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Jewish Agency, Irgun Z'vao Leumi, 1948.

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ISRAEL'S ANTI-TERRORIST LAW PROVIDES UP TO 25 YEARS IN PRISON FOR OFFENDERS

Trial By Military Court, Review By Defense Minister

Irgun Discontinues All Military Activities Including Jerusalem

Tel Aviv, September 21 (Palcor) — "Emergency Regulations for the Prevention of Terrorism," signed by Israeli Prime Minister David ben Gurion yesterday afternoon, were published all over Israel last night. They provide a penalty up to 25 years in prison for active members of groups defined under the law to be terrorist, and lesser penalties for persons otherwise affiliated with or supporting such groups. The new law consists of 22 paragraphs, contains a definition of what constitutes a terrorist organization, and provides for the seizure, by the State, of all property belonging to such organizations.

Trial of persons for terrorist activity will be by special military courts from which there will be no appeal. Review of all cases and conviction are in the hands of the Minister of Defense.

The Stern group offshoot, "Hazit Hamoledet" (Fatherland Front) which admitted responsibility for the assassination of Count Bernadotte, has been declared a terrorist organization within the meaning of the new law. The Irgun Zvai Leumi, which hitherto has been operating as an independent military force outside the boundaries of Israel, has decided to discontinue its military operations in those sectors, including Jerusalem. The Irgun will continue operating as a political organization through the newly founded Herut (Freedom Movement). Menahem Beigin, head of the Irgun and Herut, has disowned all Irgun activities abroad.

Following is a paragraph by paragraph summary of the new Israeli anti-terrorist law:

Paragraph 1) A terrorist organization is defined as a body of persons making use of acts of violence likely to cause death or injury, or threats of acts of violence. A member of a terrorist organization means a person who belongs to it, participates in its operations, who is in possession of or publishes propaganda in favor of a terrorist organization or collects money or articles for the benefit of a terrorist organization or for its operations.

Paragraph 2) A person participating, managing or directing a terrorist organization or taking part in the deliberations or resolutions of a terrorist organization, or acts as a member of a court set up by a terrorist organization, or delivers a propaganda speech at a public meeting or over the wireless in behalf of such an organization is guilty of an offense and is liable to the penalty of imprisonment from five to twenty years.

Paragraph 3) A person who is a member of a terrorist organization is liable to the penalty of imprisonment from one to five years.

Paragraph 4) Persons publishing in writing, or delivering orally words of praise or sympathy or encouragement for acts of violence likely to cause death or injury or threats of acts of violence, or who writtenly or orally calls for help or support of such organization or gives money for the benefit of terrorists or places at the disposal of terrorists any property or articles for the carrying out of operations in

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behalf of such organization is guilty of an offense and is liable to the penalty of imprisonment up to three years or a fine up to 1000 pounds (about \$4,000) or both.

Paragraph 5) All property of terrorist organizations is to be forfeited to the State by order of District Court and is subject to seizure by decision of the Chief of the General Staff of the Israeli Defense Army or the Inspector General of Police.

Paragraph 6) The Chief of the General Staff or the Inspector General of Police is empowered to close any place used by a terrorist organization as a place of operation, meeting, propaganda or as a store.

Paragraph 7) In order to prove that a certain body of persons is a terrorist organization it shall be sufficient to prove: A -- that in behalf of that body or on its instructions its members at any time after the 14th of May, 1948, committed any act of violence likely to cause the death of a person or injury or the threat of such acts of violence, or B -- that a body of persons or its members declared such body was responsible for acts of violence likely to cause death or injury, or for threats of such acts or that that body was involved in such acts provided these acts or threats were committed after the 14th of May, 1948.

Paragraph 8) If the Government declares in an official gazette that a certain body of persons is a terrorist organization, this shall serve as proof that such a body is a terrorist organization unless the contrary is proved.

Paragraph 9) If it is proven that a person at any time after the 15th of May, 1948, was a member of a terrorist organization, such person will be deemed a member of such organization unless it is proved that he ceased to be a member. A person found in a place serving a terrorist organization will also be deemed a member unless the contrary is proved.

Paragraph 10) Anything published by a terrorist organization or in its behalf may lawfully be received as sufficient evidence for the conviction of a person accused of being a member of a terrorist organization.

Paragraph 11) If it is determined in a final judgment that a certain body is a terrorist organization, the judgment will be deemed in every other legal proceeding as prima facie evidence that such a body is a terrorist organization. The judgment of a military court given in accordance with these regulations and of a civil court which isn't subject to appeal, shall be deemed final judgment.

Paragraph 12) Every person committing an offense contrary to these regulations will be brought before and tried by a military court which will be composed of three members appointed by the Chief of the General Staff of the Defense Army of Israel. Members of the court will be members of the Defense Army and its President will be a person authorized to practice as an advocate in the State of Israel or some other person whom the Attorney General shall certify to be possessed of sufficient legal knowledge and procedure of court to be in accordance with military court procedure.

Paragraph 13) Deals with the arrest of persons accused of offenses under these regulations.

Paragraph 14) Lays down procedure with regard to release or bail.

Paragraph 15) Every judgment of conviction by a military court in accordance with these regulations will be brought before the Defense Minister who may: A -- confirm the judgment; B -- confirm but decrease the punishment; C -- quash the judgment and acquit the accused; D -- quash the judgment and remit the case for fresh trial to a military court of the same or different composition. The Defense Minister, prior to decision, shall take into consideration the opinion of a person qualified to act as president of a military court but who did not sit at the trial.

Paragraph 16) The judgment of the military court shall be final and not subject
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to appeal before any court or tribunal.

Paragraph 17) The judgment of a military court shall be treated as a judgment by a civil court in execution.

Paragraph 18) The Defense Minister may at any time review a judgment or conviction of a military court which was confirmed by him, decrease the punishment or replace it by lighter punishment.

Paragraph 19) The powers of the Defense Minister shall not derogate from the right to grant a person a pardon under any other law.

Paragraph 20) Provisions of the Criminal Code Ordinance of 1936 as regards principal offenders shall be applicable as if included in these regulations.

Paragraph 21) These regulations do not derogate from the criminal responsibility of a person who commits an offense against any other law. A person may not be punished twice for the same act or omission and no person may be brought to trial both before a civil court and a military court for the same act.

Paragraph 22) These regulations will be cited as "Emergency Regulations for the Prevention of Terrorism, 5708/1948."

BERNADOTTE REPORT URGES U.N. IMPOSE PEACE IN PALESTINE

Would Radically Change Partition Boundaries

Asserts Existence of Israel Permanent, Suggests Arab Parts Of Country Be Annexed To Transjordan

Paris, September 21 (Palcor) — The final report of the late Count Folke Bernadotte, U.N. Mediator for Palestine, submitted to the United Nations last Friday, the day of his assassination in Jerusalem, was released here last night. The 35,000 word document summed up the history of his mission, outlined the status of the problem and recommended what he termed a reasonable compromise. Following are the seven "basic premises" for Count Bernadotte's recommendations:

1) Peace must be restored in Palestine by any means possible. 2) "A Jewish State called Israel exists in Palestine and there are no sound reasons for assuming it will not continue to do so." 3) The boundaries of this State must be fixed by the U.N. if the parties concerned cannot agree to them. 4) The boundaries originally proposed by the General Assembly's vote on November 29 for a partition of Palestine must be revised to produce "geographical homogeneity." 5) The "innocent people uprooted from their homes by the present terror and ravages of war" must be assured the right to return to their homes or get adequate compensation if they cannot or will not return. 6) Jerusalem "because of its religious and international significance and the complexity of interests involved, should be accorded special and separate treatment." 7) International guarantees should be provided "as a means of allaying existing fears and particularly with regard to boundaries and human rights."

On the basis of these premises Count Bernadotte recommended specifically that the truce in Palestine be superseded by a proclamation of peace, that both sides demobilize and that a broad neutral no-mans-land be created and controlled by the U.N.

Boundary Revisions

The Mediator urged a U.N. delimitation of frontiers with radical changes from the original partition boundaries. He would give to the Arabs the Negev desert area south of the line running from the sea near Majdal east-southeast of Faluja. The frontier would run from Faluja north-northeast of Ramleh and Lydda, both of which places would be in Arab territory. The frontier at Lydda would then follow the line established by the General Assembly resolution of November 29. All of Galilee would

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be given to Israel.

Count Bernadotte's report recommended that the disposition of territory in Palestine not within the boundaries of the Jewish State, should be left to the governments of the Arab states in full consultation with the Arab inhabitants of Palestine. The report recommends, however, that "in view of the historical connection and common interests of Transjordan and Palestine there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan."

Haifa And Lydda Free Ports

Bernadotte's report recommended that the port of Haifa including the oil refineries and terminals "without prejudice to their inclusion in the sovereign territory of the Jewish State or the administration of the city of Haifa," should be declared a free port with assurances of free access to all. The Arab countries on their part would undertake to place no obstacle in the way of oil deliveries by pipe line to Haifa. The air port of Lydda would also be declared a free port with access assured to all.

U.N. Control Of Jerusalem

Bernadotte's report states: "The city of Jerusalem which should be understood as covering the area defined in the resolution of the General Assembly of 29 November, should be treated separately and should be placed under effective U.N. control with maximum feasible local autonomy for its Arab and Jewish communities, with full safeguards for the protection of the holy places and sites and free access to them, and for religious freedom. The right of unimpeded access to Jerusalem by road, rail or air should be fully respected by all parties."

Calls For U.N. Conciliation Commission

Count Bernadotte's report calls for the establishment by the U.N. of a conciliation commission appointed for a limited period and responsible to it for the purposes of ensuring continuation of a peaceful adjustment in Palestine; taking measures to foster the cultivation of friendly relations between Jews and Arabs; to supervise the observance of boundaries, road, railroad, free ports, minority rights and other arrangements decided upon by the U.N.; and to report to the U.N. any development in Palestine likely to alter the arrangements approved by the U.N. or threatening the peace of the area.

Predicted Arab And Jewish Objections To His Settlement

Count Bernadotte stated in his report that he did not suggest that his conclusions "would provide the basis for a proposal which would easily win the willing approval of both parties." "I am convinced, however," he said, "that it is possible at this stage to formulate a proposal which if firmly approved and strongly backed by the General Assembly, would not be forcibly rejected by either side."

EPSTEIN RETURNS FROM ISRAEL

New York, September 21 (Palcor) — Eliahu Epstein, Special Representative of Israel to the United States, arrived here last night from Tel Aviv where he spent ten days conferring with his government.

BERNADOTTE'S WIDOW THANKS ISRAEL FOR MESSAGE OF CONDOLENCE

Tel Aviv, September 21 (Palcor) — Countess Estelle Bernadotte, widow of U.N. Mediator Count Folke Bernadotte who was assassinated in Jerusalem last Friday, has cabled her acknowledgement to the Israeli Government for its message of condolence to her and her family following the tragedy. The cable, received last night by Israeli Foreign Minister Moshe Shertok, reads: "Heartfelt thanks for your message of sympathy."

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