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Press Release P/PM/93
15 October, 1948.

STATEMENT PRESENTED TO THE FIRST COMMITTEE BY RALPH J. BUNCHE, ACTING
UNITED NATIONS MEDIATOR ON PALESTINE, 15 OCTOBER 1948.

It is with heavy heart that I make this statement to the Committee to-day. But for that crime in Jerusalem committed by a band of despicable gangsters it would be Count Bernadotte himself who would be speaking to you now. The late Mediator was not only my Chief but a treasured friend. In these months since the end of May I had come to know him well. He was an utterly honest and fearless man, completely independent in his thinking, and thoroughly devoted to the effort to bring peace to Palestine. He had no axe to grind, no vested interest to serve. The views which I will briefly express to you to-day will, I think, be very close to the views which Count Bernadotte himself would have expressed had he lived to enjoy the privilege of sitting with you - a privilege which he would have greatly appreciated.

The Progress Report of the late Mediator which is before you as document A/648, sets forth quite clearly in Part One the views of Count Bernadotte on the main issues in the Palestine conflict to-day. I need not repeat these views, and the more so since I am in full accord with them. If I may take the liberty of doing so, however, I would like briefly to give some emphasis to what appears to me to be the inescapable logic of the situation in Palestine with which this Assembly is now confronted.

Since the termination of the Mandate on 15 May of this year, there have been three signal developments in Palestine :- The proclamation of a Jewish State, resort to forceful measures by the Arab States, and the intervention of the Security Council.

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1. A Jewish state was proclaimed in that part of Palestine envisaged for the Jewish state in the resolution of the General Assembly of last November 29. That Jewish state did not come about in accordance with the processes and procedures foreseen in the Assembly's resolution. But it was no less real because of that and it could confidently base its right to exist on the fact that the majority of the members of the United Nations had endorsed the idea of a Jewish state in Palestine, a mandated territory and therefore an international responsibility. Moreover, this was no nominal or paper state. From the very day of its proclamation it had a vibrant reality. It boasted an active and vigorous government, a national esprit and cohesion, and a well organised and well trained, if poorly equipped, army. It was a going concern from the day of its birth. It was readily apparent to even the casual observer that the nationalist spirit of the Jewish inhabitants of this state was so strong and deeply-rooted as to render entirely illusory any suggestion that a Jewish state in Palestine could be prevented by any means other than force of sufficient strength to completely crush the Jewish community. In the five months since its inception, this Jewish state has consolidated and strengthened its position, both nationally and internationally.

2. On the other hand, Arab opposition to the new Jewish state was so intense as to induce the Arab states to resort to violent measures. Open warfare between the newly proclaimed Jewish state and the States members of the Arab League broke out coincidentally with the termination of the Mandate and the proclamation of the Jewish state. This, of course, had not been envisaged by the resolution of 29 November. Until halted by the two truces achieved through the intervention of the Security Council, it was warfare as deadly as it could be made with the limited weapons and supplies available to the contestants. It was warfare brought on by the fact that the Jews had taken the political offensive on the termination of the Mandate and proclaimed a state, while the Arab states, in retaliation, took the military offensive and moved their troops into Palestine with the avowed purpose of protecting the Arab inhabitants of Palestine by crushing the infant Jewish state. This military effort was exerted not by the Arabs of Palestine but primarily by the armies of the Arab States with the objective of protecting the Arabs of Palestine from an alleged danger of Jewish domination. It cannot be said that the Arabs had not given ample warning of their firm intentions in this regard. Their willingness to resort to this extreme action is an accurate gauge of the intensity of Arab feelings as regards the injustice to them of a Jewish state in Palestine.

3. By the intervention of the Security Council the warfare in Palestine has been twice stopped and at present remains stopped. In fact, the resolution of the Security Council of 15 July 1948, which ordered both parties to cease fighting, although it makes reference to a truce of undefined duration, also prohibits any further recourse to military action as a means of settling the dispute. The imposed "truce" of 18 July is really a permanent cease-fire order. The opposing armies have now been confronting each other since 18 July, but they are forbidden to resume fighting. If either side should provoke a resumption of hostilities it would have to do so in open defiance of the order of the Security Council and thereby run the risk of invoking the threat of sanctions embodied in the 15 July resolution. The Security Council order stands and it cannot be assumed that either side will wish to run the risk of shouldering responsibility for open defiance of this

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order by a deliberate resumption of hostilities. On the other hand, this permanent cease-fire order, which is also described in the resolution as a truce, has been regarded by both parties as a truce, and therefore of temporary rather than permanent duration. Moreover, it has been administered and supervised as a truce. The armies have not been withdrawn or demobilised. On the contrary, they have been confronting each other in full battle array, and alerted for battle, for almost five months now, except for the intense fighting during the nine-day interval between the two truces. The strain and tension are very great, and it is most assuredly not a situation which can be maintained indefinitely. The existing truce clearly must be superseded by something more durable and secure -- either a formal peace or an armistice, either of which would be more consistent with the Security Council order than the present precarious truce.

It is unthinkable that Arabs and Jews should be permitted to resume hostilities in Palestine. The threat to the peace of the Middle East generally and even to the world from conflict in Palestine is far too great.

(There have already been some danger signals of outside interests in the conflict, which might render doubtful any assumption that a renewed conflict could be confined to Palestinians and the Arab states.)

The role of Mediator was defined in resolution 186 (S-2) of the General Assembly of 14 May 1948. Among other functions that resolution directed the Mediator to "use his good offices to promote a peaceful adjustment of the future situation of Palestine." This was the function to which Count Bernadotte devoted major concentration from the beginning of his effort in Cairo on 28 May, although the supervision of the truce under the resolution of the Security Council, and more recently, the tragic refugee problem, consumed much of his time and energy.

In directing his attention towards achieving a peaceful adjustment of the Palestine situation, the Mediator was confronted with the necessity of defining the premises upon which his efforts would be based. His decision in this regard was a practical one, dictated in large measure by circumstances entirely beyond his control.

Arab representatives, for example, with whom he consulted frequently and at great length, constantly emphasized what they would describe as the historic injustice of the Balfour declaration, the terms of the Mandate, the Mandate itself, the Jewish nationalist aspirations, and the resolution of the General Assembly of 29 November on the one hand, and the fundamental equity and democracy of an Arab state in the whole of Palestine on the other. Count Bernadotte, however, quite rightly in my view, did not regard it as within his purview to pass judgement upon the validity and the justice of decisions previously taken by the international community. On the same grounds, and, in view of the nature of his terms of reference, for instance, he did not consider himself to be rigidly bound by the details of the resolution of the General Assembly of 29 November but recognised, nevertheless, that its basic conclusions represented the expressed will of more than two-thirds of the members of the United Nations, and could not, therefore, be ignored.

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It is undeniable, therefore, that in his approach to the problem, Count Bernadotte was inevitably influenced by the fact that, Arab opposition notwithstanding, there had been, especially during the past thirty years, a progressive recognition by the international community of a special position for the Jewish community in Palestine, culminating in the resolution of 29 November and the proclamation by the Jews themselves of a state of their own in a part of Palestine. ✓

On the other hand, the Mediator was not influenced by that part of the claims of the Jews to a historic right to Palestine based upon their ancient residence in that country and their religious association with it, rather than formal international sanctions. He did not accept, therefore, the Jewish contention that it was they who were always called upon to compromise. Since he could not accept their alleged historical claims to the whole of Palestine, including Transjordan, he could not admit the contention that acceptance of the 29 November resolution constituted a compromise on their part, and that any alteration in the terms of that resolution not favourable to them would compound a compromise previously made. ✓

It was within this milieu that the Mediator, through four months of negotiation of unprecedented intensity, strove, by trial and error, through reason and persuasion and every other honourable means, to find a common ground upon which the conflicting parties might meet. This common ground was never found. That it was not found was due entirely to the intransigence of the parties. On the fundamental issues, each side remained adamant. ✓ wrong approach

In view of this fact, the Mediator was forced to the conclusion that it was not now possible, by means of an intermediary, to bring the two parties together and achieve agreement between them. The Arab representatives steadfastly refused to meet the Jewish representatives, either in the presence of the Mediator or otherwise, since they considered any such step as a tacit admission on their part of the right of the Jewish state to exist.

The Mediator, however, did not conclude from these facts that the problem of Palestine cannot be solved by peaceful means, or that a basis for agreement between the parties can never be found. Failure to bring the parties together would, it is true, preclude any immediate possibility of a tidy, definitive solution, which is very much to be desired. But there was an alternative which derived precisely from the very rigidity of the parties who were at the same time in the predicament of having to defy the Security Council in order to resort to the simple expedient of trial by force of arms.

It was with this in mind that the Mediator pointed out in paragraph ten on page four of his Report that:

"Although it cannot be said that neither side will fight again under any circumstances, I am strongly of the view that the time is ripe for a settlement. I am reasonably confident that given the permanent injunction against military action issued by the Security Council, and firm political decisions by the General Assembly, both sides will acquiesce, however reluctantly, in any reasonable settlement on which is placed the stamp of approval of the United Nations. I do not mean

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to imply that there is at the moment bright prospect for formal agreement between the two parties. But, in my opinion, although such formal agreement would be highly desirable, it is not indispensable to a peaceful settlement at this stage. What is indispensable is that the General Assembly take a firm position on the political aspects of the problem in the light of all the circumstances since its last session, and that its resolution be so reasonable as to discourage any attempt to thwart it and to defy the Security Council order by the employment of armed force."

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It was on the basis of this assumption also that the Mediator considered it highly essential that the question of Palestine come before the General Assembly at this time and that the political aspects of the problem be reviewed and unequivocally pronounced upon in the light of all the relevant factors.

In my opinion, in the present circumstances, two needs are uppermost in the most imperative sense. The first of these needs is a reasonable basis for the assumption that neither party will again resort to force in order to make its views prevail and as a means of gaining its objectives. In this regard, reason for hope is to be found in the fact that settlement by force has been tried and has been checked. I do not find it possible to believe that either side wishes to resume hostilities or that either side has found settlement by force of arms a profitable expedient. Despite the conflict which has raged in Palestine and despite the gulf which still divides the antagonists, there is on both sides a desire and a need for peace arising from the fact that war is a costly, even disastrous, interception in the normal course of development of both Arab and Jewish communities in the Middle East.

The second of these needs is for the General Assembly, as the representative body of the international community, to set forth its position on the following fundamental political issues affecting this former Mandated territory with regard to which its responsibility continues:

- a. permanent peace in Palestine.
- b. the Jewish state in Palestine
- ✓ c. the general configurations of the boundaries of such a state
- d. international guarantee for such boundaries
- e. the future status of Jerusalem
- f. the disposition of the Arab controlled area of Palestine
- g. guarantees for the rights of all inhabitants of Palestine
- h. the repatriation and resettlement of Arab refugees
- i. the nature of the machinery to be employed as a vehicle for continuing United Nations intervention in the problem until all of its major aspects are finally disposed of.

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It would not appear essential in this regard that a detailed plan, a blueprint, be devised for this purpose. Indeed, any such detailed scheme, in view of all the developments since last November, and the present situation in Palestine, might well be undesirable. Assuming always that the parties do not again resort to force, it would seem that a somewhat general treatment of the subject, which while making clear the position of the United Nations on major issues would leave to the parties the burden of peaceful adjustment, might have great merit. ✓

The conclusions set forth in Part One of the Mediator's Report might well provide a basis for a general treatment of this kind. These Conclusions represent the constructive deductions which Count Bernadotte had arrived at on the basis of his extensive and fruitful consultations on the problem over a period of four months. He did not presume to present them as recommendations to any organ of the United Nations. As the Mediator's Report points out in paragraph 13 on page 5, these Conclusions were designed to suggest "certain steps which might be taken in the direction of settlement and conciliation of the differences between the two parties....." It was, indeed, his intention to renew in Paris his consultations with the representatives of the parties in pursuance of the elusive objective of mutual agreement between them. It was his thought that if the Conclusions set forth in the Report could not be accepted by Arabs and Jews as a basis for discussion they still would be available to the General Assembly for such use as it might see fit to make of them. Count Bernadotte harboured no illusions that either Arabs or Jews would embrace the Conclusions in their entirety, nor did he deem it essential for them to do so, however desirable that might be. He was convinced, as I am convinced, that the voice of the United Nations speaks with considerable authority in Palestine. This voice, in truth, was the sole foundation of his effort and his unchallengeable achievements. 7 only tentative

At the appropriate time, should the Committee desire it, I would be pleased to present a statement dealing exclusively with the Conclusions in the Report and giving an explanation and elaboration of each of them, and also the answer to any question regarding the Report.

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CABLE

DECEMBER 3, 1948

DR. PHILLIP C. JESSUP
U.S. DELEGATION TO GENERAL ASSEMBLY
AMERICAN EMBASSY
2 AVENUE GABRIEL
PARIS, FRANCE

PERMIT ME TO EXPRESS GRATITUDE AND ADMIRATION FOR YOUR EXCELLENT
STATEMENT BEFORE THE SECURITY COUNCIL SUPPORTING ISRAEL'S APPLI-
CATION FOR ADMISSION TO THE UNITED NATIONS. IT WAS A CLASSIC
UTTERANCE REFLECTING THE BEST TRADITIONS OF OUR COUNTRY.

ABBA HILLEL SILVER

