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American Zionist Emergency Council, communications to  
chairmen of local emergency committees, 1948.

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

MEMORANDUM

*Duf*

**To** Chairmen of Local Emergency Committee      **Date** February 25, 1948

**From** Abe Tuvim

Enclosed you will find the address by Dr. Abba Hillel Silver at the Extraordinary Conference of the American Zionist Emergency Council held in Washington, D. C., on February 16, and the political analysis by Dr. Emanuel Neumann at the same Conference on February 15. This presents a wealth of material which you may apply to your current efforts.

A directive is being prepared covering our political situation in view of the address of Senator Warren Austin before the Security Council of the United Nations. This directive will go forward to you tomorrow. It will clearly indicate the need for increased efforts by our communities and our friends in the present campaign.

Regards.

AT:RB  
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National Emergency Conference  
American Zionist Emergency Council  
Jewish Community Center, Washington, D. C.  
February 15, 1948

ADDRESS BY DR. ABRA HILLEL SILVER

It has always been an enriching experience to visit that historic land where our people is building a new life. But today, particularly, a visit to Palestine is a soul-stirring experience, for one sees the Jewish nation moving forward through conflict and uncertainty, but always with an exaltation of spirit continuing to rebuild the Jewish State. One feels in Palestine -- I felt it every day that I was there -- a strange sort of exhilaration, a sense of being lifted up by some mystic national fervor, being caught up in decisive currents of history.

I have returned to join with you in this last and final battle which will end in our complete victory. On the eve of the implementation of the United Nations decision, it is quite natural that all the opposition forces whom we have had to fight through the years and whose determination has increased with the increase in our strength and our proximation to victory -- it is quite natural, I say, that these forces should be gathering all their strength for a final attack upon us. They are doing this now, but they will be defeated.

I want first to say a word to you about what I saw in Palestine, before discussing with you what we ought to do here in the next few days and in the next few weeks. It is very important that as far as possible we see what is happening in Palestine today in a true perspective. A true perspective cannot be achieved merely by piecing together the dramatic incidents which occur in Palestine every day and find their expression in the headlines of our newspapers. On the contrary, one is likely to get a rather distorted picture from them. Indeed, one of the great forces opposed to us is very eager that the American people at this time should get an untrue and distorted picture of what is going on in Palestine for the purpose of the opposition propaganda from whatever channel it comes, is focused on the single objective of demonstrating to the American people that the United Nations plan which was approved so overwhelmingly by the nations of the world, is unworkable that it is leading to chaos in Palestine and therefore must be abandoned or revised. There is no doubt about the fact that Palestine is a disturbed country today, a seriously disturbed country pretty much like Greece, India, China and other parts of the world, though somewhat less than some of those countries. It is a disturbed country largely because of the failure or the unwillingness of the Mandatory Government to maintain law and order, though it has claimed the maintenance of law and order as its sole right and responsibility and has not permitted anyone else to share in the task. Actually, law and order in Palestine could be maintained completely today if the Mandatory Government did not interfere with Jewish self-defense.

Palestine is an area of political tension and strife today, made increasingly so by the sabotaging role of the Mandatory and by the great uncertainty which hovers over the future plans of the United Nations with regard to Palestine. That uncertainty is due largely to the indecisive position, the hesitancy and stalling of our own Government, which as the world's greatest political power holds the key to action or inaction in the United Nations. But while Palestine is disturbed, it is very far from any condition even approximating chaos. Nothing is broken down in the Yishuv -- absolutely nothing, and the compact mass of what will constitute the Jewish State has, with relatively minor disturbances, been

carrying on a normal life. The real points of attack have been the outlying areas which are not to be included in the Jewish State, but which positions the Jews of Palestine correctly refuse to abandon. For example, by its seeming defenselessness, a point like Kfar Etzion tempted the Arabs to attack. They attacked in numbers ten times those of the defenders and were completely repulsed. Similarly, way up north, Yechiam, a settlement which, like Kfar Etzion, is not to be included in the Jewish State, proved very tempting to the Arab marauders; it, too was attacked and again the attackers were repulsed. Then there is the case of the road from Tel-Aviv to Jerusalem, the main artery of travel of the country which passes largely through what will be the Arab State and where travel was supposed to be protected by a government which assumed sole responsibility for protecting lawful traffic on the highways of the country. That highroad, little more than forty miles long, has been a favorite spot for Arab bands who lie in wait for Jewish convoys to take pot-shots at them, while the Mandatory Government which has in Palestine, they say, some 100,000 troops and the largest concentration of armed vehicles and tanks to be found in any such small area in any part of the world, has been unable to patrol those forty miles. It has refused escorts to Jewish convoys on the ground that this might be interpreted as British implementation of Partition.

On November 22, the British representative in the United Nations declared that so long as the Mandate continues to exist, that is until May 15, his Government insisted on undivided control throughout the country. This is a promissory note which the Mandatory Government is not honoring. It is not maintaining law and order and when Jewish defenders attempt to do so in self-defense, which is the first law of nature, they are disarmed and arrested. The Jewish Agency, for example, repeatedly requested permission to use armored cars for Jewish Settlement Police escorting convoys on the roads. The Jewish Settlement Police is a force recognized by the Mandatory, but permission to use armored cars was refused it. On December 11, ten members of the Jewish Settlement Police compelled to travel in an open tender to Kfar Etzion were killed by a band of some 80 to 100 Arabs armed with machine guns. A week later, the Government permitted the Jewish Settlement Police to use armored cars but only within Jewish village boundaries, where they were not needed at all, but not to protect road traffic. The reason given was that if Jewish settlement police traveled in armored cars on the open roads the Arabs would be provoked. So, traveling in open cars on the high roads on January 22, when I was in Palestine, another splendid group of seven members of the Jewish Settlement Police were killed and horribly mutilated. And a week later, British military headquarters informed the representatives of the Jewish settlements in the Jordan Valley who asked again for permission to use armored cars to protect themselves, that they must under no circumstances use armored cars outside the confines of their settlements since that would provoke the Arabs and if they did so they would be stopped by force by the British Army. Such incidents can be multiplied. The Government itself is either unable or unwilling to maintain order. It resents the charge that it is unwilling. One must therefore conclude that it is unable to maintain law and order, but it interferes with the Jews who wish to defend themselves while they are engaged in legitimate travel through the country.

Then there is the case of the City of Jerusalem which is the seat of Government and ought to be the most peaceful city in Palestine, particularly since it is not to be included either in the Jewish State or in the Arab State, but is to be internationalized, with a governor of its own. In this seat of the Mandatory where the High Commissioner lives and where there is a high concentration of troops and equipment, the Arab gangs, as you know, have been permitted to seize control of the gates to the Old City and have besieged the Old City where there



are some 1500 to 1800 of our people who cannot go out. None are permitted to come to relieve them. The great British Empire has reconciled itself to this situation of armed bands besieging the gates to the Holy City of Jerusalem so that a British officer or a British soldier who wants to enter the Old City must show his identification card to an Arab gangster before he can enter. Only twice or three times a week do these Arabs permit a British convoy to bring in food for the besieged. Access to the Kotel Maarave -- the Wailing Wall -- which to us is our most sacred place in the Holy City, is denied to us. No pretexts are made -- none from our State Department. I wonder what would happen if, for example, tomorrow access to the Holy Sepulchre were denied to Christians.

In Jerusalem last Friday, four Jewish young men, members of the Haganah, were arrested for bearing arms in self-defense at a Jewish road block protecting the entrance to a Jewish quarter. They were arrested, and then they were turned loose in an Arab area only to be murdered and their bodies were discovered the next day. Outside of Jerusalem there are occasional incidents of sniping still going on in that area between Tel-Aviv and Jaffa where the two cities abut, and occasional incidents of disturbances in Haifa, but the life of the Yishuv in its hundreds of settlements and colonies goes on apace. Up to 80 or 90% of the economic life of the country is normal; the factories are working, people are employed, the harbors are crowded with shipping. There is a good citrus crop being exported. The cultural life of the Yishuv goes on. While I was in Tel-Aviv I had the pleasure of attending a magnificent concert and listening to Beethoven's 9th played by the Symphony Orchestra under the baton of the great conductor, Molinari, with a chorus of 250 voices. I attended the theatre of the Habima and saw a beautiful production of a new play. Meetings are being held daily, every evening. Life is teeming, just as in Washington or in New York or Cleveland. I say this not in order to paint a glowing picture but in order to correct the perspective.

What worries the Yishuv and what should worry us is the great potential danger which lurks in the situation. That is the danger from across the borders as Arabs infiltrate into Palestine, equipped by governments, in bands that are trained, some of them well-officered, some of them well-equipped, having arms more modern in some regards than we possess. They are coming across the border almost daily, and the border which this Mandatory Government assumed in the sight of the world to control and to patrol, is a wide open door. The Mandatory Government knows of these bands coming in. They know where they concentrate. Everybody in Palestine knows it but up to this date not a single invading Arab who comes into the country for the one purpose of murder and loot, not a single Arab invader has been arrested. Not a single Arab invader has been disarmed. No attempt has been made to break up these bands. No attempt has been made adequately to patrol these borders. One does not know as yet the number of these who have already invaded Palestine. The Mandatory Government has informed the United Nations that already there are some 2500. Some of the newspaper agencies have estimated the number at 7,000. Some at 15,000. One does not know the exact number but it is quite conceivable that, given the invitation of an open door and given immunity from arrest and immunity from disarmament, more and more will be tempted to come into the country.

This is what is giving the Yishuv great concern. Against the possible incursion of large numbers of Arabs, an unpredictable number from neighboring countries who are members of the United Nations and are pledged to observe loyally the decisions of the United Nations, our defense forces are not adequately armed, and everything is being done both by Great Britain and the United States to see that they do not get arms. I can understand the action of Great Britain, though I cannot forgive it. Great Britain has a clear policy in

Palestine -- to weaken the position of the Jew as much as possible, to strengthen the position of the Arab as much as possible, to bring about a collapse of the plan of the United Nations or to seek a revision which will be acceptable to Mr. Bevin, to please the Arabs of the neighboring countries because Great Britain at the moment is actively engaged in trying to make treaties with these neighboring countries. Though the one it completed with Iraq turned out disastrously, Bevin is not discouraged. The British line is clear. They have not accepted the partition solution. They have told the world that they have no intention of implementing it, although they did say that they would loyally abide by the decision. What loyalty means to Mr. Bevin, I cannot say; or honor for that matter, or truth. However, I do say that I can understand the position of Great Britain in wishing to keep the 700,000 Jews of Palestine as defenseless as possible; it can thus exercise pressure upon that seemingly defenseless community. So it searches every ship that comes to Tel-Aviv or to Haifa to make sure that there is not a rifle there or a gun or a bullet which might help the Jews of Palestine to defend themselves.

What is, however, absolutely incomprehensible to me is the position of our own Government. I cannot understand why, having along with thirty-two other nations resolved that there shall be set up in Palestine a Jewish State, knowing full well that this Jewish State is being menaced by Arab States that have made no secret of their intentions to destroy it, the United States of America should clamp down an arms embargo which makes it impossible for this menaced and threatened state to defend itself. I read the statement of Mr. Marshall this morning. I have high regard for Mr. Marshall. I suspect -- I don't know -- that while his signature is affixed to that document, it was written by somebody else -- I even suspect by whom. It is a document which is clever, legal, technical, formal -- if technicality and formalism are adequate for this desperate situation -- but clearly not realistic, clearly not reassuring. Thirty Republican Congressmen had asked Mr. Marshall about the shipment of arms by Great Britain to the neighboring Arab countries and as to whether these shipments might not endanger the peace in that part of the world and negatively effect the decision of the United Nations. The same question was asked in the House of Commons and the British Defense Minister, Mr. Alexander, stated that his government has no reason to suppose that arms assigned to Arab States under treaties would find their way to Palestine. For the House of Commons that is an adequate answer, but why should our State Department accept so ludicrous an answer? On December 17, 1947, seven Arab Prime Ministers of the seven Arab countries issued a joint communique in which they declared that they would supply the Arabs of Palestine with arms, money and men. We must, therefore, assume that these Arab States have very carefully separated the weapons which they received from Great Britain and their other weapons, and are making sure that those sacred weapons will never fall into the hands of the Arabs of Palestine. On January 14, 1948, the Egyptian newspaper, Al-Masri, reported -- and I am quoting -- that "all arms used by the Iraqi volunteers in Palestine are modern weapons supplied by Britain." Everybody in the Middle East knows this. But our State Department wants us to believe that it isn't so.

Our State Department also want us to believe that inasmuch as there has been no overt act in that part of the world, the question of sending an international force has really not arisen. One wonders what our State Department understands by an "overt act." When you publicly announce, as the representatives of the Arab States did at the United Nations within the hearing of all of us, that they do not accept the Palestine decision, that they will resist it; when the seven Prime Ministers of those states announce publicly that they will supply arms to those who intend to bring about a revision of the decision by violence; when they permit volunteers to train in their countries, equip

them and arm them and send them across the borders to fight in Palestine -- God in Heaven, what is an overt act, if these are not? Why does our State Department lend itself to such legalistic and technical folderol when the lives of human beings are at stake, the life of a people is at stake?

The Haganah is well able to take care of the situation, provided it is not confronted by unpredictable attack under one camouflage or another from the neighboring countries. To meet that kind of an attack it needs new equipment. Its main problem is not the problem of manpower. I have had occasion to see the youth of Palestine. There is no finer youth in the world. Splendid young men and young women with calm and courage and fine self-discipline and unquestioned loyalty. They are completely dependable. I visited some of their camps. I remember in one camp where there were some 900 of these young men and young women, they asked me to talk to them. I asked them what message they would like me to bring back to their fellow Jews in America, and in one voice they cried out: "Give us weapons; t'nu lanu neshek. We are prepared to fight, if necessary, with bare fists, but certainly you wouldn't ask that of us. Give us the weapons that we need." And so there are three things which the Yishuv would like to see done as it fights for statehood and for survival -- it is thinking at the moment in terms of both statehood and survival. First of all, it needs weapons; weapons can be had (without great difficulty) even in spite of the embargo. If they cannot be had in this country they can be had elsewhere, but money is needed; large sums of money, cash, and immediately. On May 15, it will be too late. You are dealing here with a situation where every day, every hour is an eternity for the Yishuv. The stronger it is, the easier will be the political campaign; the weaker it is, the more difficult will be the political campaign.

Next to weapons -- and here we can help -- the Yishuv would like to see the Jewish Militia brought into existence immediately. The United Nations Commission has asked for the right to establish this militia as quickly as possible. Great Britain has refused, and the United States has raised no objection. It takes time to organize a militia, to train it, to equip it. It is preposterous to assume, and the British would like to have us assume, that on May 15 they are laying down the Mandate and quitting, and on May 1 or May 7 or May 9 a Jewish Militia can be created over night and take over the defense of the country. The Yishuv is prepared to bear the brunt of self-defense but it must be given time to organize and weapons with which to arm itself. I have yet to hear a word from our State Department urging that steps be taken immediately towards the organization of a Jewish Militia so that it will be ready -- completely ready -- on May 15. Then, thirdly, the Yishuv would like to see an international force in Palestine. It need not be large, it may be merely a token force, as a symbol to the Arab world that if they persist in fighting they will not only fight the Jews of Palestine but will be fighting the whole world. Evidently this request will be made of the Security Council. It is a logical request. The United States Government up to this moment has not indicated what its position will be. I couldn't understand the statement which I read this morning on that particular subject. The inference seems to be that the United States is waiting to see what the Security Council will decide. Well, in Heaven's name, the United States is a member of the Security Council. It has a voice in the making of the decision and a not insignificant voice -- perhaps the most significant voice there. What is it waiting for?

The idea has arisen in certain circles or is being circulated that if there is to be an international force, it must be made up of the great powers. That would include the Soviet Union and -- the argument runs -- if the Soviet Union sends some soldiers to Palestine, if one out of every five in the international force is a Soviet soldier sent there for a definite period of time under the



direction of the United Nations, that will mean Soviet penetration into the Middle East, for once Soviet soldiers get there they will not get out. This cheap propaganda has been spread far and wide throughout the circles of government. Actually, we have in the Palestine decision one issue on which the United States and the Soviet Union have agreed. Why then should they not be permitted to carry out their decisions together, along with the other nations. But all you have to say today is "communism" and that ends the argument. There is no rhyme or reason -- a slogan is enough. Since there is this opposition to an international force of big powers, you quite naturally suggest an international force of the smaller powers. Other objections are raised, all aimed at the same end: that the United Nations shall not act effectively in the situation and that it shall collapse.

I want to say one word in connection with a new line which has begun to make itself heard in the last few days. We thought on November 29 that the long debate which had gone on, not merely for months but for years, about Palestine, had finally ended with the decision of the United Nations. Ten weeks later the whole debate is being reopened, and all the hackneyed arguments that were repeated time and again through the long months of the debate preceding the decision and all the arguments which we heard at the time of the Anglo-American Committee of Inquiry, are now being trotted out as new arguments, as though something new has happened in the world in the last ten weeks. The intention is of course to force the abandonment of the plan or a revision. Pious voices tell us: There is shooting in Palestine; some people have been killed; it is terrible; this plan of the United Nations is unworkable. Though nobody has yet taken the first step to convert the plan from paper to some form of reality, it is concluded that the plan is unworkable and therefore a new compromise should be found by calling together the moderates of the two camps. One hears the plea for a compromise from Dr. Magnes, from Dorothy Thompson, from magazines of all kinds -- and I stand absolutely bewildered. I had thought that the plan of partition was the supreme compromise to end all compromises; that is how the UNSCOP Commission clearly envisaged it. The Commission met with all the groups concerned, listened to all proposals, weighed all plans, and found none of them acceptable. It finally said that the only practical and feasible solution, which would satisfy neither of the two parties, would be partition. The UNSCOP report read: "It was recognized by all members of the Commission that an effort must be made to find a solution which would avoid meeting fully the claims of one group at the expense of committing great injustice against the other."

Thus this compromise solution was found, and Herschel Johnson speaking for the United States delegation on November 22 said: "I think that there is no delegation here which does not know that no plan has ever been presented either to this Assembly or to the Mandatory Government which would meet with the acceptance of both the Arabs and the Jews... No such plan," he said, "has ever been presented and I do not believe that any such plan will ever be presented. If we are to effect through the United Nations a solution of this problem it cannot be done without the use of the knife. Neither the Jews nor the Arabs will ever be completely satisfied with anything we do and it is just as well to bear that in mind." And so he stated for the United States Government ten weeks ago that "this plan of partition offers in the view of the United States delegation, the best practicable present opportunity and possibility of obtaining in a future foreseeable to us now a peaceful settlement in Palestine."

Now partition is being presented as a Jewish proposal, as the proposal of the Zionist extremists. I remember this same Miss Dorothy Thompson going after me with tongs because I opposed partition and therefore was the extremist -- a



violent extremist -- while those who favored partition were the statesmen, the patient moderates, praised to the skies. Now that partition has been accepted by the Zionist movement, the partitionists are the violent extremists, and another type of moderate has to be found for another compromise. And nothing is said about what this compromise is to be and what will happen if the Arabs in keeping with their long line of resistance to any compromise resist even this last one. At this late stage when the nations of the world, after months of research and investigation, heart-searching, study and discussion, have finally arrived at this solution, those who now propose that the solution be scuttled and new compromises be sought are thinking -- consciously or unconsciously -- in terms of compromises which will force the Jewish people to make still further concessions, to reduce a country which was to have been a Jewish National Home covering 40,000 square miles, from the 5,000 square miles now allotted it, down further to some little minuscule Vatican City. If that is not in their minds, then they are simply thinking of endless delays as a means of frustrating any solution of the problem, and thereby catapulting Palestine into endless chaos. Beware of our friends -- if you can call them that -- bearing gifts in pious baskets.

I want to say one word to you, my friends, about what we ought to do. What is it we are asking of our Government? Nothing new -- absolutely nothing new. We are asking it to stand by its commitments. It made its decision after long years of promises. Now suddenly I read in the papers that the United States Government exerted pressure upon other nations on behalf of partition. You and I know better. We know with what great difficulty our own Government was finally persuaded to remain true to a quarter of a century of tradition, Congressional resolutions and party commitments. When it voted for partition, it joined the Governments of other nations which cannot conceivably be accused of having been influenced by a Jewish vote at home; indeed, in many cases, their Jewish populations were either insignificant or almost non-existent. All four British dominions were among those which voted for partition, and only two Christian countries in the world opposed the plan. To assert, as is often done, that American support came through pressure of the Jewish vote is a contemptible defamation of America. Of course, the Jews of America are deeply concerned with this problem. The Jews in Palestine are blood of their blood, and flesh of their flesh. Of course, we want to see our Government help the Jews achieve the Jewish State, but the basis of our claim is not the pressure of votes. It is the pressure of morality, the pressure of law; the pressure of justice; the pressure of the spirit.

Whenever I have sat down to discuss our problem with Mr. McCormack or with other members of Congress, as I have done through these long years, I have yet to recall, and I am sure Mr. McCormack will bear me out, a single instance in which I raised the question of the Jewish vote. But once having stamped the seal of American approval upon this plan which is to solve one of the greatest international problems, which is to give the Jewish people at long last a chance to rebuild its life in its ancestral home, finding peace, security and dignity for a storm-tossed and life-buffed nation, once we have come to this glorious consummation as we did on November 29th and the road is open for this realization, have we not the right to ask of our Government to see the thing through, to give it the authority and the prestige of this great democracy and to facilitate, not to make difficult or obstruct or delay, but to facilitate the implementation of the plan? When our Government becomes earnest about any of its foreign policies, ladies and gentlemen, it knows exactly what to do, and does it with dispatch, with a full heart and a full hand, without waiting for any sanctions or mandates from the United Nations. When we resolved on a certain policy in Greece and Turkey, right or wrong, it became our policy. We sent Greece money, weapons, a military

mission, naval detachments, marines -- that is how this Government backs up a foreign policy about which it is in earnest. In the case of the Palestine decision which should normally now be part of our foreign policy, the only actions our Government has so far taken are the embargo and the threat to take away their passports from Jewish boys -- not those who are going to Palestine -- but those who are in Palestine, who are being attacked just like all the other Jews in Palestine, and who joined up with our defense units to protect their lives. I was in Palestine when the American Consul received instructions from the State Department to announce that these brave American boys, G.I.s, who had fought for America in the Second World War, are in danger of having their passports taken away from them. I was ashamed of myself as an American citizen. I couldn't explain to my fellow Jews in Palestine what was happening in Washington.

We have the right to go to our Government, to the administration and to the head of the Government, for it is the head of a Government who is responsible for the foreign policy. We have the right to ask in the name of America, in the name of American honor, in the name of the U.N. which America helped to bring into existence, and in the name of the Jewish people here and in Palestine, that our Government do its utmost quickly because time is of the essence. Any delay contributes to disintegration and anarchy; action must be taken quickly, decisively, to see that this decision is fully carried out. There is a time schedule -- one date has already been missed, and our Government did not protest. That was February 1st on which, according to the plan of the United Nations, the Port of Tel Aviv was to be declared an open port and turned over to the incipient Jewish State. When that day approached Great Britain said, "No," and our Government said nothing. There is another day coming -- April 1st -- when the provisional government is to be established. During these critical weeks the militia has to be created, equipped. The State must be prepared for any eventuality, for May 15th when the Mandatory lays down its Mandate. We have a right to ask of our Government the lifting of the embargo, the modification of the embargo. The U.N. did not recommend the embargo. It was a unilateral act of our Government. It must be lifted if a Jewish militia is to be created in Palestine. We have the right to ask of our Government that when the Palestine case goes to the Security Council this week or next week, it should not sit idly by and see what other governments will do and perhaps allow the request for an international force to go by default. That may quite easily happen in the Security Council especially if the most powerful nation on earth remains silent and gives no guidance to the others. We have the right to ask of our Government that it take a position of affirmative leadership and back up the request of the U.N. Commission in the Security Council.

We, the United States, helped to destroy the League of Nations by refusing to join it and thus prepared the way for the Second World War. I spoke with a very high personage in the Council of the U.N. recently and he said to me: "There is every possibility that if this decision of the U.N. is scuttled, then the U.N. will collapse. There will be no reason for its continued existence if any of its decisions taken after months of work can be undone simply by threats and intimidation on the part of certain nations. The U.N. might as well fold up. And the responsibility," he said, "regrettably will again be at the doorstep of the United States, because everybody knows that whatever the United States will say or do in this matter will be decisive."

Good friends, when you go to see your congressmen and your senators, as I hope you will do, and unfold to them the story as I and others have tried to do, bring this fact to their attention: that much more is involved in this than Palestine. There is involved the sole hope of mankind for a more decent order of society in the years to come. The prestige and authority of the United Nations will be fully established if the Palestine decision is loyally carried out. The collapse of the United Nations may not come next week or next month, any more than the collapse of the League of Nations took place immediately after its failure to check Japanese aggression in Manchuria. But that failure made the League's fall inevitable. For there is a chain of inevitable events in history. And so the U.N.'s failure to act on Palestine would hurt mankind, even as it would hurt the Jewish people.

We are on the eve of the last battle. With all my criticism of the American Government and of its policies, I have always believed -- and I do now -- that when the final moment of decision comes, as it came on November 29th, the American Government will express the sentiments of the American people. We must make those sentiments heard in Washington and throughout the country in the next days, in the next critical weeks. Be on the alert, be mobilized, exercise every cunce of energy and influence you possess in every sphere of influence that you know of! Stand on guard with our brave sons and daughters of Judea in Palestine, and with God Almighty we will win through!





# Straddling the Issue

NEW YORK HERALD TRIBUNE, WEDNESDAY, FEBRUARY 25, 1948

## The Straddle

It is difficult to read Mr. Austin's opening statement to the Security Council as anything save a last—a really stupendous—effort to straddle an issue which can be straddled no longer. In its elaborate legal niceties the statement is correct. The General Assembly's decision for partition was a "political" decision; it could have the force only of a recommendation, not of law. To enforce such a decision is no part of the Security Council's duty or authority; it is empowered only to keep peace. It cannot impose the partition plan or any other plan; all it can do is to determine whether Palestine presents a threat to international peace, and then take action necessary to avert that threat.

In suggesting that under the circumstances the first step on the part of the Security Council should be the appointment of another committee to "look into" the matter and further to "consult," the Austin statement, if not correct, is at any rate logical. The Assembly's partition plan was expected to be in effect self-enforcing; the fact that it has not proved so means that in this important respect the plan is a failure and therefore it is a fundamentally new situation which confronts the Council, in which "consultation" is appropriate. The validity of all this careful reasoning must be recognized. Unfortunately, its futility is too obvious even for comment.

The Austin statement does go so far as to say that "if" the Council should decide that

in order to maintain peace it is necessary to use armed force "in connection with" Palestine, the United States will be ready to "consult . . . with a view to such action as may be necessary to maintain international peace." This wobbling stand is unlikely to impress the Arabs, or the other members of the Security Council. It will not counter-balance the proposal for another committee, which can only convince the Arabs that they have partition on the ropes and that with a continuation of their present tactics they may even finish it for good.

The Truman administration has made a mighty attempt to straddle this issue, which it has itself helped to develop into a chasm too deep and wide and dangerous for any straddling. The practical alternatives are as before: either to enforce partition upon the Arabs or abandon Jewish Palestine. As the British learned long ago, one cannot attempt to straddle without seeming to favor one side or the other and earning the bitter enmity of both. The British, speaking through Sir Arthur Creech-Jones, were at least completely forthright. They are through, once and for all; they will spend no more blood on this thankless business and will have nothing whatever to do with enforcement of any kind. If the United States is not to stand by while Palestine slides into chaos, carrying the United Nations with it, then the United States must say with equal forthrightness what it will do and what it will urge the Security Council to do.

## New York Post

NEW YORK, WEDNESDAY, FEBRUARY 25, 1948.

## Betrayal

By T. O. THACKREY

Stripped of platitudes, the statement of the United States before the United Nations Security Council yesterday cancelled out the plan for the partition of Palestine the United States fought to secure last November 29.

This is betrayal, though quick study of the statement does not disclose it—as it was intended not to disclose it.

The statement is intended to make us believe the United States is merely seeking a method of carrying out the partition decision.

The United States asks the Council to determine whether there is a threat to peace; it offers to consult with the other great powers on the formation of an international army to enforce the peace, if it is found to be threatened; it pledges to support whatever action the Council takes.

This has the sound of a constructive policy, particularly when coupled with intimations that, if the Council decides an armed militia is required to enforce the peace, a way would be found to supply arms.

It was intended to sound constructive.

But it was betrayal.

The first of the significant statements—an outrageous statement containing the very essence of betrayal—was this from the United States:

"The Council's action . . . is directed to keeping the peace and not to enforcing partition."

But if enforcement of the partition decision is not the business of the Council, the only United Nations organ empowered to use force, then it is the business of nobody and is meaningless.

The United States' statement is not content with nullifying the partition decision by conspiring to negate any possibility of its enforcement, however; it goes further.

"The Charter does not empower the Security Council to enforce a political settlement whether it is pursuant to

## An Editorial

a recommendation of the General Assembly or of the Council itself," is what the U. S. delegate said.

This statement terms the action of the General Assembly a recommendation, which it is not, rather than a decision, which it was.

It also embarks on the most dangerous of all concepts—that whether the General Assembly or the Security Council or both, reach political decisions, the United Nations under no circumstances is empowered to enforce them.

Since every question involving a threat to peace is a political question, what the United States has actually said in its anxiety to avoid enforcement of the partition decision is that no decisions can be enforced.

This is another way of stating that the way to nullify any decision is for the opposed group or groups to attack threaten the peace, and then have the Security Council maintain peace by nullifying the decision that caused the attack.

The United States also proposes a five-power Security Council Commission to study the Palestine problem.

This commission supersedes, of course, the Palestine Commission empowered by the General Assembly to implement a decision which we now deny was a decision.

What really was done at Lake Success yesterday by the United States was to do these things:

1. Kill the partition decision reached by the General Assembly.

2. Take the whole Palestine problem away from the Assembly and place it effectively in British and Arab hands for "settlement."

Next, we shall no doubt see the spectacle of the United States urging that Great Britain be begged to remain in Palestine "to keep the peace."

It would have been more honest to state flatly that we have placed our foreign policy in the tender hands of the British Foreign and Colonial offices, and have empowered the Nazi-Arab war criminal the ex-Grand Mufti of Jerusalem, our new Secretary of State for Palestine.

If no other course can restore us to honor, perhaps it is not too soon to raise the question of impeachment.

AMERICAN ZIONIST EMERGENCY COUNCIL

342 Madison Avenue

New York 17, N. Y.



## MEMORANDUM

To Chairmen of Local Emergency Committees

Date February 26, 1948

From Abe Tuvim

The statement made by Ambassador Austin on behalf of the United States in the meeting of the United Nations Security Council on February 24, is replete with ingenious formulas which lend themselves to diverse interpretations. More important than the actual wording is the intent behind the deliberately vague text.

The purpose behind this document is to embark upon a procedure which, while supporting the United Nations Assembly plan in principle, will lend itself to delays and may lead, in the guise of consultations, to the reopening of the question of Palestine's political future.

Indeed, under the consultation procedures envisaged in the statement, the time-limits of April 1st and of May 15th, set by the General Assembly for the establishment of a Provisional Council of Government and for the termination of British rule, can easily be reached without a Council of Government having been constituted, without an international force having been brought into being, and with chaos reigning in Palestine. This would lend apparent justification to a last-minute request to the British Government to continue ruling Palestine beyond May 15th, a request which the British Government would "magnanimously" grant if its conditions and desires were agreed to.

Another thought which may well have been present in the minds of the real authors of the statement made by Mr. Austin is that in the course of the consultations with the British Government, the Jews and the Arabs, opportunities would present themselves further to whittle down the United Nations plan.

This attempt to arrive at an eventual revision of the United Nations plan through the device of consultations and negotiations should be fully exposed. It represents an inadmissible departure from the position of the United States as defined by Mr. Herschel Johnson in his speech before the General Assembly of the United Nations on November 26, 1947, as follows:

"Much has been said during the course of these debates on the desirability and necessity of presenting to the General Assembly a plan which would command the agreement of both the principal protagonists in this situation. I think there is no delegation here which does not know that no plan has ever been presented, either to this Assembly or to the Mandatory Government during its long years of tenure, 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. If we are to effect through the United Nations a solution of this problem, it cannot be done without the use of the knife. Neither the Jews nor the Arabs will ever be completely satisfied with anything we do, and it is just as well to bear that in mind..."

This was the basis on which the Government of the United States decided to support the Partition Plan. The question before us is whether the Administration will cooperate in the implementation of that plan or whether the Administration is becoming an instrument in the hands of those who seek to upset it. The circuitous and equivocal stand expressed in the Austin statement unfortunately lends credence to the latter interpretation.

All available evidence indicates that the equivocal position which found expression in the Austin statement has been engineered by career officials whose bitter hostility to the United Nations Plan is notorious, and by oil company lobbyists who seek to change American policy to suit their private interests. [It is deeply disturbing, however, to observe to what extent the President of the United States, the Secretary of State, and the Chief American Delegate to the Security Council are influenced by these groups and are lending themselves to so iniquitous a policy.

It is equally disturbing to observe that this policy is pursued despite the danger which it connotes to the future effectiveness of the United Nations, mankind's principal safeguard of peace. If carried on, this policy would constitute a disastrous betrayal of the ideal of the United Nations.]

Against this performance, you should at once raise your voice in protest. You are, therefore, requested

- 1) to take urgent steps to explain the facts to the newspaper editors, radio commentators, politicians, clergymen, teachers, and other moulders of public opinion in your locality;
- 2) to request all our friends, both Jewish and Gentile, to express their views and their indignation in letters and telegrams to the President and the Secretary of State;
- 3) to request all our friends to express their views in letters, telegrams and telephone calls to their Senators and Representatives, urging their immediate intervention to stop this latest device to upset the United Nations plan.

AT:BEF

*Sup*

MEMORANDUM

To Chairmen of Local Emergency Committees      Date February 23, 1948

From Abe Tuvia

The statement made by Ambassador Austin on behalf of the United States in the meeting of the United Nations Security Council on February 24, is replete with ingenious formulas which lend themselves to diverse interpretations. More important than the actual wording is the intent behind the deliberately vague text.

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Another thought which may well have been present in the minds of the real authors of the statement made by Mr. Austin is that in the course of the consultations with the British Government, the Jews and the Arabs, opportunities would present themselves further to whittle down the United Nations plan.

This attempt to arrive at an eventual revision of the United Nations plan through the device of consultations and negotiations should be fully exposed. It represents an inadmissible departure from the position of the United States as defined by Mr. Herschel Johnson in his speech before the General Assembly of the United Nations on November 26, 1947, as follows:

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such plan has ever been presented, and I do not believe that any such plan will ever be presented. If we are to effect through the United Nations a solution of this problem, it cannot be done without the use of the knife. Neither the Jews nor the Arabs will ever be completely satisfied with anything we do, and it is just as well to bear that in mind..."

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All available evidence indicates that the equivocal position which found expression in the Austin statement has been engineered by career officials whose bitter hostility to the United Nations Plan is notorious, and by oil company lobbyists who seek to change American policy to suit their private interests. It is deeply disturbing, however, to observe to what extent the President of the United States, the Secretary of State, and the Chief American Delegate to the Security Council are influenced by these groups and are lending themselves to so iniquitous a policy.

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- 3) to request all our friends to express their views in letters, telegrams and telephone calls to their Senators and Representatives, urging their immediate intervention to stop this latest device to upset the United Nations plan.

AT:BEF



## MEMORANDUM

To Chairmen of Local Emergency Committees

Date March 4, 1948

From Abe Tuvim

Enclosed you will find several reprints which I am sure you can use to good advantage in the present campaign. The editorials from the New York Herald Tribune and the New York Post are especially timely, and the analysis by Senator Owen Brewster of the embargo on arms to Palestine contains excellent material which I believe you can use effectively. Please feel free to apply these items to your community activities in any way deemed advisable. Should you wish additional copies, we will be glad to send them to you.

\* \* \*

We cannot repeat too often or too strongly the need for continued activity to bring about a change in the attitude of our Government. The recent statements of Senator Austin before the Security Council have added greater confusion to the situation. Meanwhile, large bodies of armed Arab marauders are being organized and are steadily infiltrating into Palestine, while the Yishuv is denied arms for its own defense.

Americans have no other recourse but to make their Government feel the weight of their displeasure over the delaying maneuvers which seem to stem from those in the Administration who wish to scrap the UN decision on Palestine. It is clearly our duty to let the Administration know how we feel about this.

Another important element in this work is the maintenance of the closest possible contact with your Representatives and Senators. I hope that by this time those who visited their Congressmen in Washington on February 15th and 16th have already written to them and will do so again whenever it is advisable to make members of Congress aware of new factors in the Palestine situation. The delaying tactics implicit in the U.S. Delegate's statement before the Security Council is such a new factor and should be made the subject of letters to Congress.

Kindest regards.

AT:EB

# Brewster Calls Palestine Arms Ban Illegal

## Charges State Dept. Has Usurped Legislative Power

By I. F. STONE

Washington Editor

### WASHINGTON

In an exhaustive legal memorandum made public here, Sen. Owen Brewster (R., Me.), calls the State Dept.'s action in denying export licenses for arms shipments to Palestine, "a high-handed, arbitrary, and wholly unwarranted usurpation of legislative authority."

Sen. Brewster disclosed that in the course of his investigation he questioned the chief of the Munitions Division of the State Dept., E. T. Cummins, who is also executive secretary of the National Munitions Control Board, in charge of arms export licenses.

"Mr. Cummins," the Senator reported, "was unable to cite any specific law or any treaty which would be violated by arms shipments to Palestine."

### Challenges Sincerity Of 'Neutrality'

Sen. Brewster not only attacked the legality of the embargo but the sincerity of the "neutrality" policy advanced as its excuse.

Sen. Brewster cited three cases "to show that our State Dept. has not always stood on the sidelines as an impartial observer":

¶ "The assignment of 30 destroyers to Great Britain before our entry into the war, but after Great Britain had declared war on Germany."

¶ "The shipment of arms and ammunition to the Finns during their encounter with the Russians in 1939."

¶ "The Flying Tiger episode [before the U. S. A. entered the war.—Ed.] in connection with which we

supplied large numbers of airplanes, equipped with machine guns and bomb racks, set up a factory for the manufacture of military aircraft for the Chiang Kai-shek government, and continued to supply this factory with the machinery and tools for the construction of military aircraft."

### State Dept. Obligated To Grant Licenses

Sen. Brewster—firing the first gun in what may become a major battle on the Senate floor—pointed an accusing finger at President Truman's message of April 15 last, transmitting a proposal for legislation to control exports and imports of arms.

That message, Sen. Brewster said, "admits that the Secretary of State must grant every application for a license for the exportation of arms unless such action would be in violation of a treaty."

The Senator declared that since Congress had yet to act upon the President's request for stricter controls, the State Dept. "proceeds to exercise that control without authority."

### Reasons For Which Exports Can Be Banned

Sen. Brewster quoted the language of the existing law to show that arms licenses for export may be denied only under two circumstances:

¶ If such export were in violation of "any treaty to which the United States is a party."

¶ If the President had issued a proclamation declaring that the export of arms to any specified country or area "would be con-



Sen. Brewster Gives Legal Brief

trary to the interest of the United States."

Past proclamations of this kind have barred shipments at various times to China, Honduras, Nicaragua and Cuba.

"No such proclamation has been issued," the Brewster memorandum declared, "precluding the shipment of arms to Palestine."

### State Dept. Cites 'Inter-Office Memo'

Sen. Brewster said he had "quizzed the officials of the Munitions Division of the Department of State specifically and exhaustively on this point" but that the only authority they could cite for their embargo action was an "inter-office memorandum from the Secretary of State."

The Brewster memorandum opens the Administration to imputations of hypocrisy, by pointing out that the principal reason cited by the President for asking greater power over arms shipments from Congress last April was to be able to support UN decisions.

"We have committed ourselves," the President said in that message, "to international cooperation through the United Nations. If this participation is to be fully effective this Government must have control over traffic in weapons which will permit us to act in accordance with our position and in the United Nations and will be adaptable to changes in the international situation."

### UN Hasn't Asked Ban on Shipments

Sen. Brewster in comment on this plea asserted: "The United Nations has not, however, by resolution or other action directed or requested its member nations to withhold shipments of arms to Palestine."

The Senator said he had "checked this point thoroughly with the local office of the United Nations."

Sen. Brewster said the discretionary powers asked last April had not been granted, but that "nonetheless the State Dept., presuming to know what is good for the world and this Nation far better than the Congress, proceeds to exercise that control without authority."

The Senator said the State Dept. had not even published an order or regulation as required by law, but had merely issued a press release on Dec. 5, 1947, putting the embargo into effect.

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

To Members of American Zionist Emergency Council *Date* March 4, 1948

From Abe Tuvim

The enclosed memorandum with attachments was sent today to the Chairmen  
of Local Emergency Committees.

AT:LD  
Encs.

## Peace in the Holy Land

### *Mr. McDonald Dissents From the Gildersleeve Report*

To the New York Herald Tribune:

My reading in the New York Herald Tribune today of the statement of the Committee for Justice and Peace in the Holy Land and the explanation of the Chairman, Miss Virginia C. Gildersleeve, has left me with a feeling of amazement and consternation; amazement that the group of American educators and religious leaders who have endorsed the new Committee should ignore the realities of the Palestine problem and basic Christian interests in the Middle East; and consternation that these leaders should in the name of "peace and justice" invite the United Nations to commit suicide by yielding to Arab aggression and to Arab threats of war.

The sponsors of the Committee are quoted as contending that "the Palestine problem must be solved through conciliation or some sort of compromise agreeable to both the Arabs and the Jews." This is tantamount to asking the Jews to surrender their hopes and their rights in Palestine. The Arab leaders when they appeared to give testimony before the Anglo-American Committee of Inquiry (of which I was one of the American members) were unanimous and unyielding in their demand that the Jews should relinquish all special rights or claims to such rights in Palestine. Unashamedly, these Arab leaders demanded the scrapping of the Balfour Declaration with its clear and solemn pledge to facilitate the establishment of the Jewish Homeland in Palestine. They demanded, too, the scrapping of the League of Nations Mandate which incorporated the Balfour pledge and which had made that pledge the international law of the civilized world for decades. In short, the Arab spokesmen would agree to nothing less than that the Jews become a helpless and defenseless minority in their historic, their promised homeland. In the two years since the Anglo-American Committee concluded its hearings, Arab intransigence has not diminished. Instead, if that were possible, it has increased.

In view of this Arab defiance, the call of the Committee for "compromise agreeable to both the Arabs and the Jews" must have the effect of bringing pressure to bear upon the Jews to yield to Arab intransigence. How such pressure can contribute towards "peace and justice in the Holy Land" is a mystery which neither the Committee's statement nor the explanation of its Chairman does anything to clear up. The amazing fact is that the Committee and its sponsors could have so completely disregarded the obvious pro-Arab effect of their call for "compromise."

Similarly, the Committee ignores the miracle of re-creation which the Jews have worked in Palestine under the Mandate and the beneficent effect of that re-creation upon the welfare and the feelings of the masses of the Arabs in the country.

That the Arab worker and peasant are not unaware of the benefits of Jewish enterprise, modern techniques and devotion to the land is evidenced by the fact that in the recent outbreaks of violence the masses of the Palestinian Arabs have had little or no part. On the contrary, the Arab attacks have been spearheaded by guerrillas or members "on leave" of the armed forces from across the frontiers. Surely if the rank and file of Palestine Arabs were as violently anti-Jewish as their self-appointed leader, there would be no need—since the Arabs outnumber the Jews two to one—for assistance from Syria, Iraq and other neighboring Arab states.

Among the sponsors of the new Committee is such a large proportion, if not a majority, of Protestant religious leaders that the reader naturally concludes that Christian interests in Palestine and the Middle East would be advanced by the proposed surrender to the Arabs. Precisely the opposite would be the more likely result of such un-Christian sacrifice of the Jews to Arab fanatical nationalism.

During the investigation of the Anglo-American Committee of Inquiry in Palestine and the neighboring Arab states, we were given many opportunities to hear either in open session or private interviews, the opinions of Christian leaders. Of all these leaders none impressed me as deeply as did the Patriarch of the Maronites. This venerable head of one of the most important Christian sects in the Middle East was unqualified in his support of the Zionist aspirations in Palestine and in his denunciation of those Moslem leaders whom he charged were, in the name of Arab nationalism, preparing the way for a frontal attack upon Christianity in that area.

The Patriarch's statement made to me in the presence of his advisers was in substance as follows: "In Palestine the Zionists are synonymous with rebirth and fertility; the Arabs have been synonymous with aridity and decay. The only menace to Christianity in this part of the world is from the success of inflamed Moslem nationalists. Tell your American Christian friends the truth about the danger which threatens Christianity here." Very respectfully I suggest to the Christian leaders sponsoring the new Committee that they take account of the Patriarch's warning.

Recently one of the official organs of the Church of England, "The Record," put the case incontrovertibly: "There can be no impartiality between right and wrong, between justice and injustice. . . . The only consistent course would be for the U. N. to declare the Jews as allies and defenders of the world conscience. The Haganah might logically be appointed as the international force in Palestine."

In all fairness is not this approach all once more realistic and Christian than that of the new Committee, which by urging appeasement of Arab aggression, invites the United Nations to commit suicide?

JAMES G. McDONALD.  
New York, March 3, 1948.



AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

*To* Members of American Zionist Emergency Council *Date* March 16, 1948

*From* Abe Tuvim

The enclosed memorandum with attachments was sent today to the Chairmen of Local Emergency Committees.

AT:LD  
Encs.

## MEMORANDUM

To           Chairmen of Local Emergency Committees      Date           March 16, 1948

From        Abe Tuvim

Enclosed you will find a reprint of an advertisement published in New York and Washington, D. C. newspapers on Saturday, March 13th under the sponsorship of the American Christian Palestine Committee.

You will find this a timely analysis of the political situation, embodying, at the same time, suggestions for a solution of the critical problem which faces us.

It would be extremely helpful if you could find the means to place this advertisement in your local press. If you do so, we suggest that you add the names of several outstanding Christians in your community who are associated with us in the struggle for the establishment of a Jewish State. The material may also be used for letters to editors, news stories, columnists, radio commentators, etc.

In publishing this advertisement please bear in mind that the passage of time makes it necessary to change the text slightly. The first paragraph should now read:

"This is a fateful week for Palestine -- and for the peace of the world. Soon we should know whether the United Nations shall henceforth be regarded merely as an international debating society, whose decisions and considered judgments may be lightly shunted aside, or whether it is to be an effective instrument for the settlement of disputes -- and the hope of mankind. It is our firm conviction that upon the action to be taken by the Security Council with regard to Palestine rests the future of international organization to preserve and maintain peace."

Point One of the three-point program at the end of the advertisement should now read:

"That the United States Representative to the Security Council take . . . ", etc.

We are enclosing, at the same time, a reprint from the New York Times of March 3rd in which Mr. James G. McDonald discusses the statement of the so-called "Committee for Justice and Peace in the Holy Land," of which Miss Virginia C. Gillersleeve is the chairman. Mr. McDonald's comment should be helpful to you.

Kindest regards.

AT:RB  
Encs.

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

To Members of American Zionist Emergency Council *Date* March 17, 1948

From Abe Tuvim

The enclosed memorandum with attachment was sent today to the  
Chairmen of Local Emergency Committees.

AT:RB  
Encs.

## MEMORANDUM

*To*           Chairmen of Local Emergency Committees      *Date*       March 17, 1948

*From*       Abe Tuvim

In a memorandum submitted on February 9th to the UN Palestine Commission and made public by UN Secretary-General Trygve Lie on March 9th, the leading United Nations legal authorities presented their opinion on the major questions which have arisen in the course of the Security Council's discussions on Palestine.

The legal experts declared that the Security Council has the power to implement partition and that it does not have the power to alter the partition plan. These findings reject the position taken by the United States delegation in the Security Council and are of great importance in the present situation.

We are sending you a copy of this significant memorandum and trust that you will find various means to call it to the attention of molders of public opinion in your community.

AT:RB  
Enc.



## MEMORANDUM

### May the Security Council Implement the United Nations Palestine Partition Plan?

The Security Council of the United Nations is now considering the Palestine problem referred to it by the Palestine Commission of the General Assembly.

Two major questions have arisen in the course of its discussions.

Does the Security Council have the power, under the Charter, to take action to carry out the plan envisaged in the resolution adopted by the General Assembly, November 29, 1947?

Does the Security Council have the power to alter the Assembly's recommendations and order a new solution of the Palestine problem?

These questions have been answered by the legal experts of the United Nations Secretariat.

In a memorandum submitted on February 9 to the Palestine Commission and made public by Secretary General Trygve Lie on March 9, the leading United Nations legal authorities hold that:

The Security Council has the power to implement partition.

It does not have the power to alter the partition plan.

These findings are of great importance, for they reject the position taken by the United States delegation in the Security Council. The representative of the United States has insisted that the Security Council may take action only in the event of a threat to the peace, but may not, under the Charter, carry out a decision of the General Assembly. Moreover, by proposing new consultations between all the parties, the United States has implied a willingness to depart from the General Assembly's recommendations and to explore new proposals.

### The Powers of the Security Council

The legal experts of the United Nations hold that while the Palestine Commission has primary responsibility for the implementation of the partition plan and is intended to be the supreme administrative and legislative authority in Palestine in the period between the termination of the Mandate and independence, the Security Council has been given certain powers of a supervisory character over it.

Thus the Security Council was requested by the General Assembly to take the necessary measures as provided in the plan for its implementation. It was also requested to take measures connected with its functions as the executive organ of the United Nations, if circumstances require.

The working paper states:

"3. The Plan specifies that the Security Council may:

(a) issue instructions to the Palestine Commission as it may consider necessary:

(b) take such action as it may deem proper with respect to that state for which a provisional council of government cannot be selected by 1 April 1948, or if selected, cannot carry out its functions.

"4. In connection with (b) above, the Security Council is free to take any action that it deems proper. In connection with (a) however, the powers of the Security Council have some limitations:

The Security Council may not issue instructions altering the essence of the Plan of Partition. Its instructions should always aim at the implementation of this Plan. This would follow from the fact, that the scope of the Security Council's collaboration was limited in the General Assembly's request to taking the necessary measures, whatever they may be, for the implementation of the Plan, as provided in the Plan. It is obvious that the General Assembly, having arrived at a certain Plan, wished the Security Council to assist in the smooth functioning and implementation of that concrete Plan.

"5. Except for the above limitation, it is suggested that the Security Council on its own motion or at the request of the Commission, may issue any instructions it considers necessary. These instructions may be either substantive or procedural in character, of a general nature, or connected with some specific matter. They may elaborate or supplement the Plan. They may add, clarify, adjust or replace a detail which would prove to be unworkable. They may also deal with a completely new question, not foreseen by the General Assembly. They may cover not only the functions expressly specified in the Recommendations but also those implied."

May the Security Council Accept the Responsibilities Assigned to it by the General Assembly?

The basic principle governing the role of the Security Council is to be found in Article 24 of the Charter, paragraphs 1 and 2 of which read as follows:

"In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility, the Security Council acts on their behalf.

"In discharging these duties, the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII."

While there is nothing in the Charter specifically defining that the Security Council may accept the responsibilities assigned to it under the partition plan, it does not follow that the Security Council has not been conferred sufficient power to assume new responsibilities.

As a precedent, the UN legal experts cite the case of the Free Territory of Trieste.

Under the Italian Peace Treaty, the Council of Foreign Ministers requested the Security Council to accept responsibilities in connection with the

administration of Trieste.

When the matter came before the Security Council, the Australian representative raised a legal objection. The Secretary General then cited Article 24 as a grant of power sufficiently wide to enable the Security Council to act. The Council vote was 10 in favor, with one representative abstaining.

The document continues:

"By its decision, it recognized the principle that it has sufficient power, under the terms of Article 24 of the Charter, to assume new responsibilities, on condition that they relate directly or even indirectly to the maintenance of international peace and security, and that in discharging these duties, the Security Council acts in accordance with the purposes and principles of the United Nations (Article 1 and 2 of the Charter).

"In the light of the Trieste precedent, it may be assumed that the Security Council has the power to accept the responsibilities that the General Assembly requested it to accept with regard to Palestine.

"7) In that connection, the Security Council may take into consideration;

(a) that Palestine is a territory which has been for many years under international administration, the future integrity and independence of which is a matter of international concern. Internal disorders in Palestine might lead to international friction and might endanger peace;

(b) that the General Assembly, by more than two-thirds majority, concluded that the present situation is one which is likely to impair the general welfare and friendly relations among nations, and that any attempt to alter by force the settlement envisaged by its Resolution constitutes a threat to the peace, breach of the peace, or act of aggression;

(c) it may be anticipated that the situation in Palestine will undoubtedly deteriorate further if adequate armed forces do not take possession of Palestine on the withdrawal of the Mandatory. Any deterioration, involving also the existence of the City of Jerusalem-territory under Special International Regime - may eventually endanger the maintenance of international peace and security.

"8) It is suggested that such considerations as the above, bring the Palestine question within the scope of Article 24 of the Charter, as interpreted in the case of Trieste, and that the Security Council has the power required to accept the responsibilities assigned to it by the General Assembly. It is submitted that if the Security Council deemed that it was within its competence to accept responsibilities for the carrying out of certain provisions of a treaty negotiated and concluded outside of the United Nations, it is still more appropriate that it should accept responsibilities for the implementation of a plan adopted by the General Assembly."

#### The Question of an International Police Force.

The UN Legal experts consider that it is obvious that order and security in Palestine are necessary not only for the implementation of the plan "but also generally for avoiding anarchy and chaos and for minimizing bloodshed and to prevent breach of international peace."

The Security Council may employ an international armed force in Palestine either under Article 42 of the Charter or in accordance with the resolution of the General Assembly, in conjunction with Article 24 of the Charter. To use military force under Article 42, the Security Council should first determine the existence in Palestine of a threat to the peace, a breach of the peace, or an act of



aggression.

"It is clear that the construction given by the General Assembly was that a challenge to the peace may take place not only through action against the territory of Palestine, even without outside assistance; not only action against the territorial integrity of Palestine but also against the settlement envisaged by the Resolution," the memorandum said.

Citing the power of the Council, under Article 24, the experts declare:

"In a general manner, it may be conceived that the Security Council might consider that outside the Resolution of the General Assembly, outside the specific powers conferred upon it by the Charter, it has a duty inherent in Article 24 of the Charter, especially, as interpreted in the Trieste case, to assist substantively in the implementation of a Plan considered by more than a two-thirds majority of the General Assembly as conducive to general welfare or friendly relations among nations.

"It is obvious that the Security Council would base its action on such grounds only after previously having reached the conclusion that no threat to the peace, breach of the peace or act of aggression had occurred. An international armed force set up on this basis would not be one in the sense of Chapter VII of the Charter. It would have the character of an international police force for the maintenance of law and order in a territory for which the international society is still responsible."

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

To Members of American Zionist Emergency Council Date March 24, 1948

From Harry L. Shapiro

The enclosed memorandum with attachment was sent today to the Chairmen  
of Local Emergency Committees.

HLS:LD  
Encs.

## MEMORANDUM

*To* Chairmen of Local Emergency Committees      *Date* March 24, 1948

*From* Harry L. Shapiro

Attached is a statement issued on March 22 by Dr. H. V. Evatt, Australian Minister for External Affairs, who was Chairman of the United Nations Ad Hoc Committee on Palestine during the last meeting of the General Assembly.

The statement is sharply critical of the "Trusteeship" proposal made by the United States when it repudiated the Partition decision of the General Assembly. Inasmuch as it comes from so important an international figure as Dr. Evatt, this statement is highly significant at this time. Will you do your utmost to see to it that it is reported in full by your local newspapers? It will aid us greatly in building public opinion at this juncture.

Regards.

HLS:EF  
Enc.



PALESTINE CRISIS

TRUSTEESHIP SUGGESTION

COMMENT BY AUSTRALIAN MINISTER  
FOR EXTERNAL AFFAIRS (DR. H. V. EVATT)

Chapler will pay POST  
on copy sent to  
TIMES cost  
- can raise about \$1000

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The following is the text of a statement made at 11:00 P.M., Monday, March 22, 1948, by the Australian Minister for External Affairs and Deputy Prime Minister, the Right Honourable Dr. Herbert V. Evatt:

Decisions of a competent international conference should be accepted after there has been full enquiry and fair debate and a just settlement has been reached. Accordingly any setting aside of the United Nations Assembly decision on Palestine must be closely scrutinized. It is impossible to examine the new plan in detail because nothing definite is known about it. It is said the 'Trusteeship' will be the new solution. But the word itself is ambiguous. What does it mean? It certainly seems to imply that the peoples to be placed under 'Trusteeship' are not sufficiently 'advanced' for selfgovernment. Such a suggestion would seem to be untenable in relation either to the Palestinian Arabs or to the Palestinian Jews. If however what is now proposed is a temporary United Nations Trusteeship merely for the purpose of carrying out the Assembly's decision it would be a very different matter. But is that intended? The final decision was reached in December last after two General Assemblies had dealt most carefully and exhaustively with the matter after all parties were heard and after a special Commission involving very heavy United Nations expenditure had visited Palestine and reported in favour of the principles of the plan ultimately adopted in the Assembly. The plan adopted is inappropriately labeled 'partition' because it involves four separate points: First, economic union of the whole of Palestine under the control of an authority with a majority of United Nations membership; second, political division of Palestine into two new states, Jewish and Arab; third, United Nations Trusteeship over Jerusalem and Bethlehem; and fourth, full safeguards for the holy places and especially for the Christian churches throughout the whole of Palestine. The only alternative plan suggested to the Assembly was to establish a unitary state under Arab domination with no adequate safeguards for the protection either of the Jewish people or of the Christian churches. This alternative was plainly inadmissible and was rejected by an overwhelming majority. The United Nations decision was reached by more than a two-thirds majority, the only dissentients being the Arab States and certain nations very closely associated with them. The decision was a just and impartial one and must not be lightly set aside.

The United Nations did not intermeddle in the Palestine matter. It intervened only after the United Kingdom Government had especially requested the United Nations Assembly to handle the matter as all previous efforts at reconciliation between the Arabs and Jews had entirely failed. At the United Nations the British Government did not itself propose any solution and announced it would accept the United Nations decision. In these circumstances Canada, Australia, South Africa and New Zealand all supported the proposal finally adopted. After all that had occurred to throw the solution into the melting pot again may be very damaging to the authority of the United Nations. It has been contended that the 'enforcement' of the Assembly's decision is not possible. Had the great powers who supported the proposal at Lake Success, New York,

adhered firmly to it there probably would have been little difficulty. In any event under the Assembly's decision the New Jewish State and the new Arab State was each to be entitled to establish its own militia forces for the defence of the new territory and this decision clearly carried with it the right of Jews as well as Arabs to import arms and equipment for the purposes of defence. It is impossible to pass final judgment on the new proposal because no one has explained it as yet. I was Chairman of the Committee which worked assiduously to obtain a just solution. The Committee repeatedly modified its proposals at the suggestion of the Mandatory Power in order that the United Kingdom should be able to withdraw its forces after its long, its thankless, but on the whole, successful development of the Palestine area since it was captured from the Turks by the British and Australian forces in 1918.

In my opinion, the United Nations decision has been gradually undermined by intrigues directed against the Jewish people. It would be little short of a tragedy if the fundamental rights of self-government were to be denied to both the Jews and Arabs as it is guaranteed to them under the Assembly decision just as religious freedom is also guaranteed to the Christian churches throughout Palestine. The only considerations that influenced the United Nations Assembly were those of justice and fair dealing to all concerned. It would be most disturbing if mere considerations of power politics or expediency were allowed to destroy the decision. However, if a Special United Nations Assembly is called it is hardly likely to accept any plan which involves the annihilation of the previous decision unless new facts of overwhelming cogency are proved to exist.

I need hardly add that under the United Nations Charter the Security Council has no power whatever to overrule the recommendation of the Assembly."

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## MEMORANDUM

To Chairmen of Local Emergency Committees

Date April 13, 1948

From Harry L. Shapiro

Yesterday the General Council of the World Zionist Organization (the Zionist Actions Committee) issued a proclamation which will go down in history as the Jewish Declaration of Independence. The text of the Declaration, adopted unanimously, follows:

On this, the third day of Nissan, the General Council of the World Zionist Organization, its highest unit, announces to the civilized peoples of the world, to the representatives of the United Nations and to the Jews scattered throughout the world that it has been decided to set up an organ of supreme authority of our national independence in Palestine.

In pursuance of this purpose, we declare that we refuse to remain a minority dependent on the sufferance of others. The mandate is about to end. On May 15, His Majesty's Government will surrender to the United Nations the trust it received from the League of Nations twenty-seven years ago and which it has failed to fulfill. It departed from the spirit of the mandate and replaced it with the selfish purpose of furthering its Middle East interests.

As a result of this policy, our refugees were refused entry in the hour of their direst need. They were interned instead and condemned to lead a life of danger, humiliation and helplessness while the mandatory treated with our sworn enemies, the friends and allies of the Nazis. And while refusing entry to Jews striving desperately after a last refuge, they opened our frontiers to hordes of invaders come to make a mockery of the decision of the United Nations. And now the mandatory is proposing to destroy the very foundation of our existence and leave the country in utter chaos.

To prevent this we have resolved this day that the termination of the mandatory government of Palestine shall in fact mark the end of all foreign domination in this country. With the termination of this mandatory rule, a government of the Jewish state shall come into being.

In this hour we turn to the Arab citizens of the Jewish state and our Arab neighbors. We offer peace and friendship. We desire to build our state in common with the Arabs as equal citizens. Our freedom is their freedom. Their future and ours rest on common endeavor.

Sure in the justice of our cause, we are ready to give our all to its achievement and we call on the Jews of all lands, and especially in Palestine, to close their ranks for the carrying out of this, our sublime task. Assured in our faith, we appeal to all nations to grant us this right to our own salvation, and rest our trust in God, the Lord of Israel.



At the conclusion of the Actions Committee meeting, the following declaration was read:

Whereas, after twenty-seven years of an oppressive foreign regime that had received Palestine as a trust on behalf of the world to establish a national homeland for the Jews, that trust was not fulfilled;

Now, therefore, the Jewish nation will establish its own state and independence in its homeland.

The Jewish state to be established will be ruled by justice, freedom and equality for all inhabitants, regardless of race or creed.

We call upon the Arabs of Palestine and the neighboring states for an alliance of peace and cooperation. Together we shall build a state as citizens with equal rights and in mutual respect, for our freedom is your freedom.

Our lives are dedicated to defense, and the Lord of Israel will be our mainstay.

A five point political resolution which categorically rejects the recent proposal of the U.S. Government and which makes it clear that the Jewish people will have no part of the so-called trusteeship formula was also adopted, which reads as follows:

The General Council has learned with regret and astonishment of the attitude now adopted by the American representative in the Security Council concerning the U.N. decision on Palestine:

1. The Jewish people and the Yishuv of Palestine will oppose any proposal designed to prevent or postpone the establishment of a Jewish State.
2. We categorically reject any plan to set up a trusteeship regime for Palestine even for a short period of time. Trusteeship would necessarily entail the denial of the Jewish right to national independence and would leave Palestine under a foreign military regime.
3. The failure and disintegration of the Mandatory administration, the continuation of which was unanimously rejected by the United Nations, necessitates recognition without delay of the Jewish Provisional Council of Government by the U.N. Commission so that authority may be transferred to it as envisaged in the U.N. decision.
4. Upon termination of the Mandatory administration, and not later than May 16th, the Provisional Council of the Jewish Government will commence to function in cooperation with U.N. representatives then in Palestine. In the meantime we shall do the utmost to minimize the chaos created by the present government and shall maintain, so far as lies in

our power, the public services neglected by it.

5. The Jewish people extend the hand of peace to the Arab people. The Jewish State will be glad to cooperate with the neighboring Arab states and to enter into permanent treaty relations with them to strengthen world peace and to advance the development of all countries in the Near East.

The Actions Committee also ratified the military accord between the Haganah and the Irgun Zvai Leumi.

Another resolution, on Jerusalem, was adopted. It reads:

The General Council, representing the world Zionist Movement, calls the attention of the world and all religions to Jerusalem which is now under artillery fire. With the setting ablaze of the commercial center of Jerusalem, and looting it under the eyes of the Government which declared that it takes sole responsibility for law and order in Palestine, the Arabs began their siege of Jerusalem which has already lasted months without intervention by the Government or the military. The Arabs laid siege upon the Jewish quarters of the Old City and now have started to bombard with artillery various other quarters. In the spiritual capital of the world and the capital of the Mandatory in Palestine, Jews have for weeks been denied access to their holy places; have been prevented from bringing their sick to the hospital and to bury their dead in their ancient cemetery. The streets of Jerusalem are under constant fire from snipers and roads of supply are blocked in order to starve out the population. This happened not because the Mandatory hasn't enough power to deal with the situation, but because aggressors have been given free rein and the Government which is responsible for law and order in the city does not want to differentiate between the attacker and the attacked. In these circumstances the General Council feels obliged to convey to the entire civilized world its protest against abandoning Jerusalem which, according to the resolution of the U.N. Assembly, is an international city, to murder, looting and destruction, in order to make the U.N. resolution null and void.

To all peoples and states in whom the name of Jerusalem inspires a feeling of holiness, we address our appeal and "ask for the peace of Jerusalem". We the representatives of the Jewish people, repeat the oath of our forefathers: "If I forget thee O Jerusalem, let my right hand forget her cunning".

The text of the economic resolution follows:

With a view to ensuring victory on the economic front and continuation of the peaceful task of rebuilding the Jewish Homeland, the Zionist General Council charges every Zionist individual everywhere, every Zionist body in the world, and calls on every Jewish organization wherever it may be, to mobilize without delay, and in the most effective manner, all its resources with a view to consolidating the economic front of Palestine; Assume maximum funds to ensure the speeding up of

supplies and equipment and everything required for defense and upbuilding of Palestine; Support immigration in every form and on a scale commensurate with the urgent needs of the Jewish masses requiring a home and the imperative requirements of Jewish man-power in Palestine for productive work and defense; Toil unceasingly to increase the national land possessions and implement the resettlement program; Further industrial enterprise and harness it for defense needs.

Victory depends upon the speed with which supplies and equipment are mobilizable. The General Council demands that every Zionist Jew in diaspora make the fullest possible contribution for the defense and establishment of the Jewish State and considers the adaptation of Palestine economy to war needs as the condition of ultimate victory.

HLS:RB



AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

MEMORANDUM

**To** Members of American Zionist Emergency Council **Date** April 16, 1948

**From** Harry L. Shapira

The enclosed memorandum with attachment was sent today to the Chairmen of Local Emergency Committees.

ELS:LD  
Encs.



MEMORANDUM

To Chairmen of Local Emergency Committees

Date April 16, 1948

From Harry L. Shapiro

Attached is the Jewish Agency's reaction to the truce proposals at the Security Council, as delivered by Mr. Moshe Shertok yesterday.

Please read this statement carefully and try to have its major points stressed locally via editorials and letters to your newspapers. The unfairness of this proposed truce is reflected in the fact that Jewish immigrants who come to Palestine to settle are dealt with on the same basis as members of Arab bands, who come to Palestine to fight a decision of the United Nations.

HLS:RB

## JEWISH AGENCY STATEMENT ON TRUCE PROPOSAL

The question of truce in Palestine was raised in the Security Council as part of a general proposal to set aside the plan adopted by the General Assembly for the future government of Palestine and to substitute for it an entirely different solution of the Palestine problem which the Jewish Agency found utterly unacceptable.

Actually the resolution calling for a truce was adopted by the Security Council in conjunction with the decision to convene a special session of the Assembly for the purpose of undertaking the revision of the plan. Thus the truce proposal in its very inception appeared to load the dice very heavily against Jewish interests.

Moreover, the wording of the resolution on truce, by referring merely to a truce between the Arab and Jewish communities of Palestine, ignored the major aspect of the present disturbed condition of the country, which is its invasion by armed forces from outside, organized by the governments of the neighboring Arab states, members of the United Nations and, in the case of Syria, member of the Security Council itself, and tolerated by the mandatory power.

The resolution of the Security Council called upon Arab and Jewish groups in Palestine to cease acts of violence. It addressed no admonition to the neighboring Arab states to discontinue the recruiting, training and arming of military contingents on their territories for armed intervention in Palestine, and the actual sending of such forces across their frontiers into Palestine. According to reliable press reports, further large-scale incursions of armed units and further importation of war materials from the neighboring countries into Palestine took place only within the last two or three days as the first installment of a new wave of invasion.

Nevertheless, the Jewish Agency declared itself willing to enter into a truce arrangement so that an end may be put to the bloodshed and destruction which is now ravaging the life of Palestine and claiming a mounting toll of victims. In its readiness to contribute its full share to the immediate restoration of peace in Palestine, the Jewish Agency was concerned to safeguard two main objectives:

First, that the truce should be an effective one and that it should not serve as a mere cover and protection for the preparation of further aggression. Secondly, that the conclusion and observance of the truce should not jeopardize legitimate long-term Jewish interests and should not prejudice the main issue which is now at stake.

Accordingly, the executive of the Jewish Agency in Palestine on April 4, 1948, adopted the following resolution regarding the truce proposal:

"The Jewish Agency welcomes the efforts of the Security Council to produce a cessation of hostilities in Palestine and to prevent a continuation of bloodshed in the future. The Jews of Palestine were forced to defend themselves against the series of attacks launched against them by the Arabs since December 1, 1947. Responsibility for the situation in Palestine falls also upon the mandatory power, which, despite its duties and its public declarations, failed to preserve law and order, failed to prevent the invasion of Palestine by organized Arab guerrilla bands from neighboring states, provided arms to Arab states which have been sending these guerrilla bands into Palestine and suffered these foreign invaders to establish themselves in military camps in Palestine, to disrupt communications in various parts of the country, and to besiege the city of Jerusalem.

"The Agency will gladly agree to a military truce which will put an effective and immediate end to all acts of violence, re-establish freedom of movement throughout the land on all roads and highways, restore free access to the holy places, withdraw all foreign troops and guerrillas, remove all units of the Trans-Jordan Arab Legion to Trans-Jordan, and prevent the incursion of such foreign forces and armed bands into Palestine in the future. To make such a truce effective, provision must be made for an international commission to supervise its execution. The Jewish Agency cannot rely in this respect upon the British authorities.

"It must be clearly understood that such a military truce shall not impede Jewish immigration and shall not affect preparations now in progress to assure essential public services, and for the establishment of an autonomous government in the area of the Jewish state immediately after the termination of the mandate on May 15."

This remains the attitude of the Jewish Agency.

The Jewish Agency was subsequently honored by an invitation from the distinguished President of the Security Council to attend a conference with a view to discussing the terms of the truce. There was only one brief formal meeting, attended by representatives of both the Arab Higher Committee and the Jewish Agency for Palestine, after which the President of the Security Council held a series of informal talks with the representatives of those two bodies separately. In reply to the President's question as to the conditions under which we would be prepared to conclude a truce, we defined our attitude in the following terms:

Had the aggression against the Jews been confined to the Arabs of Palestine, we would have been ready for a truce unconditionally. In actual fact, in that eventuality, the question of a formal truce and of negotiations in that regard need not have arisen at all, as it would have been enough for the Arabs to cease fire in order to produce an immediate cessation of all armed reaction against them on the part of the Jews. But the military situation in Palestine has been completely transformed by the invasion of the country from outside.

The very presence on the soil of Palestine of foreign armed forces is a permanent act of aggression against the Jews. Unless these forces are removed and further armed incursions prevented, the truce would be a godsend to the aggressor, for under its cover and without the fear of any interference on the part of the Jews, the Arab command would be able to bring up further reinforcements, to occupy points of vantage, to perfect its military organization and to be ready for renewed assault under much more advantageous conditions.

We, therefore, have to put forward, as essential conditions of the truce that the armed units which were brought into Palestine from outside be withdrawn and that no further incursions should be tolerated. This is the summary of our position as explained by us to the President of the Council.

It would be observed that the two stipulations which we have made are purely military in character. They are intended to insure that the truce should be a real truce and not a sham. We have put forward no political conditions in connection with the truce. We gathered, however, from questions put to us by the President of the Security Council that political conditions had been put forward by the other side. These conditions we had to resist.

In the light of these general observations, I now propose, Mr. President, with your kind permission, to deal in some detail with the provisions regarding the truce included in the draft which was communicated to us yesterday and which now lies before the Security Council.

As a first general observation, I would point out that the scheme of the truce here outlined is founded on the assumption that the present mandatory administration in Palestine would discharge its functions under the mandate to preserve law and order. Quite apart from the question whether the present mandatory can be relied upon to do so in view of its recent record, it is clear that the truce arrangement proposed is thus by its very terms limited in its duration to the very short period which remains between now and May 15, on which date, according to the mandatory Government's decision which it announced to be irrevocable, the mandate is to be terminated. It is on this definite assumption that we now discuss the truce proposals.

I now address myself to the preamble of the draft resolution. Its third recital states "that the United Kingdom Government, so long as it remains the mandatory power, is responsible for the maintenance of peace and order in Palestine and should continue to take all steps to that end." We must, with all due respect to the Security Council, take exception not merely to the word "continue" which implies that the mandatory administration in Palestine has hitherto discharged its responsibilities in maintaining peace and order -- this is most lamentably not the case -- but to raise objection to the mandatory administration being given the sanction of the Security Council in advance for whatever step it might deem fit to take in the field of security.

The recent record of the mandatory administration makes it impossible for us to repose any trust in it in that regard and we would regard it as nothing short of calamitous if in the light of that record it were thus formally assured of full international support for whatever, in its own wisdom, it might do or leave undone. We would, therefore, urge that the recital should be limited to the recognition of the fact that the mandatory power is responsible for the maintenance of peace and order while the mandate lasts, and that the remaining part of the recital after the word "Palestine" should be deleted.

In regard to sub-paragraph (A) of paragraph 1, I would observe that the requirement that all activities of a military or para-military nature should cease is far too wide to be practicable. It may be interpreted as involving the discontinuation of all normal defense arrangements without which the Jewish population of Palestine will be seized by a feeling of insecurity which will be inimical to any truce. The Jewish Agency would therefore propose that the clause should read "cease all acts of violence, terrorism and sabotage."

A point of fundamental importance arises in connection with sub-paragraph (B), which contains the most important and welcome injunction against the bringing in to Palestine of armed bands or individuals from outside. With the injunction so formulated we are heartily in agreement, but what we cannot accept is that it should be extended to include "individuals capable of bearing arms," as this would affect Jewish immigration. We cannot possibly agree that Jewish immigrants into Palestine, whatever their age group or physical condition, should be put on the same footing with those elements who are now being sent into Palestine in violation of its land frontiers with the deliberate purpose of upsetting the peace of the country and committing acts of aggression against the Jews and against the authority of the United Nations.



These people have not a vestige of any legal or political right to be in Palestine. They come there with the avowed object of breaking the law and disturbing the peace. By contrast, Jewish immigrants come to Palestine by virtue of an internationally recognized right. Palestine is their home in which they come to live. The equation of the two categories is untenable. We would urge that the words "capable of bearing arms" be deleted and that instead the wording should be "armed or entering Palestine with the deliberate purpose of taking part in the fighting."

Coming to sub-paragraph C, I would point out that as worded it goes much too far in a most sweeping manner and may be interpreted as imposing during the truce period a world embargo on the acquisition of arms for future Jewish defense, while leaving it free to Arab states to accumulate any quantities of arms they may be able to purchase for future fighting in Palestine. We, therefore, urge that the sub-paragraph should read "refrain from importing weapons and war materials" and that all reference to acquisition should be deleted.

A point of most far-reaching significance arises in connection with sub-paragraph (D). Here each party is called upon to refrain pending further consideration of the future government of Palestine by the General Assembly "from any political activity which might prejudice the rights, claims or positions" of either community.

The mere introduction of a political subject into the question of a military truce is liable to vitiate the issue. And we should urge that this whole sub-paragraph be deleted. Should its deletion not commend itself to the Council, we would urge that it be amended. To begin with, the term "political activity" seems inappropriate. It is too loose and might be taken to refer to any meeting, any public address, any article in the press, any resolution.

We would suggest to substitute the word "action" for the words "political activities." Further, the question of prejudicing claims does not arise at all. My claim can be prejudiced only if I myself renounce or compromise it. It cannot possibly be prejudiced by whatever the other party does. We suggest, therefore, that the word "claims" should come out altogether. But the main difficulty arises in connection with the word "rights."

The position as far as rights are concerned cannot be left in its present vague form, liable to be interpreted at will. The Arab community may claim as its right the spreading of its dominion over the whole of Palestine and the subjugation of the Jewish community. Can the Jews be expected to refrain from any action which might prejudice that alleged right which they categorically deny and whose exercise would affect the very roots of their existence?

An objective, internationally recognized, criterion is here imperative. We therefore suggest that the paragraph should be amended to read "refrain, etc., from any action which might prejudice the rights or position of either community under the mandate and the resolution of the General Assembly." It cannot be a moot point in an organ of the United Nations that pending further consideration of the future government of Palestine by the General Assembly, the existing resolution of the General Assembly stands and is fully valid.

With regard to sub-paragraph (E), I must state that the mandatory administration, by its own record and by what we would describe as its sins of omission and commission, about both of which enough has been said in our previous statements to the Security Council, has forfeited its title to Jewish cooperation.

Nevertheless, in the interest of preservation of life we would be prepared to co-operate with the various organs of the present Palestine Government in certain spheres where we would regard cooperation as necessary and warranted, but there can be no question of our pledging general cooperation to the British administration of Palestine which has so manifestly disregarded and even acted contrary to its most basic responsibilities.

Sub-paragraph (F) seeks to secure the safety of the holy places. We submit that this is not enough. What has to be secured is also free access to all shrines and sanctuaries for those who have an established right to visit and worship at them. It is not enough, for instance, to lay down that the Wailing Wall might not be blown up. Free access to the Wailing Wall must be guaranteed for the Jews in accordance with the immemorial practice which has been internationally sanctioned.

I now come to Paragraph 2. Despite the unquestionable default of the British mandatory administration in the maintenance of law and order and its particularly lamentable and most alarming failure to prevent the invasion of Palestine by armed forces from outside, this paragraph proposes to charge that administration with the duty of supervising the execution of the truce provisions. The Jewish Agency cannot possibly agree that the mandatory administration is impartial in the present conflict and can properly be entrusted in this highly responsible task which requires complete objectivity. If the draft is left in its present form and no authoritative United Nations organ is set up to supervise and ensure the observance of the truce, we could consider that no adequate provision at all has been made in this record.

Paragraph 3 seeks to prevent further infiltration into Palestine of armed forces from outside. What I said in regard to the expression "capable of bearing arms" with reference to sub-paragraph (B) of Paragraph 1, applies equally to the same phraseology in Paragraph 3. The injunction itself against the mere entry into Palestine of armed bands, etc., does not go far enough.

We would urge that the Governments of states neighboring to Palestine should be called upon to prohibit in their territories the recruitment and preparation of forces for eventual incursions into Palestine. Moreover, there is no reference in the paragraph or anywhere else in the draft, to the fate of the foreign armed units already in Palestine. They all live in special camps, the location of which is common knowledge.

By omission, the draft resolution suffers them to remain where they are, or even to change their location and select better sites for their future activities. I have already stated that the mere presence of these bands on the soil of Palestine is regarded by the Jews as a permanent act of aggression. They are, indeed, a constant irritant and a perpetual source of danger. The absence of a clear provision to evacuate or at least to immobilize these bands, forces the Jewish Agency to reserve its position in this regard.

In conclusion, I would take the opportunity of emphasizing again that foreign invasion is the crux of the whole difficulty, and the fact that the mandatory government has allowed it to proceed unchecked mars its record more than anything else.

The Security Council has not so far deemed fit to place on record in clear and unequivocal terms the responsibility of either the Arab Governments or the Government of the United Kingdom for the present intolerable situation which has been created in and around Palestine by this continued process of invasion.

No doubt, encouraged by such inaction of the Security Council, the governments of the Arab League are now reliably reported to be preparing plans for the occupation of the whole area of Palestine by their armies, which would cross its frontiers from north, east and south immediately after the termination of the British mandate. To face this issue squarely is, I submit, the most urgent duty of the Security Council.

\* \* \* \*



National Headquarters  
Jewish War Veterans  
of the United States of America  
50 West 77th Street  
New York 24, New York

April 19th, 1948

HEADQUARTERS RELEASE NO. 56

IMPORTANT!

Palestine and Partition are in the hearts and on the minds of every Jewish War Veteran. The extreme gravity of the present crisis must be brought home to members of the Congress and the Senate in the most immediate and forceful terms.

The Policy Committee has approved a program, which, if successful, may bring our Government to revert to its original position on Palestine.

Simply stated, the program calls upon every Jew in America to ask each of his non-Jewish friends to "Write a Line for Palestine" to his respective Congressman and Senator. If Jews in every section of our country undertake this obligation immediately, Congress and the State Department should be flooded with individual letters from non-Jews, bringing home the vital fact that the partition of Palestine is not primarily a Jewish problem--that it is fundamentally a problem of basic justice and honor that concerns all Americans, regardless of religious belief. If each letter is different; if it is in the individual handwriting of a Congressman's non-Jewish constituent, the impact of the total effort--which should produce a flow of no less than 1,000,000 letters to Washington--cannot go unnoticed by even the most indifferent of public servants.

Your National Commander has appointed Comrade Burton Cooper of the Lt. Robert Bernstein Post, Brooklyn, National Chairman of the "Write a Line for Palestine" program. I now take this opportunity to appoint to the Committee for this project each Post Commander.

Program suggestions for putting this plan into effect on a scale designed to inspire the writing of letters by the million will reach you shortly. Meanwhile, the following preparatory steps should be initiated at once:



1. Post Commanders, as members of the National Committee of the "Write a Line for Palestine" program, should call an emergency muster for the purpose of informing all comrades of the basic facts of the project. These involve the widest possible contacts by all comrades with non-Jewish acquaintances--veteran and non-veteran alike--to request that they write individually to their Congressmen and Senators urging a return by our Government to its original position on partition.

2. Post Commanders should appoint immediately a special sub-committee to administer Post participation in the program. The name and address of the chairman of the sub-committee should be forwarded promptly to Comrade Cooper at National Headquarters so that maximum savings in time may be effected on all communications with respect to this program.

3. The sub-committee should take immediate steps to obtain the cooperation of all other Jewish organizations in your community so that the program may be given added impetus among non-veterans in your community.

4. The sub-committee should compile a list of all comrades who hold membership in the Legion, VFW and other general membership groups and insure that these comrades present the program to their fellow-veterans of non-Jewish faith with the least possible delay.

SPEED IN GETTING THIS PROGRAM UNDER WAY IS THE FIRST ESSENTIAL. That is why this release is being held to a minimum. That is why all JWV units are being urged to make this program the subject of an immediate emergency muster.

JULIUS KLEIN  
NATIONAL COMMANDER

DIST:  
All Posts  
All Counties  
Departments  
NEC members

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

**To** Chairmen of Local Emergency Committees      **Date** April 20, 1948

**From** Harry L. Shapiro

Enclosed is an analysis of the trusteeship proposal which the United States is reportedly preparing to present to the UN General Assembly. The final form which the United States plan will take is not known, but it will in all likelihood be similar to the proposal which was published last week.

In order to understand what is involved in the trusteeship proposal, you should read the attached memorandum carefully. You will find that it includes good material for editorials, articles, radio speeches, etc. It can be most useful in your public relations activities.

Regards.

HLS:FB

AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

**To** Members of American Zionist Emergency Council **Date** April 20, 1948  
**From** Harry L. Shapiro

The enclosed memorandum with attachment was sent today  
to the Chairmen of Local Emergency Committees.

HLS:RB  
Enc.

THE JEWISH AGENCY FOR PALESTINE  
OBSERVATIONS ON GENERAL PRINCIPLES REGARDING A TEMPORARY TRUSTEESHIP  
FOR PALESTINE FORMULATED BY THE UNITED STATES (APRIL 5, 1948)

WRIS

In discussing the United States proposal for a temporary trusteeship, it is necessary to examine:

- A. The general applicability of the trusteeship system to Palestine;
- B. The particular circumstances in which it is proposed to institute a trusteeship at this time;
- C. The specific provisions for temporary trusteeship contained in the document submitted by the United States to other members of the Security Council on April 5, 1948.



A. THE APPLICABILITY OF TRUSTEESHIP TO PALESTINE

1. It may be assumed that the authors of the Charter did not draft its trusteeship provisions with the purpose of prolonging foreign rule indefinitely over peoples inspired by a sense of maturity and an urgent desire for national freedom. Nor does international opinion favor further tutelage for Palestine.

2. It is significant that during the second regular session of the General Assembly not a single voice was raised in favor of a solution involving any postponement of independence. In its report to the General Assembly the United Nations Special Committee on Palestine unanimously declared:

- "a) Although sharply divided by political issues the peoples of Palestine are sufficiently advanced to govern themselves independently.
- b) The Arab and Jewish peoples after more than a quarter of a century of tutelage under the Mandate both seek a means of effective expression for their national aspirations.
- c) It is highly unlikely that any arrangement which would fail to envisage independence at a reasonably early day would find the slightest welcome among either Arabs or Jews."

None of these propositions are open to question. They are endorsed by all available experience and judgment.

3. The trusteeship system is designed either for the government of territories whose inhabitants are not yet sufficiently advanced to operate self-governing institutions or for strategic areas. To apply it to Palestine is thus to pervert its true function and to involve the system itself in the discredit arising from inevitable disorder. The movement to set aside the Resolution of the General Assembly has already weakened its moral authority, and has revealed the Security Council as a body unable either to secure Charter observance or to resist aggression. It is now proposed to embroil the Trusteeship Council in an effort to subject mature populations, placed by the General Assembly on the threshold of statehood, to outside rule of indefinite duration. Thus the prestige of the United Nations as a whole and the efficacy of its principal organs are likely to be impaired through this attempt to replace a solution involving independence by a solution involving tutelage, in a territory where the principles and procedures of trusteeship appear to have no relevance at all.

4. Moreover, the maturity of the population is not the only reason why the trusteeship provisions of the Charter are incongruous in the context of a Palestine settlement. The basic objectives of the trusteeship system, as defined in Article 76 of the Charter are "to promote the political, economic, social and educational advancement of the inhabitants of trust territories and their progressive development towards self-government or independence." Thus the trusteeship provisions of the Charter have no reference to the unique position of Palestine in history and law as a territory in which the interests of the present inhabitants are not the sole or even the predominant object of international concern. In contradistinction to other Mandates in neighboring countries, the Palestine Mandate acknowledged rights in Palestine not only for the country's

(\*) Report of the United Nations Special Committee, Vol. 1, p. 43.

inhabitants, but also for the Jewish people throughout the world. Indeed it has been established that "unquestionably the primary purpose of the Mandate as expressed in the preamble and its articles is the establishment of the Jewish National Home." (\*) Under Article 80 of the Charter, Jewish rights derived from the Mandate were preserved until such time as the Mandate was replaced by a new agreement. Later the General Assembly confirmed the validity of those rights and gave them formal expression through the establishment of a Jewish State. Thus during three decades the special rights and interests of the Jewish people with regard to Palestine have three times been upheld through successive international instruments. 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. Yet such is the effect of basing the government of Palestine on the trusteeship provisions of the Charter which acknowledge nothing but the interests of the country's present inhabitants as the guiding principle of administration.

5. The sui generis character of Palestine arising from its unique historical associations and its special relation to the purposes of Jewish national rehabilitation and freedom has been acknowledged on innumerable occasions by the United States through Presidential and Congressional statements. Indeed, its acceptance forms the cornerstone of the United States policy on Palestine as hitherto expressed.

6. This distinction between Palestine and those neighboring countries in which the advancement of the inhabitants was the paramount consideration is completely obscured if Palestine is torn out of its legal and historical context and forced into the inappropriate framework of the trusteeship system. The special relation of Palestine to the Jewish people formally disappears if Palestine comes under the proposed trusteeship. But it will not disappear in actual fact. Palestine cannot be forced by an act of will to resemble Togoland or the Cameroons or the Pacific Islands, nor can it possibly respond to the processes and principles of government designed for those territories. The trusteeship provisions do not fit -- and were never intended to fit -- the most distinctive historical, cultural or ethnic realities affecting Palestine.

#### B. CIRCUMSTANCES AFFECTING TRUSTEESHIP TODAY

7. Palestine has been governed under a form of trusteeship (i.e. the British Mandate) for twenty-six years. Recently the conditions under which the British Mandate operated proved so intolerable to Jews, Arabs, British and American public opinion and the community of nations as a whole 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.

8. These prospects would be particularly tragic if the trusteeship were built on or around British participation. British policy in the Near East is firmly wedded to the alliance with the Arab League, and has for that reason been sharply directed against those fundamental Jewish interests which the General Assembly has recently approved. It follows that any prolongation of British rule must involve a resumption of the "squalid war" whose disastrous effects forced the Palestine issue upon the attention of the United Nations. The war will be all the more squalid because both British and Jewish opinion have been recently buoyed up by the hope of imminent separation. The Jews would face British repression in the aftermath of a historic moment in which their independence was

(\*) Report of the Royal Commission on Palestine, pp. 38-39.

solemnly promised. The British Government, if it at all complied with American pressure in this regard, would have to fight its own public for the "right" to remain in Palestine and sustain a burden which the British people passionately longs to relinquish. The Arabs would also be deprived of substantial advantage, however anti-Jewish the conditions of the trusteeship agreement might be. Under partition they were to obtain independence in a large part of the country; under trusteeship they obtain no independence at all. Even if there is Arab acquiescence in trusteeship on immediate tactical grounds, it must, by the very logic of Arab national sentiment be shortlived.

9. In this atmosphere it would be an irresponsible fantasy to imagine a trusteeship government establishing genuine authority throughout the country by May 15. Moreover the lesson that a General Assembly Resolution can be revised by violence will further undermine the moral force of the new regime. If the General Assembly accepts a trusteeship policy in response to force, the Trusteeship Council will hardly come with increased authority to the task of administering an unwilling and restive population, to whom independence was promised but four months ago.

10. Although the prospects of disorder are greatest if the present mandatory power is pressed, against its judgment, to prolong its tenure they are formidable enough irrespective of the identity of the trustee. The Jews will regard the trusteeship, to whomever it may be entrusted, as robbing them of their independence to which they had looked forward poignantly after a quest of many centuries. The Arabs will find themselves saddled with a trustee after three decades of national struggle in the Near East against the maintenance of western control.

11. 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 29th as a result of the General Assembly's Resolution; and the transformation is entirely hostile to the prospects of trusteeship. The turn of events in the past four months has 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 April as a minority within the population of a non self-government territory to be held in 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 will never again 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 they had at least partially gained by the award of statehood in a part of Palestine on November 29.

12. 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." UNSCOP 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, though 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 quickly into the receptive framework of Palestinian life.

13. The disintegration of the Mandatory regime since November 29th 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 area, the Jews begin to operate it. As the Mandatory virtually evacuates a certain zone, 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 be appreciated from the fact that the Jews themselves exercise full responsibility in their community for the most vital governmental function -- that of defense. Meanwhile an existing tendency of Jewish autonomy has been accentuated in every field. In the coming days and weeks the Mandatory's disintegration will leave 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.

14. In the Arab community a similar though less conscious or centralized process has taken place. In the central part of the country the invading forces of the Arab League under Fawzi al Kawkji exercise full administrative as well as military control. In other areas the local municipalities are becoming increasingly independent of the central government. The incoming trustee will thus find the country already organized into independent compartments of control and allegiance. The incentive of November 29th and the logic of May 15th, 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.

15. In this situation, the United States proposal comes on the scene in an attempt to galvanize a dying mandate into life or to build a new trusteeship on the wreckage of the old. There is no precedent for such a tour de force. All other trusteeships have arisen as a smooth continuation of mandates previously held under conditions of unity and peace. To impose foreign rule by newly-arrived administrators over these two 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 the new pattern of life would be one which is guided and animated by the logic of this spontaneous partition and by a desire to facilitate it.

16. It is because the very concept of trusteeship is so flagrantly out of accord with the general principles and current realities of the Palestine situation that no improvement of the United States proposals can make them a useful starting point in the quest for a political settlement. With this reservation, however, it may be useful to comment on the fifteen general principles now before us.



C. COMMENT ON UNITED STATES PRINCIPLES FOR TEMPORARY TRUSTEESHIP

Comment on Paragraph 1 (Non-prejudice of Rights)

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." The rights 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; 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. The constitutional provisions of Paragraph 6 are sufficient to show how drastically Jewish rights are prejudiced by this plan.

Comment on Paragraphs 2 and 15 (Duration of Trusteeship)

The Trusteeship is defined in paragraph 1 as "temporary" and in paragraph 2 as of "indefinite duration". Since according to paragraph 15 it can only be terminated by Arab-Jewish agreement, 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 seek no agreement until they are confronted with the Jews as a permanent and equal factor with which they have to 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. 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.

Comment on Paragraph 4 (Jerusalem as Analogy)

The statute of Jerusalem was not bound in any way by the trusteeship provisions of the Charter. Its authors had complete freedom to determine its conditions according to the realities which confronted them. Because it was not based on the trusteeship provisions of the Charter, the Statute did not have to be initiated by the Mandatory Power. It is difficult to see how the authors of a trusteeship agreement, bound as they are by the Charter's specific procedures and requirements, can be free to embody at will the features of the Jerusalem Statute. Nor is it clear how a trusteeship agreement can legally be initiated by the United States. This casual reference to the Statute of Jerusalem does not make it clear whether or not the Statute would remain in force if a trusteeship agreement were recommended by the General Assembly for the country as a whole. The Statute of Jerusalem in any case rests on the exceptional basis that the city's population is called upon to let the city's universal association have precedence over its civic and secular interests. This unique arrangement obviously provides no precedent or justification for establishing permanent foreign rule over the country as a whole.

Comment on Paragraphs 3, 5 and 6 (Constitution)

These paragraphs 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 the "administrative, legislative and judicial powers" which have either become inoperative during the mandatory's disintegration, or were to have devolved automatically upon Jewish and Arab authorities. 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 a "democratically elected legislature" is the gravest feature of the entire proposal, and raises disquieting questions as to its intentions. 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. The essence of the Palestine question lies in the need to apply self-determination not to a fictitious single entity, but to the two separate groups, so that each is free and sovereign within the widest limits compatible with the freedom and sovereignty of the other. The Royal Commission, the Permanent Mandates Commission, the Anglo-American Committee, UNSCOP, 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 would be in no way improved if a Chamber based on parity were set up alongside the Chamber based on "democracy" with a virtual power of veto. The objectives most essential to the Jews all require authority for positive action (i.e. immigration, development, settlement). If one Chamber obstructs these measures and the other reaches deadlock, the result is that these measures are not authorized. The noes 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" emphasizes the dictatorial implications of this proposal. 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.

#### Comment on Paragraph 7 (Enforcement)

Since neither the Arab nor the Jewish community seems inclined to help impose a trusteeship upon itself, 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 voluntarily adhere to the protocol envisaged 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 will certainly 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 involved enforcement.

The problem of enforcement will be most acute in the months immediately following May 15. The whole basis for this plan therefore collapses unless it can be shown capable of producing adequate forces by that date. The protocol will presumably be open for the adherence of member States only when the General Assembly has accepted the principle of a trusteeship regime. Even then it is not clear whether the General Assembly or the Trusteeship Council will automatically accept the services of any member States which choose to volunteer for participation in enforcement. It is conceivable, for instance, that the Arab States may be the only states to adhere to the protocol. If their adherence were accepted, the trusteeship would merely legalize the existing Arab invasion of Palestine and future invasions contemplated.

It would be extravagantly sanguine to expect that the procedure laid down in Paragraph 7 will lead to the recruitment and dispatch of forces within a



matter of weeks. It is significant that no agreement between member States on the use of armed forces in accordance with Article 43 has been reached during three years of continuous negotiations. It is a legitimate conclusion that this plan contains no enforcement provisions likely to take effect from the date of the termination of Mandate.

Comment on Paragraph 8 (Existing Arrangements)

The existing arrangements in Palestine insofar as they relate to central governmental machinery are rapidly falling apart; and the only orderly processes of government on May 15 may well be those organized by the Jewish State. The main problem facing the Government of Palestine, even on the remote assumption that it could be called into existence by May 15, would be that of recapturing the allegiance of the population from the Jewish and Arab authorities which now command it.

Comment on Paragraph 9 (Immigration and Land Settlement)

The association of the Arab community in the task of fixing a basis for Jewish immigration and land purchase is a grave prejudice to the existing claims, rights and position of the Jews. Under the Mandate there was a positive injunction to facilitate Jewish immigration and encourage close settlement by Jews on the land, irrespective of Arab political consent. Under the General Assembly's Resolution full control of immigration and land settlement was conferred upon the Jewish Provisional Council of Government for the area under its jurisdiction. In other words there is an established international practice which denies any formal validity to the Arab desire to obstruct Jewish immigration.

The provisions envisaged for immigration and land purchase are not specified in this proposal. The scheme as a whole, however, would seem to determine that these provisions will be meagre. In the first place, the constitutional provisions of paragraph 6 give predominance to the Arabs in all legislative and consultative processes; and this alone must operate against the authorization of any substantial immigration or land purchase by Jews. In the second place, 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 encouraged 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 favourable 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.

Comment on Paragraph 10 (Standard of Living)

The effort to peg down Palestine's standard of living and public services to that "which can be supported by the resources of Palestine" is particularly remarkable at a time when sixteen countries in Europe have been declared as unable to subsist on their own resources. Palestine's budgetary independence and relatively high standard of living derive largely from the interest of world Jewry in the development of an expanding society in Palestine. The whole trend of the present proposal is to withdraw recognition of that interest and thereby impoverish



the resources of Palestine, arrest its development and force down its living standards.

Comment on Paragraph 14 (Immunity of Holy Places)

The guarantees contained in the General Assembly's Resolution for the protection of the Holy Places and the assurance of free access are now likely to be violated through the failure of the United Nations to assume its responsibilities in Jerusalem. It would be more fruitful at this stage to provide for the effective carrying out of those guarantees than merely to repeat them in the texts of a new agreement.



AMERICAN ZIONIST EMERGENCY COUNCIL  
342 MADISON AVENUE, NEW YORK 17, N. Y.

## MEMORANDUM

*To* Members of American Zionist Emergency Council *Date* April 22, 1948

*From* Harry L. Shapiro

Enclosed herewith is a copy of the statement of Sir Carl Borendsen, delegate of New Zealand, before the Political and Security Committee of the General Assembly of the United Nations, April 20, 1948 which was sent to the Chairmen of Local Emergency Committees throughout the country.

FLS:CLD

Enc.,

STATEMENT OF SIR CARL BERENDSEN, DELEGATE OF NEW ZEALAND,  
BEFORE THE POLITICAL AND SECURITY COMMITTEE OF THE GENERAL ASSEMBLY  
OF THE UNITED NATIONS, APRIL 20, 1948

It is a sombre, indeed a tragic, occasion which has led to this meeting, and it is a heavy responsibility that falls upon each and every delegate in this Chamber. The occasion calls for the most complete integrity of thought and action, and it is clearly the duty, as well as the right, of every Government represented here to express its thoughts on the incredible and shocking situation that has developed. It is a time for plain speaking, and I am sure that none of my colleagues will take offence if I do, in fact speak plainly.

The problem with which the Assembly was called upon to deal last November was admitted by all to be most difficult and intractable. The situation as it presented itself then was the cumulative result of a long series of events stemming perhaps from the dim ages of the past, but for most practical purposes originating in the Balfour Declaration of 1917. That document like -- most regrettably like -- the vast majority of international documents, is not notable for clarity or definition. All, I think, agree that it is open to more than one construction, and the exact intent of its meaning has been a matter of repeated and lengthy debate and discussion in the ensuing years. Nor indeed have those portions of its intent, which are common ground to all, been free from dissent from its very inception. I have no intention of entering into any analysis of what the Balfour Declaration did mean or what was the ethical basis even for that portion of its intent upon which all agree, as a minimum, it must mean. Even that aspect is perhaps beside the point. The Mandate over Palestine was entrusted to the United Kingdom -- with the definite approval of many of those nations represented here -- and for a very lengthy period the British have been administering that territory with what any impartial observer must agree has been a commendable degree of material success, and certainly at all times with the highest motives and intentions. But it may well have been that throughout the whole of that period they have been attempting to reconcile the irreconcilable, that the conflicting rights and interests in that Holy but unhappy land -- of the Arabs on the one side and the Jews on the other -- were not at any time capable of acceptable compromise. From time to time blood has been shed in the course of this long and acrimonious dispute, and I would remind my colleagues of what I fear many of them are too often inclined to forget, that on very many occasions the blood that has been spilt has been the blood, not of the two principal contestants in this unhappy quarrel, but British blood, the blood of those who were, as trustees for humanity, endeavouring to carry out a thankless and perhaps impossible task. Finally, the British decided that they could no longer bear this burden, that the problem had become, if it had not always been, an international problem, that not only was it unfair that the burden and the odium of this task should fall upon the British alone while others at all times have felt free to offer advice and criticism from the sidelines without, of course, shouldering any portion of the responsibility for themselves, but also because of this factor, that the UK, having devoted its all to the prosecution of that great war for liberty, justice, peace and order which has just concluded, had found itself as the result, as the direct result, of its efforts during that conflict in a position of great difficulty. I think no one will disagree that Britain's temporary weakness -- because, believe me, it is temporary only -- and the sacrifices in blood, in treasure and in repute that she has been called upon to make in this thankless and perhaps impossible

task, proved to be too much and the United Kingdom, as you know, last year announced its intention of relinquishing the mandate and laying the whole matter before the United Nations where, as a world problem, it unquestionably belongs.

I am not one of those who believe that the UK has deserved the criticism it has received for its administration of the Mandate. I am not about to suggest that every step that the British have taken on the matter in Palestine has been wise or well-considered. But I do assert that what they have done from the inception of the Mandate until they were forced to the conclusion that the problem was beyond them, and laid the question before the United Nations, they have done with the highest motives, and that no other state represented here, even had it been willing (which it was not) to accept these obligations, would, or indeed could, have done any better in the circumstances as they existed.

But last year Britain agreed that Britain had failed, and the United Nations, in Special Assembly, undertook the responsibility of finding a solution. You all know what happened. After very lengthy debate a Special Committee of the Assembly was sent to Palestine. It conducted exhaustive enquiries and on its return produced a report to the Assembly which I have no hesitation in characterising as a model of moderate and constructive thought.

The views of this Special Committee -- and other views -- were considered at very great length at the General Assembly meeting in September, and after most careful consideration, and after hearing the representatives of both parties principally concerned in this tragic conflict of rights, the Assembly decided, by the requisite majority of two-thirds, that the course which appeared to offer the best chance of success in the circumstances was that of partition with economic union. Let me repeat that this was decided after the most lengthy and anxious consideration, and let me repeat that it was agreed to, that it was supported, by the requisite majority of the members of this body. Allow me to read the list of those delegations who placed themselves affirmatively on record as supporting the proposal for partition with economic union. They were as follows:

Australia, Belgium, Bolivia, Brazil, Byelorussia, Canada, Costa Rica, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, France, Guatemala, Haiti, Iceland, Liberia, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, the Philippines, Poland, Sweden, the Ukraine, South Africa, the Soviet Union, the United States, Uruguay and Venezuela.

That, then, was the considered decision in November last, the considered decision of the Town Meeting of the World, the expression of the conscience of this forum of the nations of the world, in a most earnest effort to solve this tragic problem.

Now I do not think that any delegation which voted in favor of this decision felt that partition was a perfect solution. I think most people were of the opinion that the problem was susceptible of no perfect solution, that any decision at all must inevitably be the cause of injustice and hardship to very many thousands of worthy people, and that the best that could be done, and the least that should be done, was to decide upon that solution which offered the least injustice, the least departure from principle and the least practical difficulties in the circumstances as they had arisen during the course of the past thirty years.

The New Zealand Government believed then that partition was the best solution, and it believes the same thing today. It is our view that the Assembly decided to do the right thing in the wrong way, and I am not expressing that view only now, with the all the advantages of hind sight. On behalf of my delegation and



my Government. I expressed the same view when the matter was being considered last November, and if my colleagues will do me the honor of recollecting or reading what I said then, they will find that throughout the whole course of the discussion the New Zealand delegation took the view that while partition with economic union was the best course to adopt, nevertheless if the Assembly assumed the right -- as we believed it should -- to divide that country into a Jewish state and an Arab state, the Assembly must at the same time assume the duty of ensuring an orderly and peaceful implementation of that decision. And up to the very last moment I expressed New Zealand's grave and anxious apprehensions as to the efficacy of partition without enforcement and called -- unhappily without avail -- on the members of the United Nations and particularly the Great Powers, to face this question of enforcement. Up to the very last moment, I asked whether the Assembly was prepared to gamble with the lives of innocent people in Palestine. The appeal fell on deaf ears. You were prepared so to gamble; we did gamble and we lost. But we do not pay. You know today who is paying. The gambler's loss is being paid by the people of Palestine; it is being paid in part by British boys dying at their post of duty, but for a much greater part it is being paid, and will continue to be paid, by the people of Palestine, be they innocent or guilty, be they Arab or Jew. And the situation that has arisen today, incredible and disgraceful to us as it is, was, to any one who faced the facts and who was not deaf and blind, as clear and as obvious and as inevitable as night following day. They were many in November who professed to believe -- they will allow me to doubt whether they did believe -- that enforcement would not be necessary. That is an order of simplicity which is quite beyond my comprehension, and if there were such as did in fact believe this to be a possibility then they must certainly have paid no heed to the protests and warnings of our Arab colleagues. Nobody who heard these debates as I have heard them could fail to be impressed with the warmth and the emotion and the conviction with which the representatives of the Arab states expounded their cause and warned the Assembly of the consequences. Nobody could have failed to realize the justice of much of what the Arabs represented to us. Nobody doubted that whatever decision was arrived at in connection with the Palestinian problem it would inevitably bring some degree of hardship, some degree of injustice to a substantial number of people. The problem, I repeat, was susceptible of no perfect solution. But if there were in this room any who believed that the partition of Palestine could be accomplished peacefully and with good will on all sides and without enforcement, then I must say that that is a degree of naivete which did them little credit. But of course, in human affairs, there is always an inclination to hope, which in turn leads to a belief, that all will be well. Quite often it is well, but it is seldom well unless somebody is working hard and with careful forethought to ensure that it is so. And the Assembly's solution could have been effective had we taken the necessary steps to ensure that it was.

There were others last November who, apprehensive, and justly apprehensive, that this great, and it was hoped, final attempt, to solve the Palestinian problem could not be carried out without force, were nevertheless content to believe that that force had in fact been provided. Those who answered New Zealand's repeated appeals for means of implementation told us of two sources of enforcement power which, by implication, they suggested were adequate. We were told in the first place that there was to be an Arab militia and a Jewish militia and that these two militias would be able to keep order. Well, that again shows an order of simplicity which is quite beyond my comprehension, and I pass that over for what it is worth. And finally, we were told that there was always the Security Council which would see to enforcement. Well, all that one needs to say in this connection is to ask delegates to regard the situation as it exists today and the steps that the Security Council has found itself able to take.

I repeat that the Assembly in its November decision did the right thing, but by reason of its failure to provide for implementation, it did the right thing in the wrong way, and because of our error then, as the result of our error then, we have the situation today. The result of our error is death, bloodshed, murder, outrage and agony in Palestine. The result of our error then is a grave risk that the Assembly of the United Nations, is in serious and humiliating danger of losing the public confidence upon which its authority in the last resort depends. We have today, therefore, an additional problem, not only how to do justice to both Jew and Arab, but how to avoid wrecking the authority and the influence of the Assembly. I say to you that neither this organization nor indeed any of its members can hope to give to the world the lead of which the world is so sorely in need, unless that lead is steady and consistent, unless the course that is set yesterday is the course that is followed steadily today and tomorrow. The alternative is inevitable confusion and dismay.

I am far from suggesting that where circumstances have altered policies must remain immutable, but the submission of the New Zealand delegation is this, that if partition with economic union was right in November, it is right today, and indeed, I have heard no logical suggestion to the contrary. The circumstances have not changed in the slightest. The only new factor that has arisen in respect of Palestine since the matter was so carefully considered and decided in November is a detestable series of murders and outrages in Palestine. And by both sides, for there is no one who can defend or explain or excuse the violence for which it seems clear certain sections of the Jewish community have been responsible, any more than it is possible to defend or explain or excuse the violence for which certain sections of the Arab community have been responsible. Both call for the strongest censure, the utmost detestation; both call for repression by lawful force. And if an attempt is made, as in logic no doubt it can be made to draw a distinction between Jewish activities as intended on the whole to support the decision of the United Nations in favor of partition, while the activities on the side of the Arabs are intended to destroy that decision, I say that an outrage is an outrage, and a murder is a murder, and it is our plain and obvious duty to see to it that outrages and murders are stopped.

And we are, I submit, clearly bound to ask ourselves, what, if anything we have done to further the objectives which we laid down last November, and to counter the opposition which we all knew would, and which in fact did, arise. I fear the answer is nothing. It is certainly very little, despite the earnest efforts of the Commission, and much quite obviously has been done with the contrary object.

It is now suggested, as I understand it, though the proposal is far from clear in some of its implications, and the various statements that have been made do not always appear to me to have been consistent, that because of this series of murders and outrages partition at this state has become impossible. I say to you not only that these abominable incidents should have been foreseen and prevented, but that to put them forward as a reason for abandoning the decision arrived at after most careful and anxious consideration only a few months ago seems to the New Zealand delegation to be a most fantastic distortion of logical thought. If, indeed, the considered decision of the General Assembly is to be stultified, to be defeated by the application of illegal and reprehensible violence, if the Assembly allows its decision to be abandoned because it is challenged and opposed by force, then the Assembly will be taking upon itself a responsibility which will bear tragic fruit for many generations to come.

But one is entitled to ask how is the Assembly to go about it to provide

force if force is necessary, as of course it is. I will not content myself by saying, as I am fully entitled to say, that force should have been provided last November, but I would venture very gravely to doubt whether the force that would be required to implement trusteeship would be any less than the force that would be required to implement partition. And if the members of the United Nations should be willing each to take its proportionate part in enforcing a decision of the United Nations in respect of a trusteeship for Palestine, those members should, on any logical basis, equally be willing to provide their proportionate share of a United Nations force to implement the decision to which it pledged itself last November.

That is the policy which the New Zealand Government has instructed me to support at this meeting. We still believe that, with all its defects, however imperfect we may all agree that solution is, the decision of last November is nevertheless the best solution that the situation offers. We believe that, having made the decision in November we should, undeterred by lawless violence, proceed to enforce that decision by the united action of the members of the United Nations.

And I call upon my colleagues to take thought, to take serious thought, before they abandon their decision of principle as the direct result of outrages and murders which might well have been foreseen and indeed, I believe, were foreseen before that decision was made. I call upon my colleagues in this Assembly to take thought, careful thought, before they strike that tragic, perhaps irreparable blow to the United Nations that would be involved in capitulation by the world to threats and violence. It is the old, old problem which the League of Nations was not prepared to face, and which the United Nations has not yet shown itself ready to face, whether we can hope to preserve peace and order in the world by words alone. We cannot, and anybody who contends to the contrary is not facing the facts. There is no place now for wishful thinking. While the New Zealand delegation will continue to support the enforcement of partition through the joint action of all members of the United Nations, we shall nevertheless join in the consideration of any proposal which offers prospects of ending the strife in Palestine and achieving a just settlement between the Jews and the Arabs within a reasonable period. And if it is found possible to achieve a truce between the contending parties on just and reasonable terms, I need not add how warmly such a development would be welcomed by the New Zealand Government.

But here is a test case, and believe me, the future of this organization and the future of the world may indeed depend upon the way in which it is decided. What the world needs today is not resolutions, it is resolution. And it is the most earnest hope of the New Zealand Government that the Assembly will adhere to the principles it accepted last November, and show that resolution which the situation demands. We must now, we dare not, add to the irresponsibility of our November decision for partition without enforcement, the further and final irresponsibility of a surrender to illegal force.

Will you allow me to conclude by commending to your attention one of the rules laid down by a very great American for the conduct of his life, a rule which is as true for this organization as it is true for any nation or any individual. Benjamin Franklin said "Resolve to perform what you ought; perform without fail what you resolve."



STATEMENT OF MOSHE SHERTOK,  
HEAD OF THE POLITICAL DEPARTMENT OF THE JEWISH AGENCY  
BEFORE COMMITTEE I OF THE GENERAL ASSEMBLY  
April 27, 1948

The present session was convened for the purpose of giving further consideration to the question of the future government of Palestine. This euphemistic phrase "further consideration" clearly portended a revision of the solution previously adopted. Though it was not sought formally to abrogate the Assembly's Resolution of November 29, 1947, the proposed trusteeship arrangement was tantamount to its complete reversal. The Resolution had stemmed from the recognition of two basic facts: first, that Palestine is ripe for independence; second, that within it exist two nations. Accordingly the Assembly decreed the creation in Palestine of two independent States linked in an Economic Union. Trusteeship does violence to both these basic realities. Palestine is forced back into subjection, to outside tutelage and the duality of its population is ignored.

From the standpoint of the Jews the proposal is totally unreal. For not only are the Jews expected to forego the independence and statehood accorded them by the Resolution. They are invited to accept a status which is no status at all: whatever the constitutional formulae, without any of the shields forged for the Jews by the Mandate, the Arab majority is bound to assert itself at their expense. None of the fundamental provisions of that document, which were designed to promote and safeguard the development of the Jewish National Home, is reproduced in the United States draft trusteeship agreement. The recognition, with all its corollaries, of the connection of the Jewish people throughout the world with Palestine is swept away.

Above all, the right of Jews, as Jews, to immigrate and settle in Palestine is no longer to be valid. The wording of the United States proposal on immigration alone would be enough to condemn the entire project in the eyes of the Jewish people. Presumably in an attempt to overcome these insuperable obstacles to Jewish acceptance of trusteeship, the honorable representative of the United States has painted a glowing picture of an era of economic prosperity and progress to be ushered in for Palestine by that regime- big irrigation works, attraction of capital, agricultural and industrial development, and what not. May I recall that Ambassador Austin has visited my country. He has had the opportunity of ascertaining at first hand that the progress of Palestine in our time has been primarily due to continued large scale Jewish immigration and to constructive Jewish initiative and capital investment which drew its strength and inspiration from but one source, the hope of rebuilding a free Jewish commonwealth. To deny to the Jewish people the fulfillment of that hope is to destroy their initiative and arrest the progress of Palestine. Trusteeship and economic progress in the context of Palestine are a contradiction in terms. A tree bears no fruit after its roots have been severed.

The Resolution of the Assembly, by establishing a Jewish State, albeit in a part of Palestine, provided for the fulfillment of the fundamental concept of the Palestine Mandate; it sought to realize in 1947, against the background of existing circumstances, what was originally conceived in 1917. It was true to the creative trend of modern Jewish history which has its roots in Jewish national independence in the ancient past and in age-long Jewish martyrdom. The United States trusteeship proposal disregards the past, flies in the face of present day realities and darkly beclouds the future.

The Jews of Palestine and the Zionist movement have rejected the trusteeship idea. The executive of the Jewish Agency and Jewish National Council in Palestine have declared their uncompromising opposition to any proposal which would prevent or delay the establishment of the Jewish State. In fact, it may be asked whether an attempt to revise or to set aside the Assembly's Resolution is not at variance with international law. Much has been said by opponents of the Resolution of its allegedly non-binding character in view of the fact that technically it is no more than a "recommendation." It is of course a truism that resolutions of the Assembly in matters which concern the national sovereignty of the members of the United Nations are mere recommendations which with all their moral and political weight have no binding character. But the Resolution on Palestine is different in essence. The problem here is not one of a conflict between two sovereign states in regard to which the Assembly can do no more than "recommend" a settlement. At stake in the case of Palestine is the future of a territory which is subject to an international trust, and which therefore constitutes a direct responsibility of the United Nations. It is not within the jurisdiction of any member of the the United Nations, but solely within that of the United Nations as a whole to determine the future of that territory, and that decision has a binding force. Moreover, we believe it to



be arguable that the decision of November 29, 1947 cannot legitimately be revoked or altered. That decision conferred statehood upon the Jews of Palestine as it did upon the bulk of the Palestine Arabs. Each group acquired rights under the Resolution which it cannot now be forced to renounce. It is significant that the Resolution throughout refers to the two states in terms which imply that they already exist. Now to go back on the Resolution and to re-impose on Palestine some form of international tutelage is to legislate out of existence an established fact.

But whatever the legal aspect of the situation, there can be no doubt as to its political realities. During the eight months, April to November, when the Palestine problem formed the subject of continuous and active examination by the General Assembly and its organs, the political status of Palestine was in suspense; but this has by no means been the fact since the end of November. The passage of the Resolution has released a process of change which has grown apace from week to week, and even from day to day, with the progressive liquidation of the Mandatory regime. While the present special Assembly deliberates, the position of Palestine does not remain static. Systematically or otherwise, the plan of partition is being implemented. It is not merely a question of setting up a central authority to administer the area of the Jewish State upon the termination of the Mandate on May 15. Such authority is already in operation, filling the vacuum, territorial and functional, which is produced by the shrinking of the Mandatory Administration. The Jews, in building up their government, are not merely striving to uphold and exercise their rights under the Resolution; their present course of action is imperatively dictated by the necessities of civilized life, and of life itself.

It is no longer a question of whether and when and with whose help will the militia of the Jewish State be set up. The Jewish militia is already in existence and in action, fighting its battles day in and day out. To impose a trusteeship is no longer a matter of substituting one resolution for another. It will have to contend with the compelling forces which produced partition and which have in turn been vastly accelerated by the acceptance of partition by the Assembly.

That the process of the establishment of the Jewish State had been made unnecessarily and tragically difficult needs no elaboration. When distinguished delegates speak of peaceful implementation as of a hope unfulfilled, they seem to forget that the Assembly's Resolution was adopted in the teeth of persistent threats to defy it by force, that the question of an international force to give effect to the Resolution had been discussed at considerable length on various occasions, and that no such force was provided, not because it was unnecessary, but because it was found impracticable. During the last regular session of the Assembly, the Jewish Agency had pointed out that if trouble in Palestine were localized, the Jews would be able to cope with it alone, but if the country were invaded by forces from the neighboring states, an international force would be called for, primarily because such an invasion would be an open revolt against the authority of the United Nations which it would be the duty of the United Nations to put down. We refer to the deterrent effect which the mere existence of an international force would exercise because there is no contradiction between peaceful implementation and availability of force. On the contrary, it is an axiom of international politics that readiness to use force is an indispensable condition of the maintenance of peace. At the same time the Jewish Agency declared that should formation of an international force prove, for any reason, impracticable, the Jews would be ready under any contingency, to carry the burden of defending themselves and their State alone, but in that event they would require and deserve assistance in arms.

Our fear that armed forces from neighboring countries might invade Palestine has materialized. The invasion is officially and publicly organized and financed by the governments of the Arab States, members of the Arab League and of the United Nations, in deliberate obstruction of the Assembly's plan. Documents which we have submitted to the Security Council contain conclusive evidence of our contention. The incursions of military formations from the neighboring countries into Palestine have proceeded in broad daylight under the very eyes of British military and civil authorities. The British navy has continued to blockade Palestine's seaboard against the arrival of vileless Jewish immigrants, but the land frontiers, north, east and south, were left open to the aggressor. Inside Palestine the British forces proved either unable or unwilling to put down Arab violence and to

protect Jewish settlements from attack. Sometimes they were of help; more often they turned against Jewish defenders; in most cases they stayed aloof. The United Kingdom Government continued to supply arms to Arab States under the existing treaties in disregard of the active part played by these governments in the invasion of Palestine. On the other hand, no armed assistance was provided to the Jews and they were left to fend for themselves. The appeals of the Jewish Agency for the relaxation of the United States embargo in favor of those defending themselves and the Assembly's Resolution were fruitless. So was our appeal to the Security Council for an international arms policy in defence of an international decision. The Security Council even found itself unable to declare the invasion of Palestine a threat to the peace within the terms of the Charter and of the Resolution on Palestine.

Encouraged by the Council's inaction and by the absence of any military assistance to the Jews by the United Nations, the Arab Governments and the Palestine Arab Higher Committee intensified their campaign of violence. The blustering commanders of the so-called Arab Liberation Army promised their followers the loot of Tel Aviv, the razing of all Jewish settlements to the ground and the hurling into the sea of the Jews who survived. Jewish Jerusalem found itself besieged. The Old City within the walls, with all its shrines, was allowed by the Administration to fall into the hands of fanatical Arab guerrillas. Its small Jewish community owed its survival only to the gallantry of its own defenders. The 100,000 Jews of Jerusalem were cut off from food and other supplies, and their communications with the outside world were disrupted by Arab bands operating outside the city. Jerusalem was shelled for the first time in its history.

In all these circumstances, the entire Jewish people of Palestine rallied to the supreme task of self-defense - defense of its life and property, of its rights and future. The defense organization of the Jewish community, the Haganah, came out into the open. It enrolled new members, improved its organization, increased its equipment as best it could. It had to be on the alert night and day in more than 300 Jewish villages and towns, never knowing where and when the enemy would choose to muster an overwhelming superiority of forces for a decisive blow. As a result, large proportions of manpower and equipment were immobilized in purely static defense. Inevitably the Haganah was compelled to assume the counter-offensive to tie up the enemy's resources, to forestall attacks and to strike at menacing concentrations of foreign troops. Above all, there was the imperative need to relieve isolated Jewish settlements and to save Jerusalem. To this day, every Arab attack against Jewish settlements has been repelled and not a single Jewish village or defense post has been evacuated anywhere in the country. As time went on, the Haganah in successful counter-attacks scattered the attacking forces and drove the enemy back to its bases. It occupied Arab strongholds, including villages and hilltops, commanding the main road to Jerusalem, which was thus reopened to food convoys. This daring enterprise was undertaken by the Haganah after every hope had to be given up of inducing the British authorities to protect the access to Jerusalem, and as the only means of saving the Jews of Jerusalem from starvation. But the position inside Jerusalem remained critical. The most revolting chapter of the present Palestinian situation is the fate of the great Hadassah hospital on Mount Scopus, adjoining the Hebrew University. The Arab command had converted an Arab quarter lying athwart the route from the hospital to the city into an armed stronghold from which all Jewish convoys, whether medical or otherwise, were attacked. On April 13th, after an assurance of safe conduct by the British authorities, a convoy carrying medical and university staff was blown up by land mines and attacked with machine-gun fire: 74 Jews, mostly doctors, nurses, university professors and students, were butchered, some of them burned to death. Though the massacre went on for hours, a British army unit stationed nearby took no action, while a Jewish defense unit was held up on the way to the scene. After the disaster, the hospital found itself completely cut off. British military authorities proceeded to negotiate - yes, to negotiate - with the bands entrenched in the Arab quarter to let food and hospital equipment through. The Arabs refused, insisting on the total evacuation of the hospital, and the British took no action. Again the Haganah had no choice but to act on its own, and on Saturday night, April 24th, after a fierce battle, the Arab bands were ejected and the Haganah forces occupied the Sheikh Jarrah Quarter. Promptly, British troops intervened and proceeded to shell the Haganah posts. The present situation in that quarter is obscure and the fate of the hospital hangs in the balance.

When British troops evacuated Haifa, the Haganah forces moved in to prevent the main part of the city, placed by the Resolution in the Jewish State, from falling into the hands of foreign Arab bands which had already infiltrated into it and attacked the Jews. By and large, we have broken the first wave of Arab aggression. It depends largely on international reaction whether the second wave will begin.

When I hear Arab spokesmen bemoaning the fate of Palestinian Arabs as innocent victims of wanton and brutal attacks allegedly perpetrated by the Jews, I am reminded of the old Arab proverb: "Darabani wa-baka, sabaqani wa-shtaka," which means, "He beat me and wept, ran ahead of me and complained." The Arabs are suffering from the boomerang effects of their own mischief, and their distress is self-inflicted. Were it not for the onslaught against the Jews initiated by the Arab Higher Committee and magnified to its present proportions by the Arab States, Palestine would today have been a peaceful country. Plagued by defeat, Arab representatives have sought refuge in wildly exaggerated allegations against the Jews. Typical was the report of the Syrian delegate about the events in Haifa. According to the formal statement presented to the Security Council by Sir Alexander Cadogan, the engagement in Haifa was started by the Arabs who attacked Jews for several days before the Jews took the action which brought the town under their control. The number of Arabs killed in the operation, according to official British sources, was about 100, and there was nothing to justify the term of massacre. ~~It would seem that a high ranking British officer in Haifa, in describing the events to a well-known foreign press representative, commended the smoothness with which the Haganah carried through the operation and the high regard its fighters had shown for human life.~~

The Arab spokesmen before this Committee have also distorted the facts about Arab civilian evacuation. It is by no means the policy of the Jews to drive Palestinian Arabs out of their towns and villages. On the contrary it is both our desire and our interest to show that Arabs can be perfectly secure within the Jewish State. Even before the Haifa engagement there had been a large-scale Arab exodus from Haifa running into tens of thousands. The reason was that these people had no heart for the fighting and did not want to be involved in trouble. The subsequent mass evacuation was dictated by Arab commanders in a military demonstration - with one eye on the Arab world and the other on this Assembly. In Tiberias there had been a truce between local Jews and local Arabs which lasted several weeks. It was broken by armed men who came in from outside and when the Jews counter-attacked, again it was the Arab command which called upon the people to leave.

In Jaffa, which is outside the Jewish State, truce negotiations initiated by the local Arabs were in progress two months ago when the town came under the command of an Iraqi officer who promptly ordered their discontinuance. When warned by the Arab mayor, he replied: "I don't mind the destruction of Jaffa if we secure the destruction of Tel Aviv." Arab attacks from Jaffa against Tel Aviv were resumed, as were the Jewish counter-attacks, and here too Arabs proceeded to flee.

We have made it clear in the Security Council that we would most sincerely welcome a truce provided it was not a mere sham, to be used as a mask for the preparation of further and more violent aggression. The conditions for a real truce must include an effective prevention of further armed incursions from outside and the removal of foreign bands already in Palestine. Nor must our rights under the Resolution be prejudiced. But even before the truce resolution was adopted by the Security Council, we offered to cease fire as soon as the other side did. Yet Arab attacks have not stopped, and judging by what we hear of conferences and preparations in the neighboring Arab capitals, we must be ready for greater ordeals. Arab heads of governments and military chiefs are assessing the results of the first wave of invasion, which was a fiasco, and are preparing for a new phase of their military adventure. Forces composed of guerrilla volunteers with a mere sprinkling of regular officers have failed, they are now considering the dispatch of regular armies across the frontiers. For a long time past, there has been a plan for the invasion of Palestine by the armies of Saudi Arabia and Egypt from the south, Iraq and Transjordan from the east, and Syria and Lebanon from the north, possibly with a view to eventual partition of the territorial spoils between Palestine's neighbors. Iraq is now in the throes of an acute



economic and financial crisis and is reported to be urgently appealing for outside help, yet notwithstanding internal difficulties, she is reported to be ready to dispatch for direct and overt intervention in Palestine.

But the spearhead of this new campaign of aggression is to be, according to reports, the Arab Legion, the army of Transjordan. Units of this Legion have for a long time past been stationed in Palestine as part of the British garrison. Their presence has been a constant menace. Of late they have taken an increasing part in Arab aggression in Palestine. The other day we were assured by the representative of the United Kingdom in the Security Council that the Legion would be removed from Palestine before May 15th. Yet only yesterday we read that the main airport of Palestine at Lydda which belongs to the Jewish State was, upon the withdrawal of British personnel, occupied by the Arab Legion. So were the British barracks in Jerusalem. At the same time the King of Transjordan is reported to have stated officially that his troops would soon march into Palestine, bent on conquest. He is now being credited with the intention of himself marching into Jerusalem, at the head of a composite column of troops of the Arab League, to be crowned as King of Palestine.

It is obvious that the Legion can move into Palestine, whether before or after the 15th of May, with the same ease and facility with which the invading Arab forces have hitherto moved in. The Transjordan Government jointly with the Government of the United Kingdom would then be responsible for a most critical situation. Though the Transjordan Government is seeking admission to the United Nations, it apparently feels free to violate the Charter with impunity. Certainly the United Nations is not powerless to halt this flagrant move to open warfare. The responsibility of the Government of the United Kingdom is equally unmistakable. The Anglo-Transjordanian Treaty which has just been renewed provides for full military alliance between the two countries and the establishment of a Joint Defense Board. Under the treaty, the Government of Transjordan receives an annual subsidy of \$8,000,000 from the United Kingdom for the maintenance of the Legion. The commander and other senior officers of the Legion are appointed by the British Government, and the Government of Transjordan may not undertake offensive operations outside its own territory without consulting its ally. We understand that British evacuation plans include the supply of all operating requirements for the next eight months. If Transjordan brings war to Palestine, the British Government will be responsible, and if the whole issue is not placed on the agenda of this Committee and of the Security Council, then it cannot be said that the United Nations is dealing with the realities of the Palestine crisis.

I ought to make it clear, Mr. Chairman, that while we believe that this threatened invasion of Palestine by the regular armies of the Arab States around us calls for very firm action by the United Nations, we ourselves are making every possible preparation to meet the next phase of the onslaught with our own forces. We certainly do not regard the Arab Legion as invincible and we are prepared to join issue with it. Our strength may be limited but there is nothing that a people conscious of its past and cherishing its future will not do in defense of its life and liberty, if forced to. We know we shall be helped by Jews throughout the world, wherever they may be. We are as appreciative as any other people of the boon of peace. But like any other freedom-loving nation, we do not set peace above everything else in life. Peace is a means to higher ends, not an end in itself. Moreover, the terms of the Arab Higher Committee or the Arab League, would place us on the precipice of national as well as of physical extinction. That would certainly not mean peace.

This debate is already twelve months old, yet it keeps reverting to the roots of the problem and to its most fundamental aspects. Notably, the distinguished delegate of the Lebanon has made a renewed intellectual effort to probe the problem to its very foundations. I appreciate the honesty of his purpose, but I deplore the mental or psychological obstacle which he has not managed to overcome. That obstacle is the refusal, conscious or otherwise, to concede to the Jews what is regarded as the natural and elemental birthright of any other people under the sun, namely, its right to a country which it can call its own, its right to a complete mastery over the conditions of its life, its right to accommodate within that country as many of its sons and daughters as it can, its right to a seat in the family of nations and its right to make its own distinctive contribution in all fields of endeavor to the common stock of mankind. The delegate of the Lebanon is prepared to concede us many things: full civil and political rights, complete freedom of



religious worship, full opportunity to develop our Hebrew language and culture, and so on. He denies us only one thing: equality - not individual equality, which he grants - but collective equality - equality of status for the Jewish people with all other nations. So long as you do not realize that the Jewish people as a people is homeless and that homes for individuals, happy and prosperous as they may be - if they are - are no substitute for a home for the people, you do not begin to touch the core of the Jewish problem and it is idle for you to attempt a solution.

Dr. Malik seems to forget - or maybe he does not - that all the blessings he would bestow on us in the Palestinian state of his conception are fully enjoyed today by Jews as individuals in every democratic and progressive country. Nevertheless, the yearning for Zion persists, for here the soul of the people seeks its redemption, and only here can the body of the people as a national entity achieve its renaissance. Dr. Malik assures us that in the Palestine State, in which the Jews would give up their claim to a separate collective identity, they would be able to hold the highest offices, including appearance as delegates of that State to the United Nations. Does he really imagine that such a prospect is so startlingly novel in Jewish history? There was a time when the Foreign Minister of the Second German Reich was a Jew and he appeared in that capacity in the highest international councils. It is not so long ago that the Prime Minister of France was a Jew who, by virtue of his position in French life, may at any time be called to fill that office again. In modern times, there have always been Jews in the governments of Great Britain. In the United States, Jews have held and are holding state positions of the highest dignity. All these honors and distinctions, of which those directly concerned and other Jews were rightly proud, did not advance the Jewish people one step towards the solution of its problem as a people. Only a territory of its own, in whose history the people has deep roots and over whose future it has the unchallenged mastery - in brief, statehood in its own country - can solve the problem.

This is the historical aspect. But what of the practical problem as it affects today the 700,000 Jews of Palestine and those hundreds of thousands who are determined to settle there? Dr. Malik appealed to us, Palestine Jews, to seek integration into our Arab environment and abandon all claims to "separate existence". If by "integration" he means that we should seek to get closer to our environment, that we should study its language and its ways of thought, that we should forge links with our neighbors near and far, then he is right and this is exactly what we are trying to do. But if by "integration" he means that we should strive to dissolve in our environment, then he asks for the impossible, and what is more, he commits an injustice for he seeks to do to us what he does not want done to himself. His own country, the Lebanon is far less sharply differentiated from the rest of the Levant than we in Palestine are from our Arab neighbors, yet the Lebanese people rightly regard an independent political status as an essential condition of their harmonious integration into the Arab world as a whole.

For us no question of integration into the Arab world exists, for we are not nor do we wish to be Arabs. It is the essence of our return to Palestine that there, and there alone, we can live as Jews and nothing else. We do not cut ourselves off from the world around us; on the contrary, we are anxious to be connected and associated with it as closely as we can; but we do not give up our corporate identity; rather are we anxious to develop it to the highest level attainable, as our neighbors do, as do all nations. We believe that the very process by which each of the countries around us has attained its separate independence and sovereignty makes our claim to statehood unanswerable. We also know that we are already a nation and that the process of our complete emancipation as a sovereign state in the part of Palestine assigned to us will prove irresistible.

We do not base our claim on any cultural or economic superiority. But it is indeed singular that a man of Dr. Malik's intellectual stature should be prompting us to conform to the patterns of life which characterize the countries of the Arab East - some of which are centuries behind us in education, social structure and economic development - and yet should deny us equality of status, even with the most primitive of them. It is equally singular, if not absurdly incongruous, for the United States to endorse the claim of these relatively primitive societies to sovereignty and membership in the United Nations and yet advocate further tutelage for both peoples of Palestine.

In all his admonitions to us, Dr. Malik appears to assume that the Jews by a mere act of will can surrender their independent existence and renounce immemorial aspirations to the reconstitution of their State. He reveals how profoundly even most cultivated Arab minds persist in misunderstanding or underestimating the historic motives and all the strains and stresses of Jewish life. The idea that a people should rest content with a disembodied culture and give up its claim to free political institutions would sound too ridiculous to merit any serious thought if applied to any other nation. The United Nations itself is conclusive proof that the independent sovereign state is the only normal unit of national activity - the only recognizable constituent part of the international world.

That the attainment of statehood by the Palestine Jews would have been infinitely easier if it did not involve the inclusion in the Jewish State of 350,000 Arabs living today within its area, is axiomatic. But the retention in the Jewish State of this Arab minority is by no means such an enormity in ethics and in practical politics as some of the more violent critics of the plan of partition would represent it to be. As has been pointed out time and time again, justice and practicality are relative concepts in the highly complex and most closely integrated international scene of today. The question is, in which case would injustice and practical difficulty be greater: if less than one-third of the Palestine Arabs were left in the Jewish State while remaining surrounded by masses of their kith and kin in the neighboring countries, all of which, including the newly to be formed Palestine Arab State, would enjoy full sovereignty and independence, or if twice that number of Jews were left as a permanent and completely isolated minority in an Arab State with the Jewish people as a whole deprived of statehood forever?

It would appear that the coupling of an economic union with partition should have been regarded as a further safeguard for the Arab minority, added to its ethnic unity with the wider Arab perimeter, its geographic contiguity with independent Arab states and the self-interest of the Jewish State to mete out to it the fairest treatment possible. Yet the Lebanese delegate repeats the theses of the distinguished representative of Pakistan that there is something absurd or anomalous about the idea of economic unity combined with political separation. In reality, this is one of the most advanced conceptions which modern political thought has produced. It would be worthwhile in this connection to recall the following extract from the speech of the representative of the Netherlands at the General Assembly on November 26, 1947:

"We are convinced that the establishment of a unitary state would not be the appropriate solution for the United Nations to preach now. Historically speaking it is a fact that nearly always in all parts of the world where there was to be found a historically formed difference between peoples whom destiny brought together, no solution in the direction of a unitary state has proved to be workable. After the Napoleonic Wars, Belgium and the Netherlands were brought together in one unitary state. Although our two peoples had very close ties, relations and interests...this unitary state ended rapidly and unsuccessfully. The differences between Arabs and Jews now are much greater...than those between Belgium and the Netherlands in 1830. Now, together with Luxembourg, those countries are reunited, not politically but economically, and now what counts is not our political separation but our union for economic purposes...History has taught our three countries this valuable lesson of independence combined with unity for certain important but limited purposes. We try to apply this lesson earnestly because we believe strongly that this is the best way to freedom, prosperity and the safeguarding of minorities. We believe this not only because it is our own way, but because it is also a very human and intrinsically democratic way."

Failing to learn this lesson, Dr. Malik denies both principles - separate political independence and economic unity. He calls upon the Jews to commit political suicide and then proceeds to brandish over their heads the threat of economic boycott. It was astounding to hear the President of the Social and Economic Council uphold as a "sovereign right" this expedient of economic warfare which every provision of the Charter enjoining economic cooperation, and full collaboration between nations generally, implicitly condemns.

To divert in this context to the trusteeship idea, it is no paradox to say that the plan of partition with economic union leads through separation to the eventual

highest degree of attainable unity, whereas trusteeship, by the imposition of artificial unity, is bound to widen the gulf between the two peoples and is liable to make it eventually unbridgeable. For under trusteeship as under the Mandate, the two parties will seek their self-expression by a continuous pressure and counter-pressure on the third party, that is the trustee, and will thereby pull apart and sharpen their differences; whereas under partition they will face each other as equal partners, bear the full brunt of direct responsibility and be driven by the impact of their own interests to accept their mutuality and come to terms, both within the economic union and beyond it.

Incidentally, the representative of the Arab Higher Committee again tried to assail the plan of partition on legal grounds by invoking the arbitrary theory that the termination of the Mandate can only result in the conversion of the mandated territory into a unitary state. Not only is there no vestige of evidence in support of this theory in the Mandate itself, but the actual course of events which has so far attended the liquidation of mandates has produced two major precedents in support of partition. France was granted one mandate by the League of Nations for the Levant territory, yet that territory comprises two states, Syria and Lebanon. The Palestine Mandate itself is another case in point. There was one mandate for Palestine and Transjordan, yet its oneness did not prevent the first partition of Palestine, the setting up of Transjordan as a separate Arab Kingdom, nor has any Arab national institution ever voiced a protest against this procedure.

The delegate of the Lebanon concluded by inviting the Jews to face an either/or. But the alternative which he commends- that of collective renunciation by the Jews of the very essence of their ideal- is a purely imaginary one. The sooner Dr. Malik and his friends give up this peice of wishful thinking and accept the reality of Jewish nationhood, the better for all concerned. It is thus the Arabs who are faced with an either/or, and in their case the positive alternative is fully practicable and entails, comparatively speaking, a very small sacrifice for which a peaceful and more prosperous future will be an ample compensation. Either they will pursue a sterile campaign which will absorb all their best energies to no constructive purpose or conclusive result, with the vain object of crushing the Jewish nation- that stiff-necked people- out of existence; or they will acknowledge the Jewish right to Statehood, based on history and on the facts of today, and will then accept the Jewish Palestine as an equal partner in the great enterprise of regenerating the Middle East. The choice is between perpetual, aimless discord and immediate, fruitful peace.

Above all, let it not be forgotten that history has seen few more impressive proofs of mass determination than that provided by the transports of Jewish refugees which, despite all hardships and hazards, continue to cross the sea on the way to Palestine. Will the Arab navies stop them?

Mr. Chairman, we shall never cease to offer peace to our neighbors and to pledge our cooperation and association with them, provided our elementary claim to equality of status is accepted and our need for growth and development within a reasonable part of Palestine- the part assigned to us by the Assembly's Resolution- is satisfied. We shall accept nothing else than a State. We shall accept nothing less than that area. But as a State within that area, we shall solemnly undertake to respect its boundaries, scrupulously to observe the obligation of full equality of civil, religious and political rights to all our co-citizens, and effectively to cooperate with the neighboring states within such organized framework as may be found acceptable for the common benefit of all. An alliance based on mutual non-aggression and on joint economic and development activities would find in us a most willing partner. But the starting point must be equality of status. Our claim for statehood is inherent in our elementary human dignity. Our striving for it draws its strength from the eternal bond between us and our country and from the centuries of exile and persecution. Our urge to attain it now is the direct result of the impact of world events upon the position of the Jewish people in Palestine and in other parts of the world. For all those who have eyes to see, the Jewish State already exists. Jewish control of the Jewish State area is a growing reality. Arab rule over the Jewish area is a flight of fancy. The full-fledged development and international recognition of the Jewish State cannot be long delayed. All the energies of the Jewish people are mobilized to bring about that consummation.