative ways of approach to these facts. The one would be to push against the momentum which the Assembly itself set in motion last November; to disrupt the patterns of independence and order emerging from the very chaos of Palestine today. The other would be to help the actual process of partition along its way, to bring it within the control and authority of the United Nations, to shield it against aggression from outside, as the Charter, by common agreement, imperatively requires, to exert every moral influence to reconcile the Arab world to peaceful cooperation with a neighbor who desires only to enjoy the fruits of independence in peace.

Mr. Chairman, the debate on the details of the Working Paper which began yesterday confirmed the opposition to trusteeship which the Jewish Agency has expressed in principle. I would only beg leave to comment on those topics which were the subject of much deliberation yesterday. On the first topic, relating to the idea of non-prejudice of rights, we would only draw attention to the remarks of the distinguished representative of Australia and his pertinent question, so far unanswered, whether the rights to be saved from prejudice include those acquired or conferred by virtue of the November 29 Resolution. Even if the United Nations does not choose at this stage to pronounce on rights which go far back into history; surely it cannot deny the validity of rights which it has itself recently confirmed.

There is no device whereby a temporary trusteeship can fail to "prejudice the rights, claims or position of the parties concerned;" nor can the trusteeship fail to determine "the character of the eventual political settlement." Indeed, the rights and position of all parties are affected by the very institution of a trusteeship at this time. For example, the General Assembly recognized the Jewish claim to statehood, conferred certain rights on the basis of that claim, and envisaged a position of full sovereignty by October 1. Under the new proposal, October 1 will find the Jews of Palestine not as a State within fixed frontiers, but as a minority within the Arab population and under outside rule. The theory that such a spectacular change from imminent independence to indefinite subjection leaves the "rights, claims and position" of the Jews unprejudiced is untenable. "The character of the eventual political settlement" is also bound to be affected at every turn by the operation of



the trusteeship regime. Even if there is substantial Jewish immigration and land settlement the prospects of Jewish statehood will still be prejudiced by postponement. If there is not, the growth of Arab population will cause a proportional weakening of the Jewish position and adversely affect Jewish prospects when "the eventual political settlement" is determined. There can be no stand-still in a process of life; in a unitary State each party is either becoming relatively stronger or weaker at every moment. The effect of this paragraph is merely to define the effects of the trusteeship proposal in misleading terms.

With regard to the duration of the trusteeship, we note that it is defined as "temporary" but that it can only be terminated by Arab-Jewish agreement. Thus, the word "permanent" would perhaps give a more realistic view of its duration. It is a fact that 25 years of tutelage have failed to produce agreement. On November 26, 1947 the representative of the Mandatory Power stated in the General Assembly:

"After years of strenuous but unavailing effort, His Majesty's Government have reached the conclusion that they are not able to bring about a settlement in Palestine based upon the consent of both Arabs and Jews, and that the Mandate is no longer workable."

On the same occasion, the representative of the United States declared:

"No plan has ever been presented either here or in any other place which would meet with the acceptance of both the Arabs and the Jews. No such plan has ever been presented and I do not believe that any such plan will ever be presented."

It is not a mere coincidence that agreement has not emerged from a long period of trusteeship. The very fact that a third party stood between Jews and Arabs while the respective limits of Arab and Jewish independence were not finally determined, created the conditions of perpetual discord. It is an axiom of the Palestine question that political uncertainty is the enemy of Arab-Jewish agreement. The Arabs will evidently seek no agreement until they are confronted with the Jews as a permanent and equal factor with which they have come to terms. The Jews will accept no position of subjection to the Arabs and will continually press on towards independence. In abandoning a settlement which gave partial satisfaction to the desire of each party for independence, the United States has thus set back the clock of Arab-Jewish agreement. In the Working Paper, the termination of the trusteeship is made dependent on conditions which can never mature as long as trusteeship lasts. The unpopularity of trusteeship will be greatly increased in both communities by the fact that it is of indefinite duration with no visible end in view. This has an obvious bearing on the question of enforcement.

Articles 10-26 of the Working Paper contain the constitutional provisions of the projected trusteeship. It is proposed that a new regime called the Government of Palestine should be established forthwith in order to assume administrative, legislative and judicial powers. The Government is to act in accordance with the principles of Trusteeship as defined in the Charter, and with instructions from the Trusteeship Council which must in the nature of things be in conformity with those principles. This may amount to an injunction to the Government to ignore or suppress the rights of the Jewish people with respect to Palestine, since these are not covered explicitly or implicitly in any of the Articles dealing with the trusteeship system.

The provision for the House of Representatives in Article 20 is perhaps the gravest feature of the entire proposal, and serves further to emphasize its incongruity. This provision appears to involve the application of majority rule to Palestine as a whole, and to ignore the dual character of its national composition. The most widely accepted principle in the Palestine question is the irrelevance of formal democracy, based on majority domination, to a country composed of two separate nations which do not hold the ends of life in common or agree on the central purposes of the state. In such conditions, to apply



democracy to the population as a whole is to deny it to the Jews entirely, by subjecting them to minority status. If the distinguished representative of Pakistan would think of this problem in Indian terms, he would perhaps be less enthusiastic about the simple virtues of unitary majority domination. The essence of the Palestine question too lies in the need to apply self-determination not to a fictitious single entity, but to the two very real separate groups, so that each is free and sovereign within the widest limits compatible with the freedom and sovereignty of the other. The nature of the problem is such that the minority difficulty cannot be eliminated by any solution. Partition, however, reduces it to a minimum. The United Nations Special Committee on Palestine expressed this fact succinctly:

"The Arab State will organize the substantial majority of Arabs in Palestine into a political body containing an insignificant minority of Jews, but in the Jewish State there will be a considerable minority of Arabs. That is the demerit of the scheme. But such a minority is inevitable in any feasible plan which does not place the whole of Palestine under the present majority of the Arabs."

It has already been explained why the position of an Arab minority in a Jewish State is not comparable in its effects to that of the entire Jewish population placed as a minority under Arab rule. The Royal Commission, the Permanent Mandates Commission, the Anglo-American Committee, the United Nations Special Committee on Palestine, and the General Assembly have all emphatically rejected the application of a unitary majority principle to the constitution of Palestine. Its revival here illustrates the degree to which these proposals are cut adrift from all the accumulated lessons of history and experience.

The position is in no way improved by the parity composition of the Senate, with its virtual power of veto. The objectives most essential to the Jews, all related to development, require authority for positive action. If one Chamber obstructs these measures and the other reaches deadlock, the result is that those measures are not authorized. In other words, the Jews have it. Deadlock and a negative decision are identical with reference to any scheme of positive action. The constitutional provisions of this proposal are thus a complete surrender to the Arab desire to block all change and development required in the Jewish interest.

The provision that the Governor-General may have "to legislate by order" in the almost certain contingency that the "legislature could not be assembled" emphasized the dictatorial implications of this proposal. We have already observed that a Governor-General placed between the opposing pressures of Jews and Arabs and therefore tending to yield to the strongest pressure and to the status quo, is an exact replica of the conditions which led the Mandate to chaos and disorder.

Mr. Chairman, I come to the crucial question of enforcement. Since the Arab and the Jewish communities seem disinclined to help impose a trusteeship upon themselves, it is unlikely that the Governor-General will be able to rely on locally recruited forces. It is clear therefore that a heavy and permanent burden of enforcement will fall upon such member States as may be called upon for this purpose. This burden will probably not be less than that which the Mandatory Power has been called upon to bear in circumstances very similar to those arising from this trusteeship proposal. It may well be a heavier burden than that involved in the implementation of the General Assembly's Resolution, which had elements of self-enforcement through its militia provisions. Moreover, enforcement of the Partition Resolution would only have been necessary until such time as the two States were firmly established and functioning. In the trusteeship proposal, on the other hand, there is no end of enforcement in sight. The question arises whether member States who were unwilling to use their forces to establish independence for Jews and Arabs within authoritatively defined limits will now commit their forces to military rule of indefinite duration for the purpose of suppressing aspirations for independence recently approved by the United Nations. The scope and spirit of this enforcement task are an ironical commentary on the plea that



partition had to be set aside because it could not be peacefully enforced.

Mr. Chairman, during the General Debate in this Committee, the distinguished representatives of Sweden, New Zealand, Argentine and France called urgent attention to this question of implementation and enforcement. They, and other delegations, insisted that there was scarcely any purpose in discussing the details of a plan designed to set aside the November 29 Resolution, unless it could be proved that the plan could either command the agreement of Arabs and Jews, or be effectively enforced. What has this debate revealed? The distinguished representative of the United States hinted that the Working Paper was constructed on the assumption of the acceptance by both sides of the same trusteeship plan. Is that a realistic assumption? The Committee may well be in a position to judge on the basis of what it heard yesterday from the Arab States who poured forth an avalanche of criticism against all the substantive provisions of the Working Paper. They insisted that there must be no new provision for Jewish immigration. The distinguished representative of Lebanon told us that the Arabs could not even think about "concessions". There must be no land policy allowing for any development of the Jewish position. There must be no citizenship laws immediately enfranchising all Palestine Jews. There must be no constitutional principle except one which would make the Arab majority supreme. In case a single ounce of pro-Jewish content had inadvertently seeped into the Working Paper, there were the representatives of Egypt, Syria and Pakistan, indefatigable and vigilant, eager to drain it away. I need not waste the time of the Committee on this matter any further. Nobody at this stage of the debate can seriously believe that this Working Paper shows any promise of forming a basis of agreement between Arabs and Jews.

What then of enforcement? The position which emerges from this debate is simple and clear. The United States is prepared to assist in the provision of forces, in the evident belief that a mere policing task is involved, and on the firm condition that other powers join in. The belief appears groundless. The condition is still unfulfilled.

May I then summarize as objectively as possible the position which has been reached today on May 1, 1948, two weeks before the end of the Mandate? The Committee has a plan before it which the Jews oppose in principle and which the Arab States have opposed in all its substantive details. No tangible arrangement has been laid down on any means of enforcement, nor could any such hypothetical arrangement possibly have effect by May 15. There is thus neither agreement, nor enforcement in sight. The Jews are determined to go ahead with the setting up of their government which is in fact already functioning. These are the conditions which those delegations who attach primary importance to the matter of implementation are called upon to confront in their task of determining whether temporary trusteeship is a hopeful formula for solving the problems which will arise on May 15.

In concluding, Mr. Chairman, I would only refer briefly to the discussion yesterday on immigration and on Arab-Jewish agreement. It is late in the day to be called upon to prove that Jewish immigration to Palestine is both a human necessity and an established legal right. The United Nations is deeply committed to this view by the General Assembly's own decision last November. The conscience of mankind is haunted by the spectacle of Jewish survivors who, three years after victory, three years after so-called "liberation" still languish behind barbed wire in refugee camps. They do not desire to be "burdens" or "unfortunates" cast upon the mercy of other peoples. Their desire is to be citizens of a Jewish society in which their capacities and ideals will be fully at home. Their desire coincides with an established and confirmed historic and legal right — the most cherished right acquired by the Jewish people through centuries of suffering. There might be some partial and temporary relief through settlements of groups in other countries. It would be relief to individuals; it would have no effect upon the historic process of Jewish return to Palestine. There is no organic collective solution except through the exercise of that right whose violation would constitute an intolerable blow to the Jewish people in its gravest ordeal of history.



In connection with Article 29 of the Working Paper, I would point out that mere formal provisions for immigration can have no real effect unless there is a regime in Palestine which is able to so shape economic and development policies as to create conditions in which mass immigration can be absorbed. Immigration is made possible not by the mere issue of permits, but by the opening up of economic opportunities and facilities. This fact explains the inseparable connection between the concepts of Jewish statehood and Jewish immigration. Recent Palestinian history proves that a government torn indecisively between two pressures, the one claiming and the other opposing immigration, cannot be the agent of a progressive development policy. Still less can conditions favorable to immigration be created by a legislature whose majority is concerned to make immigration impossible. Experience has conclusively proved to the Jews that the only effective guarantee of continued and substantial Jewish immigration lies in the placing of immigration and development policies under Jewish control. The need to create conditions of freedom for such immigration was one of the chief motives which led the General Assembly to recommend Jewish statehood.

Mr. Chairman, Arab-Jewish agreement must be the essential product of any Palestinian solution. That is why it is inadmissible any longer to perpetuate the conditions under which it has proved unable to grow. You cannot define the objective conditions of that essential collaboration until you create conditions of equality and independence between both parties. The Jews of Palestine can contribute to the peace and prosperity of the Near East; but they can do so only in their own freedom and identity; and their contribution will be in the image of a specific culture and tradition. Subjection and uncertainty postpone such a vision of cooperation between two equal partners. They should not be forced into a straitjacket of imposed unity; each people should stand erect and independent while the community of nations summons them to courses of cooperation.

It is difficult to look back over the past two months without being tempted to reflect on the situation which would now exist if, instead of this ill-fated digression, the United Nations had pursued, despite all obstacles, the course charted for it by the General Assembly. If the Statute of Jerusalem had been duly ratified and implemented; if the guiding hand of the Palestine Commission had been allowed to control and adjust the natural partition which has spontaneously emerged out of life and fact; if the Charter had been firmly invoked against incitement and aggression; if the Arab people had been called by world opinion away from the aims of revision by violence, to the constructive enterprise of adding a new State to its independent patrimony; if all this had happened, Mr. Chairman, it is impossible to conceive that there would not exist at this time an atmosphere of greater stability and equilibrium than now prevails. The Jewish Agency is convinced that much suffering and grief can still be avoided by seeking a way of return to the highway of the General Assembly's Resolution.

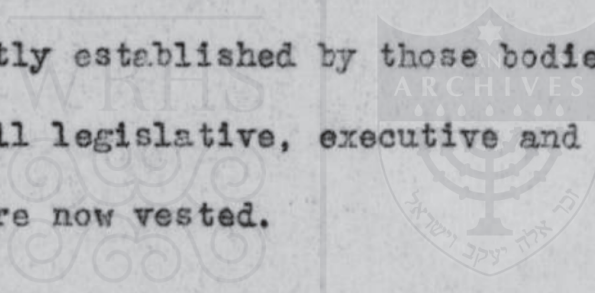
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5/21/48

DRAFT FOR INTRODUCTORY STATEMENT BY MR. EBAN TO REPLIES  
OF PROVISIONAL GOVERNMENT OF ISRAEL TO SECURITY  
COUNCIL QUESTIONNAIRE

I am directed by the Provisional Government of Israel to communicate to you the following replies to the questions addressed by the Security Council at its 295th meeting held on May 18, 1948 to the "Jewish authorities in Palestine". These questions were transmitted by me to the Foreign Secretary of the Provisional Government of Israel in Tel Aviv. I have to point out that the designation "Jewish authorities", which applied in the past to the Jewish Agency for Palestine and to the National Council of the Jews of Palestine (Vaad Leumi), now applies to the Provisional State Council and the Provisional Government of the State of Israel, jointly established by those bodies, and in which, since May 15, 1948, all legislative, executive and judiciary powers in the State of Israel are now vested.





Replies of Provisional Government of Israel to Security Council Questionnaire

Question (a): Over which areas of Palestine do you actually exercise control at the present time?

Answer to Question (a): The Provisional Government of Israel actually exercises control at present over the entire area of the Jewish State as defined in the Resolution of the General Assembly of the 29th of November, 1947. In addition, the Provisional Government exercises control over the city of Jaffa; Northwestern Galilee, including Acre, Zib, Basea, and the Jewish settlements up to the Lebanese frontier; a strip of territory alongside the road from Hulda to Jerusalem; almost all of new Jerusalem; and of the Jewish quarter within the walls of the Old City of Jerusalem. The above areas, outside the territory of the State of Israel, are under the control of the military authorities of the State of Israel, who are strictly adhering to international regulations in this regard. The Southern Negev is uninhabited desert over which no effective authority has ever existed.

Question (b): Do you have armed forces operating in areas (towns, cities, districts) of Palestine where the Arabs are the majority, or outside Palestine?

Answer to Question (b): We consider the territory of Israel as a single unit with a Jewish majority. As indicated above, the Government of the State of Israel operates in parts of Palestine outside the territory of the State of Israel, parts which, with the notable exception of Jerusalem, formerly, for the most part, contained Arab majorities. These areas have, however, been mostly abandoned by their Arab population. No area outside of Palestine is under Jewish occupation but sallies beyond the frontiers of the State of Israel have occasionally been carried out by Jewish forces for imperative military reasons, and as a part of an essentially defensive plan.

Question (c): If so, on what basis do you attempt to justify such operations?

Answer to Question (c): The above operations in areas outside the State of Israel are justified on the following grounds:

1. In order to repel aggression, and as part of our essentially defensive plan, to prevent these areas being used as bases for attacks against the State of Israel.
2. In order to protect Jewish population, traffic and economic life, including the protection of those Jewish settlements outside the area of the State where, owing to the absence of any duly constituted authority and the failure to implement the guarantees and safeguards provided for under the General Assembly Plan, life and property are in imminent danger. Similar considerations apply in the absence of any international statute for the City of Jerusalem to the Jewish area of that City.

Question (d): Have you arranged for the entry into Palestine in the near future of men of military age from outside Palestine? If so, what are the numbers and where are they coming from?

Answer to Question (d): Arrangements have been and are being made for the entry into Palestine of Jewish immigrants of all ages and both sexes from various countries in accordance with the avowed object and primary purpose of the State of



Israel to open its gates for large-scale immigration. The State of Israel regards the matter of immigration as a matter within its domestic jurisdiction.

Question (e): Are you negotiating with Arab authorities regarding either the truce or a political settlement in Palestine?

Answer to Question (e): No such negotiations are at present proceeding. The Secretary-General of the Arab League was informed immediately after the November Resolution that the Jews were ready to negotiate for peaceful collaboration on the basis of implementation of the Resolution of the General Assembly of November 29. To this no reply was received. Repeated approaches were also made to King Abdullah of Trans-Jordan offering on behalf of the Jewish State peace and good neighborliness, but these offers were rejected by King Abdullah, who insisted that the whole of Palestine come under his rule and that the Jews accept Arab nationality and rest content with regional autonomy.

We have on repeated occasions indicated our affirmative attitude to cease-fire proposals coming from British authorities in Palestine and various organs of the United Nations. The cease-fire in the Old City initiated by the Trusteeship Council and observed by the Jews, was broken by the Arabs.

Question (f): Have you named representatives to deal with the Security Council Truce Commission for the purpose of effecting the truce called for by the Security Council?

Answer to Question (f): When the Security Council adopted the Truce Resolution the Provisional Government of the State of Israel did not yet exist, but the Jewish Agency kept in close touch with the Truce Commission in Jerusalem from its inception. This liaison has now been taken over by the Provisional Government.

Question (g): Will you agree to an immediate and unconditional truce for the City of Jerusalem and the Holy Places?

Yes.

Answer to Question (g): ~~Have Arab forces penetrated into the territory over which you claim to have authority?~~

~~XXXXXXXXXXXX~~

Question (h): Have Arab forces penetrated into the territory over which you claim to have authority?

Answer to Question (h): Arab forces have penetrated into the territory of the State of Israel in certain corners of the Northern Negev and in the Jordan Valley south of Lake Tiberias. In addition, planes of the Royal Egyptian Air Force have repeatedly raided Tel Aviv and southern Jewish settlements, while Iraqi air-force planes have been raiding settlements in the Northern Jordan Valley and artillery of the Syrian and Lebanese armies have been shelling settlements in Upper Galilee from ~~XXXX~~ across the frontier.



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# WESTERN UNION

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A. N. WILLIAMS  
PRESIDENT

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JULY 7, 1948

19

To **ELIHU EPSTEIN**

Care of or Apt. No. **SPECIAL REPRESENTATIVE OF THE STATE OF ISRAEL**

Street and No. **2210 MASSACHUSETTS AVENUE**

Place **WASHINGTON, D.C.**

AMERICAN JEWISH  
ARCHIVES

THE  
REGRET DEEPLY INABILITY OF MRS. SILVER AND MYSELF TO ACCEPT YOUR GRACIOUS  
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THE SPECIAL REPRESENTATIVE OF THE UNITED STATES TO THE STATE OF ISRAEL AND  
MRS. MC DONALD TODAY. PLEASE EXPRESS MY WARMEST GOOD WISHES TO MR. MC

DONALD ON HIS HISTORIC MISSION TO ISRAEL. KINDEST REGARDS

**ABBA HILLEL SILVER**

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=THE SPECIAL REPRESENTATIVE OF THE STATE OF ISRAEL AND  
MRS EPSTEIN REQUEST THE HONOR OF THE COMPANY OF DR AND  
MRS ABBA HILLEL SILVER AT A RECEPTION IN HONOR OF THE  
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STATEMENT OF AUBREY S. EBAN  
REPRESENTATIVE OF ISRAEL AT THE UNITED NATIONS  
BEFORE THE UNITED NATIONS SECURITY COUNCIL  
July 15, 1948

I make these remarks on the assumption that the United Kingdom representative has not accepted the perfectly admirable and factual statement of the representative of the United States. I am myself reluctant to enter this discussion.

I think it is an unnecessary one which should not have been provoked. It seems to us that the only point at issue is whether or not it is a fact, in the words of the draft resolution, that:

"The Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine."

Is that a fact, or is it not? Or is the fact so irrelevant that it ought to be obscured? The fact is conveyed in document S/872 in which the Mediator indicated to the Security Council the fact that the Provisional Government of Israel had accepted in principle a prolongation of the truce. In offering its acceptance, the Provisional Government of Israel did not intrude upon a discussion to which it was not invited, because the answer conveyed in document S/872 came in reply to a letter which was despatched from Tel Aviv on 5 July. This letter reads:

"Mr. Moshe Shertok, Minister for Foreign Affairs, Provisional Government of Israel.

"Dear Mr. Shertok, I have the honour to transmit to you the accompanying message from the Mediator for Palestine concerning a prolongation of the truce. This identical proposal has been presented to the representatives of the Arab Governments in Cairo. In view of the fact that the present truce finally expires on Friday, July 9, the Mediator requests your decision on this proposal by Wednesday, July 7, at the latest."

The Security Council will notice that this communication, to which document S/872 is a reply, was addressed specifically to the Minister for Foreign Affairs in the Provisional Government of Israel. It was addressed to him in that capacity for reasons of courtesy which of themselves, I should have thought, would have been compelling, but also for a practical reason, namely, that what the Mediator requested was not the personal views and philosophies of Mr. Shertok on history and on life but a commitment from a body in a position to give that commitment to order a cease-fire. The message had to be addressed in that way because no other Jewish



body exists which could indicate acceptance of such proposals or commit anybody to honour them. Surely no Government or person with a sense of self-respect would ever consider himself under an obligation to respond to any communication not addressed to him in his rightful capacity.

In the first days of its existence it might have been possible for some people not to know of the existence of the Provisional Government of Israel, and therefore on 18 May the Security Council addressed a questionnaire to what it called the Jewish authorities in Palestine. The reply to that questionnaire came from the Provisional Government of Israel. It was recorded as such in the records of the Security Council. It was acted upon by the Security Council, and thereafter there began a sustained and uninterrupted practice of direct negotiation between the Security Council and the Provisional Government of Israel. Thus, it was the Provisional Government of Israel which specifically and explicitly replied to the Security Council's cease-fire proposal of 22 May, to the resolution of the Palestine question adopted on 29 May, to the interpretations of that resolution offered by the Mediator, and in actually concluding an agreement for a cease-fire. The Mediator's messages, reproduced as documents S/830 and S/831, were addressed to the "Governments concerned," including the Provisional Government of Israel. The reply to the Security Council regarding that cease-fire resolution was similarly conveyed; and on 16 June 1948 an agreement was signed between the Mediator of the United Nations and the Provisional Government of Israel, and Count Bernadotte and Mr. Shertok appended their signatures to that resolution in those capacities. The agreement is reproduced as document S/846.

In other words, there exists an established practice and tradition of such negotiations. But the record of the Provisional Government of Israel in relation to the Security Council is not merely one of negotiation, it is also one of close and earnest cooperation. It replied to the questionnaire of 18 May, it gave positive answers to the resolutions of 22 May and 29 May, to the appeal of 5 July, to the cease-fire of 8 July, and yesterday it indicated in advance its willingness to cooperate with the main and essential purposes of the draft resolutions before us. We believe that this record merits for the Provisional Government of Israel the courtesy of being referred to by its name, the name by which it calls itself, the name by which it is recognized formally



by many great Governments, by which it is known to world public opinion and to every newspaper reader, and by which it seeks to express a certain historic tradition. Everybody must agree with the opinion of the representative of the United States that no question of individual recognition by any Government is here involved, and indeed that the Security Council has no power or duty or competence of recognition.

A few weeks ago, the Security Council addressed itself to the Government of Transjordan, which I believe only two members of the Security Council recognized. The Council received a thoroughly rude and insolent reply and has not repeated the offer ever since, but surely that event is sufficient to prove that no question of recognition can be claimed to have relevance in the text of this amendment.

After this practice has continued for several weeks, proved its efficacy and its complete lack of harm, along comes this amendment. This amendment does not avoid an innovation. It turns the clock back. It evades the truth; it tries to conceal it. For everybody knows what the truth is, and everybody in this room knows that as a matter of fact the Provisional Government of Israel indicated its acceptance of that Truce Resolution, and, indeed, that no other body exists which can indicate such acceptance. Therefore, the only motive of this resolution is to evade a fact by not calling it by its name.

In the nineteenth century, a similar attitude was current toward the biological facts of life. But here the position is more serious for we deal with no abstractions but with a practical question in which the matter of specific responsibility is vital, as is also the necessity to call upon specific bodies for specific commitments.

If anybody is in any doubt as to the existence of the Provisional Government of Israel, or of its competence to honour certain commitments, he has an easy alternative, which is not to address the Provisional Government of Israel, not to give orders to it, not to communicate appeals to it, not to solicit its assistance or governmental authority in the exercise of onerous international obligations. If anybody doubts its existence, then why not leave it alone to assess its international duty as it sees fit in the light of an obligation which it feels toward the Security Council, but which, apparently, not all members of the Security Council reciprocate toward it?



Finally, the adoption of this amendment would raise very complicated considerations in respect of paragraphs 3, 4 and 5, for apparently we would no longer be able to define what is meant by "all governments and authorities." The question would arise whether the Provisional Government of Israel is affected by the obligations of this resolution since its existence is not a matter which the proposer of the amendment is prepared to affirm. In view of that doubt and the most important nature of the order in paragraph 3, and since, if the amendment is adopted, the preamble may not define who are the parties, we must ask who is the Jewish side which is supposed to obey this order and answer this appeal. For, as the matter would stand after the adoption of this amendment, every government or authority would be free to decide by its own spontaneous logic whether or not it is a party concerned.

Some of these paragraphs refer to military orders. Surely when such an order is involved, a specific indication of responsibility is necessary. Many representatives here have had great military experience. I wonder if any of them can recall an order saying that all people who feel themselves to be concerned will attack that objective tomorrow at noon.

We really descend to absurdities and an unworthy level if we follow through all the implications of an evasion of this kind. The matter becomes the more painful because of the context in which this factual statement occurs. For what is the sentence to which Sir Alexander Cadogan objects? It is simply a sentence recording an act of assistance, an act of compliance, an act of international cooperation, an act of loyalty to the Charter. The name of the body responsible for this act is associated with that act by the United States resolution. Why can people not endure to have the name of Israel appear in this capacity of virtue? The only reason that we have been given, apart from an irrelevance on the matter of recognition, is the fear that it might embarrass Sir Alexander Cadogan's Government. It may be a principle of diplomacy that truth may only be told if it is not embarrassing, but surely the consideration of embarrassment is trivial against the consideration of truth.

The truth may be unpalatable to some people, but that the existence of this Provisional Government of Israel is a fact can be deduced on the basis of an opinion which I think the representative of the United Kingdom would



respect. It occurs in paragraph 34 of the Mediator's Report, where he says:

"The de facto situation in Palestine today is that a Jewish Provisional Government, recognized by an increasing number of states, exists in an area of Palestine, and is exercising, without restrictions of any kind on its authority or power, all the attributes of full sovereignty, including the waging of war."

In paragraph 17, it becomes clear that this is a defensive war. The Mediator goes on, in paragraph 34:

"This provisional government and the state it represents were established under the cloak of authority given by the 29 November Resolution of the General Assembly...It is this de facto situation which the Arab States are fighting to eliminate, but the plain fact remains that it is there."

All we ask of the Security Council is that, in order to retain its moral authority, its dignity and its prestige, it should face that fact as it is and not obliterate it. If the proposer of this amendment could honestly say it is not true that the Provisional Government of Israel indicated its acceptance of the truce resolution, there would be a moral justification for the amendment. We think that, as a matter of history, the name of the Provisional Government of Israel deserves to be linked with its acceptance of the cease-fire appeal. But if anybody does not think so, then let him not mention it at all; let him cut it out. The Provisional Government of Israel is willing to surrender its honorable mention rather than be referred to contemptuously as "the other party" or by any other circumlocution. After all, it is not the fact of the acceptance by the Provisional Government of Israel which creates this threat to the peace, and we would ask the Security Council, if it cannot tell the whole truth, to omit the reference entirely. The omission of that mention would, of course, be a falsehood, but it would at least be a falsehood complete and admirable in its integrity.

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OF TROUBLES AND BRING LASTING PEACE WRITING

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