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The Jewish State in Palestine, 1947.

United Nations

Nations Unies

**GENERAL
ASSEMBLY**

**ASSEMBLEE
GENERALE**

UNRESTRICTED

A/C.1/P.V. 50
8 May 1947
English
SIMULTANEOUS

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VERBATIM RECORD OF THE FIFTIETH MEETING
OF THE FIRST COMMITTEE OF THE GENERAL ASSEMBLY

FIRST SPECIAL SESSION

Lake Success, New York
Thursday, 8 May 1947 at 11:00 a. m.

CHAIRMAN:	Mr. L. B. PEARSON	(Canada)
VICE-CHAIRMAN:	Mr. Padilla NERVO	(Mexico)
RAPPORTEUR:	Mr. KAUFFMAN	(Denmark)

CHAIRMAN: The Fiftieth Meeting of the First Committee is called to order.

CONSTITUTING AND INSTRUCTING A SPECIAL COMMITTEE TO PREPARE FOR THE CONSIDERATION OF THE QUESTION OF PALESTINE AT THE SECOND REGULAR SESSION (document A/C.1/136)

CHAIRMAN: We can now proceed with our business. The Committee will recall that yesterday it passed a resolution that it be proposed to the President of the General Assembly that a plenary meeting be called at once to consider the following resolution:

"That the First Committee grant a hearing to the Arab Higher Committee on the question before the Committee."

That resolution was referred to the President of the Assembly who discussed the matter, as you know, with the General Committee, as a result of which a plenary session was held yesterday afternoon at which the resolution which had been circulated in document A/C.1/155, as follows, was passed:

"THE GENERAL ASSEMBLY affirms that the decision of the First Committee to grant a hearing to the Arab Higher Committee gives a correct interpretation to the Assembly's intention."

It is satisfactory to know that the Committee is carrying out the Assembly's intention in this matter.

In connection with this decision taken yesterday afternoon at the Assembly, the Member of the Committee from Guatemala has asked whether the Committee would permit him to make a short statement explaining his vote. This procedure is, of course, somewhat irregular, to explain in this Committee a vote taken in the Assembly, but I am sure the Committee would not object to



extending that privilege to the Member of the Committee from Guatemala. If there is no objection, I will ask him to make that statement now.

Mr. ZEA-GONZALES (Guatemala) (Interpretation from Spanish): Thank you, Mr. Chairman. I have the honour of addressing you, especially as fellow representatives for the purpose of avoiding misunderstandings and interpretations on this matter, which lend itself to incorrect interpretations, from the very moment which we took into account, with unnecessary emphasis, that we were placing in doubt the confidence which the President of the Assembly deserves. Thus, this incident was so involved that a negative vote would have been quite explicable. I wanted to do so, but I did not have the chance and therefore I could not express my opinion.

I wish to state very clearly that the delegation of Guatemala will always be against abnormal and obscure procedures. Guatemala maintains a position which is perfectly impartial, on this problem, and thus it can be clearly seen, by the previous rule, that it has completely afforded all interested parties the opportunity of expressing their points of view here. This impartiality, I must emphasize, is not only official but also a personal matter with the Members of my delegation.

CHAIRMAN: We will now return to the item on our agenda which we were discussing yesterday, when the resolution was introduced by the Member of the Committee from India. Several Members of the Committee, I know, are still anxious to speak on that item. Before calling on those Members of the Committee, I would like to inform the Committee that I have received the following telegram, addressed to the Secretary-General of the United Nations, from the Secretary of the Jewish Agency for Palestine:

"Replying to your kind telegram of May 6 informing us of the text of the telegram sent simultaneously to Jerusalem, permit us to state, in the name of the Jewish Agency for Palestine, that we are pleased to accept the invitation of the General Assembly, and designate the following as our authorized representatives, namely, David Ben-Gurion, Dr. Abba Hillel Silver, Moshe Shertok, Hayim Greenberg, Mrs. Rosa Halprin, Nahum Goldmann, Dr. Emanuel Newman."

The Jewish Agency has indicated that it is now ready, through its authorized spokesman, a Member of its delegation, to make the statement which they have been invited to make by decision of the Assembly.

I would suggest to the Assembly that it might be desirable to hear that statement now, if no Member of the Committee objects to that procedure. At the end of that statement, it may be that some Member or Members of the Committee may wish to address oral questions to the representative of the Jewish Agency, on points arising out of that statement. I think it might be desirable to take advantage of their presence at this time, to address those questions, if they are in the minds of the Members. I venture also to suggest, for consideration of the Committee, that if any points are made in the statement of the Jewish Agency on which the Committee desires to receive further information, that possibly those points may be referred to in written questions to the Chairman of the Committee who could send them to the representatives of the Jewish Agency, and it might be desirable for the Committee to recall the delegation of the Jewish Agency to a subsequent session, to deal with those points which may arise in these written questions.

Now that is merely a suggestion that I make to the Committee with regard to the procedure of dealing with this matter. If it commends itself to the Committee, then I would call on the spokesman for the delegation of the Jewish Agency for Palestine, to take his place at our Committee table.

• Mr. GONZALES-FERNANDEZ (Colombia): I want simply to point out that I find the procedure suggested perfectly agreeable and a very good resume of all the things that have been said about the way of hearing the different agencies. I would like you to please, if you have no objection to it, extend that procedure to any other agency which will be heard by the Committee, so that we may have a sort of uniform handling of this problem, in a general way.

CHAIRMAN: I think that is a very sensible suggestion, and if the procedure I have outlined commends itself to the Committee, it might well, of course, be extended to cover any statements made by any other non-governmental agency who may be invited to appear before the Committee.



Col. HODGSON (Australia): I wish to be clear on this point. You said "oral questions", and then you went on to refer to "written questions". Do you mean we can ask the oral questions, through you, while they are here and subsequently, if we so desire, follow that up by written questions? I am not quite clear on the point.

CHAIRMAN: That is the idea I had in mind which I have put out for the consideration of the Committee. The Committee will decide. But I thought that at the end of the hearing this morning some Members of the Committee might wish to address oral questions to the spokesman. On reflection, and after reading the statement of the spokesman for the Jewish Agency, other points may arise and it may be that some Members will wish to address written questions through me, as a result of which it might be desirable to call on the spokesman for the Jewish Agency for a further statement.

Mr. GROMYKO (USSR) (Interpretation from Russian): If you have in mind written questions which will be made in addition to the oral questions and the statements which the representatives of the Jewish Agency and the Arab organizations plan to make here, I would say that it would be a suitable procedure. Certainly there would be no reason to object to a procedure which would make it possible for Members to ask oral questions of the representatives of the organizations and to request them to reply to those questions.

On the other hand, if you have in mind the substitution of the oral questions or oral statements which the representatives would like to make here to the Committee by written questions, as well as by written replies, then I would say that it would not be a very suitable procedure. Neither do I think this procedure would correspond to the decision which we have taken to the effect that the views of the representatives here should be heard in the Political Committee, and I hope you had in mind not the second alternative

which I have mentioned, namely, the substitution of oral questions by written questions, since the organizations were given the right to make their views heard. If it were the latter, it would be a rather autocratic procedure, and I hope you had in mind the first alternative which I have mentioned, namely that the statements which will be made here by these representatives of the Jewish and Arab organizations in an oral form may be supplemented by questions and answers in a written form.

CHAIRMAN: In reply to the representative of the Soviet Union, I am sorry I did not make it clear that I had in mind the first alternative, that the written questions to which replies might be received later in a subsequent statement would be supplementary to the oral questions and replies and would not in any way replace them. That is what I had in mind.

Are there any further comments on this procedure?

(No response.)

CHAIRMAN: If that procedure is agreeable, it might be applied to the representatives of other agencies when the occasion arises.

I will now call on the spokesman of the Jewish Agency for Palestine, who will make his statement, after which there will possibly be oral questions, and when those questions have been dealt with the Committee will proceed with its discussion of the item on the agenda, as there are several members on the list of speakers. If there is no objection, we shall ask the spokesman of the Jewish Agency for Palestine and his colleagues to take their place around the table.

(At this point, Dr. Abba Hillel Silver, representative of the Jewish Agency for Palestine, took a seat at the Committee table.)

and for some years now, has been made extremely difficult by unilateral action and by decisions made, presumably within the terms of a mandatory trust, but actually without the sanction or supervision of the international body which established that trust and which defined both its limits and its purposes.

The administration of Palestine has, since the outbreak of the War, been conducted by the mandatory power as ^{if} it were vested with the sovereignty of Palestine; whereas, it is assumed to administer that country, of which it was not the sovereign, as a trustee for carrying out the purposes of the mandate which clearly defined its rights and its obligations.

The problem of Palestine is, of course, of paramount importance to the Jewish people and that fact, I take it, motivated the General Assembly of the United Nations to extend an invitation to the Jewish Agency of Palestine to present its views. We thank all those who so warmly urged our admission for their goodwill and their gallant action. The Jewish Agency, you will recall, is recognized in the mandate for Palestine as a public body authorized to speak and act on behalf of the Jewish people ⁱⁿ and out of Palestine in matters affecting the establishment of the Jewish National Home.

It is the only recognized public body in the Mandate. It is recognized as such, to quote Article 4, "...for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country."

Under Article 6, the Jewish Agency is entitled, further, to co-operate with the Administration in permitting "...close settlement by Jews on the land"; and, by Article 11, it is given a preferred status in respect to the construction and operation of public works and the development of the natural resources of the country.

The Jewish Agency, which we have the honour to represent, therefore speaks not merely for the organized Jewish community of Palestine, the democratically elected National Council of Palestine Jews, who are today the pioneering vanguard in the building of the Jewish national home; it speaks also for the Jewish people of the world, who are devoted to this historic ideal, for it was charged, by the same Article 4 of the Mandate, "...to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home."

I have spoken of "the Jewish people" and "the Jewish national home." In defining the terms of reference of the committee of inquiry which you are to appoint, and in all the committee's future investigations, these, in my judgment, should be regarded as key terms and basic concepts. They were the key terms and the basic concepts of the Balfour Declaration and of the Mandate under which Palestine is, or should be, administered today. To proceed without relation to them would be to detour into a political wilderness as far as Palestine is concerned. To treat the Palestine problem as if it were one of merely reconciling the differences between two sections of the population presently inhabiting the country, or of finding a haven for a certain number of refugees and displaced

persons, would only contribute to confusion.

The Balfour Declaration, which was issued by His Majesty's Government as a "...declaration of sympathy with Jewish Zionist aspiration," declares:

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people."

The Mandate, in its preamble, recognizes "...the historical connection of the Jewish people with Palestine" and "...the grounds for reconstituting"-- I call your attention to the word "reconstituting"--"their national home in that country."

These international commitments of a quarter of a century ago, which flowed from the recognition of historic rights and present needs, and upon which so much has already been built in Palestine by the Jewish people, cannot now be erased. You cannot turn back the hands of the clock of history.

Certainly, the United Nations, guided by its great principle, proclaimed in its Charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained," can never sanction the violation of treaties and of international law.

Having this and similar situations in mind, a specific provision, you will recall, was written into the Chapter of the Charter of the United Nations which deals with territories which might become trusteeship territories, and which is therefore especially applicable to territories now under mandate. This is Article 80 of the Charter, which reads: "Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties."

It is the perspective of your committee of inquiry on the entire problem which, in our judgment, will prove decisive. It will give direction and will greatly expedite its work, and its conclusions will prove of constructive significance, if it will keep the proper perspective always in view.

A generation ago, the international community of the world, of which the United Nations today is the political and spiritual heir, decreed that the Jewish people should be given the right, long denied, and the opportunity to reconstitute their national home in Palestine. That national home is still in the making; it has not yet been fully established. No international community has cancelled or even questioned that right. The Mandatory Power, which was entrusted with the obligation to safeguard the opportunity for the continuous growth and development of the Jewish national home, has unfortunately, in recent years, grievously interfered with and circumscribed it. That opportunity must now be fully restored.

When will the Jewish national home be an accomplished fact? The answer to that question may well be given by the man who was Prime Minister of Great Britain at the time when the Balfour Declaration was issued. I am quoting the testimony of Mr. Lloyd George, given before the Palestine Royal Commission in 1937:

"There could be no doubt," he said, "as to what the Cabinet then had in their minds. It was not their idea that a Jewish state should be set up immediately by the peace treaty. On the other hand, it was contemplated that, when the time arrived for according representative institutions to Palestine, if the Jews had meanwhile responded to the opportunity afforded them and had become a definite majority of the inhabitants, then Palestine would thus become a Jewish commonwealth."

"The notion that Jewish immigration," he continued, "would have to be artificially restricted in order to insure that the Jews would be a permanent

minority, never entered into the head of anyone engaged in framing the policy. That would have been regarded as unjust and as a fraud on the people to whom we were appealing."

This same answer could also be given by Mr. Winston Churchill, who was an important member of the Government which issued the Balfour Declaration; by General Smuts, who was a member of the Imperial War Cabinet at the time and who foretold an increasing stream of Jewish immigration into Palestine and "in generations to come, a great Jewish state rising there once more"; by Lord Robert Cecil, and by many others.

American statesmen shared this view of the Jewish national home. Thus, President Wilson, on March 3, 1919, stated: "I am persuaded that the Allied nations, with the fullest concurrence of our own Government and people, are agreed that in Palestine shall be laid the foundations of a Jewish commonwealth."

That the Government of the United States does not now consider the Jewish national home as already established is clearly stated in the letter of President Truman to King Ibn Saud, of Saudi Arabia, dated October 29, 1946. He wrote: "The Government and people of the United States have given support to the concept of the Jewish national home in Palestine ever since the termination of the first World War, which resulted in the freeing of a large area of the Near East, including Palestine, and the establishment of a number of independent states which are now Members of the United Nations."

"The United States," wrote President Truman, "which contributed its blood and resources to the winning of that war, could not divest itself of a certain responsibility for the manner in which the freed territories were disposed of or for the fate of the peoples liberated at that time. It took the position, to which it still adheres, that these people should be prepared for self-government, and also that a national home for the Jewish people should be established in Palestine."

"I am happy to note," declared the President, "that most of the liberated peoples are now citizens of independent countries. The Jewish National Home, however, has not as yet been fully developed."

It should, of course, be clear -- and I regret that statements made by certain representatives in recent days have tended to confuse what should be clear -- that when we speak of a Jewish State; we do not have in mind any racial State or any theocratic State but one which will be based upon full equality and rights for all inhabitants without distinction of religion or race and without domination or subjugation. What we have in mind by the Jewish State is most succinctly stated in a resolution adopted by the British Labour Party in 1945 -- now represented by the present Government of United Kingdom which requested this special session of the United Nations. I am quoting:

"Here, we halted halfway, irresolutely between conflicting policies. But there is surely neither hope nor meaning in a Jewish National Home unless we are prepared to let the Jews, if they wish, enter this tiny land in such numbers as to become a majority. There was a strong case for this before the war and there is an irresistible case for it now."

When your Committee of Inquiry will come to consider proposals for the future Government of Palestine, this inescapable and irreducible factor -- the international obligation to ensure the continuous development of the Jewish National Home -- should be kept, in our judgment, constantly in mind. I believe it would be extremely helpful to the Committee of Inquiry if the Mandatory Government would present the account of its stewardship of the Palestine Mandate to it rather than wait for the next Assembly of the United Nations. It would assist the Committee in thinking through the problem and at arriving at helpful recommendations for the future Government of Palestine.

It is illogical, I fear, to ask the Committee of Inquiry to consider the future Government of Palestine without first making a thorough study of the present Government to discover what was faulty in the present administration, what neglect and what deviations occurred to have brought about a condition so dangerous and explosive as to necessitate the convoking of a special session of the United Nations to deal with it.

I believe that the Committee of Inquiry should most certainly visit Palestine. Written documents are important but infinitely more instructive are the living documents, the visible testimony of creative effort and achievement. In Palestine, they will see what the Jewish people, inspired by the hope of reconstituting this National Home after the long weary centuries of their homelessness and relying upon the honour and the pledged word of the world community, has achieved in a few short years against great odds and seemingly insurmountable handicaps. The task was enormous.--Untrained hands, inadequate means, overwhelming difficulties. The land was stripped and poor, neglected through the centuries. And the period of building took place between two disastrous world wars when European Jewry was shattered and impoverished. Nevertheless, the record of pioneering achievement of the Jewish people in Palestine has received the acclaim of the entire world. And what was built there with social vision and high human idealism has proved a blessing, we believe, not only to the Jews of Palestine but to the Arabs and to other non-Jewish communities as well.

That the return of the Jews to Palestine would prove a blessing not only to themselves but also to their Arab neighbors was envisaged by the Emir Feisal, who was a great leader of the Arab peoples, at the Peace Conference following the First World War. On March 3rd, 1919, he wrote:

"We Arabs look with the deepest sympathy on the Zionist Movement. Our deputation here in Paris is fully acquainted with the proposals submitted yesterday by the Zionist Organization to the Peace Conference and we regard them as moderate and proper. We will do our best, in so far as we are concerned, to help them through. We will wish the Jews a most hearty welcome home. I look forward, and my people with me look forward, to a future in which we will help you and you will help us so that the countries in which we are mutually interested may once again take their places in the community of civilized peoples of the world."

Your Committee of Inquiry will conclude, we are confident, that if allowed to develop uninterruptedly the standards of life which have been developed in Palestine, the concepts of social justice and the modern scientific method will serve as a great stimulus to the rebirth and progress of the entire Near East with which Palestine and with which the destinies of the Jewish National Home are naturally bound up.

Your Committee of Inquiry should also consider the potentialities of the country which, if properly developed, can, according to the expert testimony of those most qualified to speak on the subject, sustain a population much greater than the present one. Many more projects, which will result in great economic and social improvement not alone in Palestine but in all the neighboring countries, are awaiting development pending a satisfactory political solution.

The Committee of Inquiry should, while in Palestine, also look into the real, the fundamental causes of the tragic unrest and violence which today mar the life of the Holy Land to which our Jewish pioneers came, not with weapons but with tools. They will inquire, I am sure, why a peace-loving community, whose sole interest was in building a peaceful home and future for themselves and their children, is being driven to a pitch of resentment and tension and

lamentably driving some of its members to actions which we all deplore.

They will ask themselves, I am sure, why shiploads of helpless Jewish refugees -- men, women, and children who have been through all the hells of Nazi Europe -- are being driven away from the shores of the Jewish National Home by a Mandatory Government which assumed, as its prime obligation, to facilitate Jewish immigration into that country.

They will also investigate, I hope, how the Mandatory Government is carrying out another of its obligations which was to encourage close settlement of the Jews on the land; when, in actual practice, it is today severely restricting free Jewish settlement to an area less than six per cent of that tiny country, and is enforcing today in the Jewish National Home discriminatory racial laws which the Mandate, as well as the Charter of the United Nations, severely condemns.

By way of digression, let it be said -- if it need be said at all -- that we are not engaged, nor shall we be engaged, in any criticism or condemnation of the people of the United Kingdom. We have no quarrel with them. On the contrary, we have the highest regard and admiration for that people and for its monumental contributions to democratic civilization; and we shall never forget that it was the United Kingdom which first among the nations gave recognition to the national aspirations of the Jewish people. It is only a wrong and unjustifiable policy which contradicts and tends to defeat the far-visioned British statesmanship of earlier years which we condemn.

We hope most earnestly that the Committee of Inquiry will also visit the Displaced Persons Camps in Europe and see with their own eyes the appalling human tragedy which mankind is permitting to continue unabated two years -- it is exactly two years today since VE Day -- after the close of the war in which the Jewish people was the greatest sufferer.

While committees of investigation and study are reporting on their sad plight, and while inter-governmental discussions and negotiations are going on, these war-ravaged men and women are languishing in their misery, still waiting for salvation. They ask for the bread of escape and hope; they are given the stone of inquiries and investigations. Their morale is slumping terribly. A spiritual deterioration, I am afraid, is setting in among them. It is only the hope that tomorrow--perhaps tomorrow--redemption may come that keeps their spirit from breaking utterly. Most of them are desperately eager to go to the Jewish national home. I hope that the conscience of mankind, speaking through you and through your Committee of Inquiry, will make it possible for these weary men and women to find peace at last and healing in the land of their fondest hopes, and that their liberation will not be delayed until the report of the Committee is finally made and the action of the Assembly is finally taken, but that, pending ultimate decisions and implementations, these unfortunate people will be permitted forthwith to migrate in substantial numbers to Palestine.

There is a desperate urgency about this tragic human problem, my friends, which brooks no delay. An immediate relaxation of the restrictive measures on immigration into Palestine and a return to the status which prevailed before the White Paper policy of 1939 was imposed will not only be a boon to these suffering humans, but will greatly relieve the present menacing tensions in Palestine, will wash out much of the bitterness and will enable the deliberations of your Committee of Inquiry and of the next Assembly to be carried on in a calmer spirit, in an atmosphere of moderation and good will. We are all eager for peace. We must all make a contribution to achieve it. But the decisive contribution can only be made by the mandatory government.

I hope that I have not abused your patience, Mr. Chairman, and the patience of the representatives of the United Nations here assembled. Permit me to conclude with this observation:

The Jewish people places great hope upon the outcome of the deliberations of this great body. It has faith in its collective sense of justice and fairness and in the high ideals which inspire it. We are an ancient people, and though we have often, on the long hard road which we have traveled, been disillusioned, we have never been disheartened. We have never lost faith in the sovereignty and the ultimate triumph of great moral principles. In these last tragic years, when the whole household of Israel became one great hostelry of pain, we could not have built what we did build had we not preserved our unshakable trust in the victory of truth. It is in that strong faith and hope that we wish to cooperate with you in this task which you have undertaken.

The Jewish people belongs in this society of nations. Surely the Jewish people is no less deserving than other peoples whose national freedom and independence have been established and whose representatives are now seated here. The Jewish people were your allies in the war and joined their sacrifices to yours to achieve a common victory. The representatives of the Jewish people of Palestine should sit in your midst. The representatives of the people and of the land which gave to mankind spiritual and ethical values inspiring human personalities and sacred texts which are your treasured possessions--we hope that that people, now rebuilding again its national life in its ancient homeland, will be welcomed before long by you to this noble fellowship of the United Nations.

CHAIRMAN: Does any Member of the Committee wish to address any questions to Dr. Silver on any points arising out of his statement and which concern the item on our agenda which we are discussing now?

Mr. ASAF ALI (India): I shall confine myself very strictly indeed to the statement made by Dr. Silver.

I must first of all congratulate him on the eloquence of facts and the moderation born of long centuries of suffering. I assure him that truth shall win in the last resort and human conscience will not abandon its function. He will permit me, therefore, to put to him just a few questions which arise out of his statement.

The very first question which I should like to ask him is this: What was the number of Jews from outside in Palestine in 1900, again in 1930, and finally in 1939 when the White Paper of 1939 was issued by the British Government?

CHAIRMAN: Dr. Silver will no doubt make a note of that question. I do not suppose we can expect him to produce all these facts without a little consideration. We might go on to the next Member of the Committee who has expressed a desire to ask a question. That is the Member of the Committee from Poland.

Mr. ASAF ALI (India): I have six more questions.

CHAIRMAN: Then you may ask the other five. Dr. Silver might make a note of all these questions and answer them at his convenience.

Dr. Abba Hillel SILVER: (Representative of the Jewish Agency for Palestine): I should prefer, if I may, to collect all these questions and at some proper moment perhaps request the opportunity of answering them, because I should like to give as complete and satisfactory replies as I can.

CHAIRMAN: I think that would probably be better--if the questions were addressed to you now and, if you see fit, they may be answered later, either orally or in writing.

Mr. ASAF ALI (India): My next question would be whether Dr. Silver recognizes the fact that there is a very clear distinction between a Jewish state and a Jewish national home, which is mentioned in the mandate. Does he also recognize the fact that even the statement, to which he made a reference, which was made by the representative of the Liberal Government--or the Labour Party--referred not to a Jewish state but to a Jewish national home?



My third question is concerned with Dr. Silver's reference to European Jewry. Will he be so kind as to provide us with some idea of the age of the various communities of National Jewry living in Europe, who would now like to go back to the national home; how long have they lived in Europe; and are they easily assimilable in Palestine?

My fourth question is as follows: He has made a statement to the effect that at Paris in 1919 an extremely conciliatory statement was made by a great Arab leader who welcomed the Jews to Palestine. Is there any reason why the Arabs are resisting immigration now?

My fifth question relates to the refugees from Nazi oppression. The Nazi Government in Europe has been completely suppressed and Nazi Germany is now under the control of the Security Council, or, at any rate, the United Nations. If that is so, is there any reason why these refugees cannot be resettled in their natural German home where they speak the language of the country and where they find themselves far more easily assimilable.

My sixth and last question would be about the conditions which are currently prevailing in Palestine. It is very gratifying to learn that Dr. Silver, on behalf of the Jewish Agency, has recognized the noble role which the people of the United Kingdom have played in recognizing the urgency of the Jewish problem. May I know why public servants of the Government of the United Kingdom, who are doing their duty under extremely difficult circumstances, are being picked off today by violence?

CHAIRMAN: Most of those questions, not all of them, are factual in character and the information can no doubt be secured and can possibly be circulated in written form. One or two of them are not quite so factual. I hope they will not, in their reply, provoke a debate on issues which are not yet within the terms of reference of this Committee and I hope it will not come within its terms of reference.

There are further questions that some members would like to address to you, Dr. Silver, on points which will, I hope, help us in our work of constituting and instructing the special committee of inquiry, and for that purpose the representative of Poland would like to address one or two questions to you.

Mr. FIDERKIEWICZ (Poland): I would like to ask the representative of the Jewish Agency Dr. Silver just two questions.

First of all, who represents the Jewish Agency, how many organizations, how is the Executive Committee established and organized, and how does it work?

The second question: Have there been any attempts at collaboration between the Jews and Arabs in Palestine?

Sir Alexander CADOGAN (United Kingdom): I am not quite sure, Mr. Chairman, that I shall be in order. I was not strictly intending to address a question to Dr. Silver, but rather to make a comment on a certain passage in his speech. I should be in a sense perhaps rather replying to a question he put to me. I did want to make a very short declaration in one sentence which I thought might be helpful.

CHAIRMAN: I think this questioning process ought to work both ways.

Sir Alexander CADOGAN (United Kingdom): I merely wish to say that I would like to dispel any misunderstanding which might still exist, which may have arisen out of the terms of the letter in which I had the honour to request the Secretary-General to summon a meeting of the Special Assembly. In that letter there was a passage stating that my Government would be prepared to give full and complete information to the Assembly. I wish to make it quite clear, and formally, that, if the General Assembly sets up a special investigating committee, my Government of course will be entirely at the disposal of that committee and will give all possible information, which will include an account of their stewardship.

Mr. GONZALEZ-FERNANDEZ (Colombia): I hope to be quite in order, Mr. Chairman. According to our resolution, we are going to hear the views of the different agencies with regard to constituting and instructing this committee. With your permission, I should like to ask Dr. Silver, not as an element of final judgment for us, but simply as an element of illustration, what the views of the Jewish Agency for Palestine are regarding the composition of the investigating committee. We have up to this point two proposals presented in a formal manner and a suggestion presented by another delegation. I should like very much to know the point of view of the Jewish Agency for Palestine, simply as an illustrative element.

CHAIRMAN: No doubt, Dr. Silver will take that question under advisement too.

Mr. ANDREWS (South Africa): I would very shortly like to join with my Indian colleague in complimenting Dr. Silver on the very moderate, eloquent, and precise address that he has made to this Committee. I am sure that it is going to be extremely helpful to us in our deliberations in considering the question of instructing and setting up this committee of inquiry. I would hope too that, if we hear any further representatives, the high standard, which Dr. Silver has maintained, will be continued before this Committee. I would only ask him one question and that has relation to the terms of reference which we may be giving this committee of inquiry. Dr. Silver has referred to the homeless Jews in Europe. If he would be so kind as to help me clarify my own mind, he said that the committee of inquiry should look into the condition of the homeless Jews in Europe. I would ask him, does he mean that the committee of inquiry should look into that situation as a whole or only in relation to the question of continuing immigration into Palestine.

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CHAIRMAN: Are there any further questions?

(No response)

CHAIRMAN: Dr. Silver, you have given the Committee something to think about, and the Committee has given you a few questions to think about. There may be additional ones submitted in writing, which we will pass on to you. The result of this is, I suppose, that we may request you or another representative of your Agency to again appear before this Committee, and we would be most grateful if you would hold yourself in readiness for that purpose.

Dr. Abba Hillel SILVER (Jewish Agency for Palestine): I thank you very much, Mr. Chairman, for the courtesy you have extended to me.



CHAIRMAN: We should now proceed, I suppose, with the further discussion of this item on the agenda, the constituting and instructing of the committee of inquiry. You will recall that yesterday we had two resolutions on this point, but that we were engaged in a general debate, not specifically on any particular resolution. Since yesterday, however, an additional resolution has been submitted by the delegation of El Salvador, which is now being circulated. We shall now continue the general discussion on the matter.

Mr. PONCE (Ecuador) (Interpretation from Spanish): The delegation of Ecuador has studied with some considerable attention the important draft resolutions presented by the delegations of the United States and the Argentine Republic, each of which has the same praiseworthy purpose of organizing in the best way the special committee which is to study the problem of Palestine.

The delegation of Ecuador regrets very sincerely that it cannot give its support to the draft resolution of the Argentine Republic, and declares its adherence to the draft resolution of the United States, for the reasons which I now have the honour of stating.

A fundamental characteristic of the American draft resolution which our delegation supports is the constituting of a special committee which excludes the countries directly interested in the problem of Palestine, with the laudable desire of seeing to it that the special committee be afforded the greatest impartiality and independence possible.

We do not wish to say that it is possible to assure absolute independence and impartiality, but we do mean that the countries which are not directly interested in the problem, the countries whose rights are not under consideration and who do not have interests in this matter of a political, economic, strategic, or of another similar nature, will more closely approach impartiality and independent judgment than the others which are defending their rights or attempting to protect their interests.

In the words of the distinguished representative of the United States, spoken yesterday before this Committee:

"This selection is made with regard to the geographical distribution of the States as well as with the idea in mind of having States which do not have apparent close interests involved in the problem they will have to study."

This would permit the report which the committee will prepare to gain the respect and support of the countries here, and of all peoples or almost all peoples a condition necessary for the attainment of an effective solution.

The impartiality and independence which, to a notable degree, the committee will have will perhaps give its report an uncontestable moral force. We believe that the committee which the Assembly of the United Nations will finally approve can hardly be vetoed by the Mandatory State.

As our delegation said a few days ago before the General Committee, this special committee which will be constituted, while taking into consideration the elements of impartiality and independence, will not be another of the many commissions which have already studied the problem of Palestine, nor will its report be considered as merely one more report which is to be added to the various ones already existing.

Three countries of America figure among the seven countries on the special committee suggested by the United States. They are Canada, Peru, and Uruguay, for whom our delegation will vote with pleasure. Also, we are very satisfied to have Sweden, Holland, Czechoslovakia, and Iran as members of the special committee.

As far as the terms of reference are concerned, the delegation of Ecuador finds the breadth which the American proposal provides to be advisable.

Among the points of greatest weight and gravity which the special committee will have to study, no doubt, is the point of the Mandate itself, because we have heard statements from countries which denied its validity. We need to know

the significance and scope of the Balfour Declaration of 2 November 1917; the significance and scope of the Mandate of 1922; the significance and scope of the term, "Jewish home in Palestine." We need to know the significance, scope and legality of the White Paper of 1939. We need to know, as well, the situation of the Jews in Europe, as well as the conditions prevailing at present in Palestine.

The report which the special committee is to present to the Assembly in September must point the way toward a praiseworthy and immediate solution of the problem. The most equitable solution and the most just solution will be the one which will impose upon the parties the least sacrifice, because we can well foresee that in any case there will be sacrifices. The fairest and most just solution would be the one which could be carried out without the use of force, or with a minimum use of force.

Only the moral authority of the United Nations, duly supported, can bring about an early solution to this problem which casts new shadows upon the peace of the world, a world which scarcely knows whether peace has yet been re-established. It is now the responsibility of the small, neutral countries to study, with impartiality and independence as far as possible, the problem of Palestine, so that the General Assembly of the United Nations may later adopt an equitable and efficacious solution.

The time for this decision--and even more important, the time for carrying it out--will be the time of greatest responsibility for the great countries. Upon these latter countries will depend, in the last analysis, the future of the international Organization. The United Nations is faced with a very serious situation, the consequences of which are related intimately with the maintenance of peace, security, and the continuous progress of humanity.

Mr. PALZA (Bolivia) (Interpretation from Spanish): The object which I have in taking the floor is that of supporting the proposal which has just been made by our honourable colleague, the representative of Ecuador. The point of view of the delegation of Bolivia on this matter which is under discussion consists of the following: Between the two proposals which we have before us-- that is to say, the proposal of the United States and the proposal of Argentina-- there is a substantive difference. In the second or Argentine proposal, the five great powers would take part. But on the committee which is to undertake the study of the problem of Palestine there must not be representatives of any one of the five great powers. This is the point of view which, in the judgment of the delegation of Bolivia, is the right one, because the elementary concept is that no one should be a part of, and a judge in, his own case.

On the other hand, the proposal of the United States presents, in briefer terms, the matter which was the objective of the Argentine proposal--that is to say, both resolutions had the same purpose which we are seeking: that of constituting a committee which will be sufficiently impartial so that it may study this grave and delicate problem in the broadest and most complete way possible. The American proposal has the great merit of being simpler and clearer. Therefore with all due respect for the Argentine proposal, the delegation of Bolivia, I repeat, would like to join in the proposal made by Ecuador, which supports the American proposal and requests that it be put to the vote.

Mr. STOLK (Venezuela) (Interpretation from Spanish): The delegation of Venezuela feels that with the decision already adopted by the General Assembly, the previous questions which have been under consideration concerning the point for which the delegations of fifty-five countries were called, will have been terminated, and it will be possible to study, without any further delay, the appropriateness of constituting the committee proposed by the Government of the United Kingdom and the composition and powers which will ^{be} given to this committee.

We have heard the interesting statement of the distinguished representative of the Jewish Agency for Palestine, and all of us hope that the Arab Higher Committee will also be heard on the matter which is occupying our attention, so that we will be able to make a decision in this matter after the statements of both parties concerned are heard.

In yesterday morning's meeting, there were two interesting proposals presented; one, from our colleague from the United States, and the other from the Republic of Argentina. There has just been circulated a new draft resolution by the delegation of El Salvador referring to the terms of reference of the committee which we propose to establish. We have heard an explanation of the first two resolutions and the opinions of some of our colleagues concerning them.

To these commentaries, I wish to add a few observations which I feel are indispensable, so that those who are in a position to do so may clear up certain aspects of the problem, and those delegations who have not formed a definitive opinion yet can determine their position in full knowledge of factors which will influence, doubtlessly, the standard which we adopted in constituting this committee. Upon this will depend the success of the task which the committee is going to have, and the favourable support which its decisions will have.

The content of both proposals -- I am referring to the United States proposal and the draft resolution of Argentina -- have some points in common, as well as other points which can compliment each other; these relating to the breadth and liberty of the functions of the committee, the guarantee that the parties will be heard by the investigating committee, the point which refers to budgetary questions, and the time limit for presenting a report. These proposals differ in their fundamental points as has been noted by others who have preceded me. One proposal advocates the constituting of a committee by neutral countries. I would say less-interested or more impartial countries, because I do not believe...

CHAIRMAN: May I ask the representative of Venezuela to speak a little slower as the simultaneous interpreters are having a little difficulty.

Mr. STOLK (Venezuela) (Interpretation from Spanish): Of course. I was saying that one of the two proposals recommends the committee be set up of neutral countries. I would rather call them less-interested countries or more impartial countries, because I do not believe that at the present moment, after the recent experience of war, it would be convenient to use the term I am criticizing..

With all respect, we have heard the irrefutable reasons for defending this and thesis, /with no less reason we have also heard the statement made with regard to the permanent Members of the Security Council, so that the countries called middle-sized and small can take up a responsibility which would be exclusive as regards the investigation of facts, collecting of data, and the formulation of recommendations on the Palestine problem, and they may exercise the capacity they have to contribute in a calm spirit towards the solution of the great post-war problem.

The other proposal, on the other hand, has a different viewpoint. Its content derives from the agreement of the signers of the San Francisco Charter who, in view of the great responsibilities of the Five Great Powers to maintain peace, dedicated the famous rule of unanimity amongst them, which we know as the veto right and which is applicable to questions of substance in the Security Council. This concept, in other words, is nothing more than the recognition that the permanent Members of the Security Council find themselves obligated, because of faith, because of their political power and their economic power to assume the great responsibilities that weigh on them, and what is more important, to do all they can to consider and resolve the great problems that face humanity on a level of principle, in an atmosphere of mutual confidence, with a view to equitable solutions, solutions inspired in the ideals of peace, justice and equality, so as to make possible understanding and support for the solutions reached. The role of other States in such circumstances would be a co-operative, useful role.

With regard to the question at hand, we know that two of the five permanent Members of the Security Council do not wish to take part in the committee for Palestine. I repeat that the reasons for taking this position have been stated.

I respect the attitude of the representative of Argentina when he stated that he would not insist on his draft which was based on the co-operation of the Five Great Powers, if one or more of them do not want to be a member of the committee.

I wonder if we should not first clear up the scope of the statements made by the representatives of these two countries. What does their position mean exactly? What is the thought of this Committee? If the responsibility falls on one of the States to be a member of the committee, is it obligatory or is it subject to excuses? If we do not consider all this, it seems to me we cannot

further our work and reach convenient and firm decisions.

This is why I want to know whether the Governments of the United States and of the United Kingdom are disposed to be represented in the Palestine committee, in case this First Committee and the General Assembly should decide that the committee of inquiry should include permanent Members of the Security Council, or if the criterion suggested up to now would not rather favour the contrary thesis, should it be accepted by a majority of the Members of the United Nations.

I wish finally to state sincerely that I cannot form a clear opinion on this question because I recognize that there may be reasons or scruples of conscience or personal convictions that perhaps forbid, to a State of the United Nations, the acceptance of a majority vote on this question of forming a committee which was the purpose of this Special Session of the General Assembly

CHAIRMAN: The representative of Venezuela has addressed a rather important question to the permanent Members of the Security Council, and they may, in due course, wish to reply to this question.

Mr. HAGLOF (Sweden): I take it that this general discussion which we are having is meant to be a preliminary discussion. The Swedish delegation, for which I have the honour to speak, would be very happy to have an opportunity, first of all, to listen carefully to other delegations before we come to a definite opinion on this question which, after all, is the principal question of this special session.

What I can offer today are only remarks of a very general nature. There are, of course, before us, two main questions. The first question concerns the terms of reference, and the second question concerns the constitution or the composition of the special committee. I fully agree with what was said yesterday by more than one representative here, that the first question is, in a way, the most important one. Anyway, that is the first question, and we have to agree on the terms of reference before we can take any final decision on the composition of the special committee.

In the view of the Swedish delegation, the terms of reference should be as wide as possible. The Committee should not be merely a fact finding Committee, but a Committee with the duty of making definite recommendations. This is, as far as I can see, not quite clear from the Argentinian draft resolution, wherein it is stated only that the committee should study the situation in Palestine and give a report to enable the Assembly to consider the question. It seems to me, if I may say so, that the American draft on this point is clear, wherein it is stated that a committee should prepare for the consideration of the Assembly of the future Government of Palestine. Later on this is amplified by stating "...proposals for the solution of the problem of Palestine..." I think it is important that in those terms of reference we should not exclude any possible alternative such as "The Independence of Palestine", "The Cessation of the Mandate," etc.

I wonder, and this is only a suggestion, whether it would not be useful to speak alone of the future Government, but also of the future status of Palestine. All this, of course, may be much clearer when we have also listened to the other parties today. Maybe this point will be clear to us after we have listened to the Jewish Agency, and the Arab Higher Committee.

With regard to the second main problem before us, the problem of the composition of the committee, it is not possible at the present stage to reach any definite decision. The draft resolution presented today by the honourable representative of El Salvador, concerns only, as far as I can see it, the terms of reference. However, the two drafts which we have before us also contain recommendations as to the composition of the special committee. The two drafts give us a very clear-cut choice between two different methods. I am uncertain as to whether or not it is possible in the course of these deliberations to mix the two drafts and to arrive at a compromise between the methods. But, I think, for the sake of argument, it is good that we have two

drafts with two very clear-cut alternatives.

The representative of the United States pointed out yesterday that either method has its advantages and disadvantages. It is clear to me that if the special committee is going to be composed solely of representatives of--I would not like to say neutral countries because neutrality is a term which has very little to do with this matter--but may I say representatives of countries which have no interest of their own in the matter, that in our opinion the work of the committee will be carried ^{on} more smoothly, and at least from a technical point of view, in a more effective manner. Moreover, a committee of this kind, composed of representatives of, may I say, disinterested States, will be more sheltered from accusations of partiality.

On the other hand, it is clear that there are many questions of high policy involved in the Palestine problem and that whatever solution the special committee will recommend to the Assembly, this solution will require the very material support of the Great Powers. The discussions we have had in this Assembly already have, I think, only confirmed the impression that the Palestine question can be solved within the framework of the United Nations only if the Great Powers are agreed as to the course to be followed.

There are certainly many more arguments, but I will limit myself to say that it seems difficult at the present stage of our deliberations to strike a real balance between the advantages and disadvantages of the two methods. There is, however, one point which seems to me to be of certain great importance. We take it for granted that if we, in this Committee, should finally decide in favour of a committee composed only of representatives of smaller powers, that such a decision would presuppose the Great Powers are agreed in not wishing to participate. I would like to express that in a more positive way. It is only if the Great Powers declare they find it useful and in the interests of the United Nations to abstain from participation, that I think the smaller powers

would have sufficient reasons for taking this difficult task upon themselves.

Finally, Mr. Chairman, the Swedish delegation would like to point out, as I think other representatives have done before them, the necessity of keeping the number of Committee Members as small as possible. We all know, by experience, that it is easier to work within a small body. It seems to us that the Membership should not pass seven, or maybe nine.

that
I see/in the Argentinian draft resolution it is stated the committee should transmit its report to the Secretary-General not later than the first of September. I fully agree, and I would like to express the hope that we will be able to fix today, or one of the next few days, the date when the committee should start its work.

Mr. BELT (Peru) (Interpretation from Spanish): In this preliminary debate, the delegation of Peru wishes to express its appreciation to the Republics of Argentina and the United States for the proposals they have submitted for our consideration. The constituting of a special committee of investigation for the Palestine problem is a worthy contribution to the essential work of this special General Assembly. The standard that inspires the constitution of this Committee in the proposal of the United States is in agreement with that of my Government, inasmuch as my Government considers that it favours the possibilities of a harmonious, impartial, and constructive task that corresponds to the need--that of investigating the pertinent data and submitting to the next General Assembly proposals for the solution of the Palestine problem. I wish, in this regard, to state that the adjective "neutral" in this case cannot mean indifference, passivity, or lack of interest in relation to this question, which is an obviously universal question. Its importance and urgency has been the cause of our gathering here.

The blood that spills itself today in Palestine is a cause of anguish to us, and we all, in our hearts and on our lips, invoke peace, and invocation that was made so vibrantly and so eloquently by the representative of New Zealand. There cannot then exist that kind of neutrality in today's world, and still less among the Members of the United Nations with regard to a human problem of such significance. We understand, rather, that neutrality in this case means absence of vested interest, prejudice with regard to the question that might compromise or upset the impartiality and spirit of justice which is necessary for the study and investigation and consideration of the solutions to the Palestine problem.

Peru appreciates the mention made of it in the proposal of the United States. We all know, in human affairs, how desirable it is to fulfill honourable and profitable posts, and we understand that a post on the Palestine Commission is a great honour, but also a great responsibility, and it is not one we seek. However, whatever States the Assembly selects, we all have confidence that the Members of the United Nations will not evade or refuse either the duties or the responsibilities that will be entrusted to them. The delegation of Peru wishes, in particular, to express its agreement with the clause of the United States proposal which refers to the functions and powers of the Commission, which it finds well formulated and as ample and wide in scope as necessary for the fulfillment of the great task which has been entrusted to the Commission.

Mr. HENRIQUEZ-IRENA (Dominican Republic) (Interpretation from Spanish): The two principal proposals which have been submitted for the consideration of the Committee are at the present moment the most interesting points in our debate. They show great care in their formulation, and great attention in the study of the problems that are being considered. It has been said that it would

be possible to combine them. There is a first question on which they differ, as has been said here already. That is ^{the} question of the participation of the Five Permanent Members of the Security Council in that Commission of Inquiry. I am in favour of the opinion of the Dominican delegation that effectively the Five Permanent Members of the Security Council could well form part of this Commission, but there is a point as yet unsettled, which is that some, or one of them has expressed the desire not to be on the Commission. In that case, we should either be able to count on the presence of all, or if not, to support the proposal suggested by the United States, which excludes them, and which looks rather towards the essential points, that the constitution of this Commission be limited to a group of nations that are not partial--that is to say, nations, that are impartial in this question.

I agree with many of my colleagues in thinking that the word "neutral" does not have the same meaning as might be given it at other times. I cannot forget, with regard to the concept of neutrality, the clever words of a Pan-American statesman at a time when his country was debating an electoral problem between Conservatives and Liberals. It was said that the neutral party was going to settle the question. This statesman said: "Those whom I know are neutral conservatives and neutral Liberals both." In this case, it is necessary to take into account the concept of impartiality, the concept of not being a party. This means being impartial, and this is what we seek--impartiality--those nations . . . because of their interest and conditions--geographical and political--do not have a direct interest in this question. If, in effect, the negative attitude persists amongst the Permanent Members of the Security Council of not forming a part of the Commission, we should favour the formula suggested so correctly by the United States. Within its limits there is a possibility of conciliation with another phase of the question suggested by Argentina--that is,

a more proportional geographical distribution, enlarging perhaps, even if not by a number exceeding two or three, the number of Members that are to constitute this Commission. Instead of seven we could have perhaps nine or ten. This would not change the question substantially, and it would give us the possibility of taking into account a broad geographical distribution which would be more in agreement with the points of view set forth in the Rules of Procedure of the United Nations.

That is to say, there are some regions of the earth that are not taken into account by the brief mention of seven Members. Even in the proportion in which Member States of Europe and of America are represented, it might be taken into account that there is no nation of southern Europe, as there is in America--some from the north and from the south. Therefore, there would perhaps be Members missing from tropical America, namely Central America and the Antilles.

This last part of the question is easily made acceptable by increasing the number of Members of the Commission, which would satisfy the proposal of Argentina and bring it into line with the proposal of the United States.

The proposal just distributed, emanating from the Republic of El Salvador, refers to another important point of the question, that is, the terms of reference of this Commission. It might be thought that if we go on to vote the solution adopted with its basis in the United States proposal, ^{we} would already have established and settled the problem of the terms of reference, or whether there would be room for enlarging and expatiating on points as here suggested, so as to define better some of the matters that are to be recommended to the Committee.

It seems to me that there would be no obstacle once the United States proposal is approved, with a few corrections as suggested. It would still remain for the Committee to make more definitive and more precise, in a separate proposal rather than an amendment, this question of the terms of reference, because it might well be that some delegations, among them, mine, would consider it interesting to specify these points exactly, and make them concrete in the recommendations made to the Committee.

Therefore, we have, in the El Salvador proposal, a reference to a phase of the question not considered in the speeches made up to now, on the question of consultations and information, questions suggested, for example, by the Indian delegation. They might be cause for certain action which the Committee would have to take. I refer also to other questions made by other delegations, to the Jewish Agency which we have here this morning.

The Swedish delegation has also made some suggestions on the form which it would be well to consider in these terms of reference, the judicial status that might be given to Palestine or to the Government that might be given it. These and other points or phases of the question can perhaps be considered of sufficient importance to be formulated concretely for study.

It seems to me that the only way to reconcile these two procedural questions with regard to the proposal that is to be approved, would be, as I have said, once the United States proposal is approved, with slight corrections, that we should make it possible, in case the Committee should think it necessary, to specify, in an additional proposal, some concrete point which we might think necessary with regard to the terms of reference. All this, besides what has been generally expressed in the first proposal, would then have become resolutions.

That is what I think is pertinent to submit now for the consideration of the Committee.

Mr. PAPENEK (Czechoslovakia): I would like to make a few observations, in this general discussion, only as far as it concerns the composition of the special committee. The delegations of the United Nations propose that a special committee to prepare for the consideration, at the next regular session of the Assembly, how the future government of Palestine should be constituted. In our opinion, the proposals that such a committee should prepare and bring to the General Assembly, should be just. But it is not enough to be just. They must be acceptable, and they must be acceptable, first of all, to those who will be charged with their execution.

the great Powers and
It seems to me that in the first place, the Mandatory Power will be charged with the execution of the proposals that will emanate from that committee. Therefore, why should they not participate in the preparation of such a proposal? If they are ready to accept a proposal of a committee of disinterested Powers, it seems to me that they should be ready to prepare, or help prepare, a proposal for the next session, themselves. In that way they would facilitate the discussions and decisions of the General Assembly.

The proposal of the United States contains a great thought concerning the decisions of those who do not participate in the conflict or in the problem. This principle is on the basis of the courts of justice in every civilized country. We must not forget that there is behind such a decision of a judge, of a court, an executive state power. Without such a state power which is ready to force the execution, there is no reason to have any decision. Unfortunately, the United Nations have not gone that far. The committee, whatever it will propose, will not have a backing of a power which would force its execution.

The United Nations is based on the principle of agreement, of collaboration, not only among those who do not participate directly in the problem, but of those who are directly participating. The Security Council is based on this

principle. There has to be agreement among the great Powers. If we have a committee which will be based on the decision of disinterested Powers, we are endangering, instead of facilitating, the work of the United Nations, and especially of the General Assembly. Yesterday it was stated here that these decisions or discussions in the Security Council--the Peace Conferences were mentioned--do not give us any assurance of such agreement. This was stated also in connection with the Report of the Military Staff Committee. I agree. But even if there is no agreement on every problem, I have to hear as yet that anyone would propose that the peace treaties be concluded without the participation of the great Powers, or perhaps that the military force of the United Nations should be prepared and created without the participation of the great Powers.



That is why we feel that although the committee should be a very small one, those who will be called on to carry out the decisions should help to prepare the decisions. Therefore, I agree with the first part of the proposal of the representative of Argentina. Unfortunately, I could not agree with the second part of it, which leaves the composition of the committee to mere chance. If we leave it that way, it could happen that, next to the five Great Powers -- if we agree on that -- we could have four other Members of the British Commonwealth. I do not think that the United Kingdom Government had this in mind when they proposed that this special session of the Assembly should be called, but we must not leave this important decision to mere chance. We must take decisions and we must take responsibility for these decisions.

Sir Alexander CADOGAN (United Kingdom) I asked your leave to speak at this stage only in order to answer the question put by the honourable representative of Venezuela.

He asked whether my Government would, amongst the permanent Members of the Council, refuse to serve on the investigating committee. My answer is that my Government is as good a Member of the United Nations as any other, and if this Assembly decided to request us to serve on the committee, we should not, of course, refuse to accede to that request. But having said that, I should like to remind the Committee of a short intervention I made the other day on this subject.

Apart from objections which we see to the inclusion in the investigating committee of the permanent Members of the Security Council, I would ask the Committee to remember that my Government are in rather a particular position. They would find themselves, if they were members of that committee, at times in the witness stand, and then after that, a moment or two later, would resume their seats with the jury. It is a principle, of course, that we have always -- and

I think everybody has -- upheld, that no man should be judged in his own cause, and I think we should be put in a somewhat embarrassing and difficult position.

I should like to make short reference to observations that have been made regarding the inclusion of the permanent Members in the investigating committee. It has been said that it is unreasonable to exclude from the investigating committee those powers who will bear the greatest responsibility in carrying out any decisions or recommendations. I would point out that the investigating committee is not a final body; it is merely preparing the case for ultimate decision. That decision must rest with the Assembly, including all the Members of the United Nations, who will all have to take their share in carrying out the decisions of the Assembly.

Mr. AUSTIN (United States): I was asked to answer a question, and I should like to associate my answer with the response of the representative of the United Kingdom, both of us having been inquired of at the same time by the distinguished representative of Venezuela.

CHAIRMAN: I think the Committee would be glad to hear the reply of the United States representative to that question before we adjourn for lunch.

Mr. AUSTIN (United States): This will be very brief.

The purpose of our position in this matter is to expedite a report presenting all substantial claims and all probative facts; that is, to hasten it, to get it back to the Assembly in time for the meeting in September. Our fear is that opposing views and debate among the permanent Members -- if they were on that special committee -- over details, would cause delay by the intrusion of other interests which are perfectly obvious here. Everybody knows about them.. They are constantly arising on mere details.

It would be better to have the permanent Members of the Security Council, who will participate in the ultimate decision, reserve the presentation of their

views until after a special committee has settled details and has reported facts. We believe that they will be reported impartially by any committee, but the probability of arriving at an impartial decision is greatly enhanced by starting off right and by having that committee set up as nearly free from these strong adverse interests that we constantly run into when the permanent Members participate in the decision and in the debate leading up to it.

We recognize our responsibility. We will face it. And it will come at the right time, and that is after this preliminary investigation and the reporting of the facts. The permanent Members should not be divided here and the theory of the unanimity of the permanent Members and their responsibility avoided and disintegrated in this case. We think it would be unwise to deviate from the policy and the principles of the Charter by having any one of the permanent Members on this special committee unless all of them are on that committee.

The position of the United Kingdom is understood by all of us. We respect it. They are trying to adhere to that attitude of impartiality and of not sitting on both sides of the same table at the same time. We think that an unbalanced arrangement of permanent Members, with the special obligations which they have under the Charter, would not be wise in this case any more than in any other case. All or none seems to us such an advisable arrangement that the United States adheres to the idea of a special committee which excludes the permanent Members.

The United States will not now -- and I hope will never -- take an attitude of intransigence and of refusing to co-operate. I am sure the committee understands that that is our attitude. Nevertheless, it does hope that the First Committee will find it possible, as the distinguished representative of the Argentine has done, to give considerate regard to the strong conviction expressed by the United States that none of the permanent Members ought to be appointed to the special committee.

5/8/47

TEXT OF STATEMENT BY DR. ABRA HILLEL SILVER,
CHAIRMAN OF THE AMERICAN SECTION OF THE EXECUTIVE OF
THE JEWISH AGENCY FOR PALESTINE

Ben Simon - Chairman

Mr. Chairman and Delegates to the United Nations:

Permit me at the outset to thank the Assembly of the United Nations for granting the Jewish Agency for Palestine a hearing on the question which is before this Committee. We are grateful for the opportunity to take counsel with you in the matter of constituting and instructing a special committee of this body which is to study the problem of Palestine and which is to bring in recommendations for the future of that country. We trust that our participation in these deliberations will be helpful and will prove to be a contribution to the just solution of this grave international problem which this international community is now earnestly seeking. Such a successful solution will prove a blessing not only to Palestine and all of its inhabitants, to the Jewish people, to the cause of world peace; but it will also enhance the moral authority and prestige of this great organization for world justice and peace upon which so many high hopes of mankind now rest.

We are pleased that the Palestine problem will now be reviewed by an international body and that the thought and conscience of mankind will now be brought to bear on a situation which, heretofore and for some years now, has been made extremely difficult by unilateral action and by decisions made presumably within the terms of a mandatory trust, but actually without the sanction or supervision of the international body which established that trust and which defined both its limits and its purposes. The administration of Palestine has, since the outbreak of the war, been conducted by the mandatory power as if it were vested with the sovereignty of Palestine, whereas it had assumed to administer that country of which it was not the sovereign, as a trustee for carrying out the purposes of the Mandate which clearly defined its rights and its obligations.

The problem of Palestine is, of course, of paramount importance to the Jewish people, and this fact, I take it, motivated ~~our friends~~ in the Assembly of the United Nations to ~~accept~~^{extend} an invitation ~~be extended~~ to the Jewish Agency to present its views. We thank all those who so warmly urged our admission for their goodwill and their gallant action. The Jewish Agency, you will recall, is recognized in the Mandate for Palestine as a public body authorized to speak and act on behalf of the Jewish people in and out of Palestine in matters affecting the establishment of the Jewish National Home. It is the only recognized public body in the Mandate. It is recognized as such, to quote Article 4, "for the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the ^{best} interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country." Under Article 6 the Jewish Agency is entitled further to cooperate with the Administration in permitting close settlement by the Jews on the land; and by Article 11 it is given a preferred status in respect to the construction and operation of public works and the development of the natural resources of the country.

The Jewish Agency, whom we have the honor to represent, speaks, therefore, not merely for the organized Jewish community of Palestine, the democratically elected National Council of Palestine Jews, who are today the pioneering vanguard in the building of the Jewish National Home. It speaks for the Jewish people of the world who are devoted to this historic ideal, for it was charged, by the same Article 4 of the Mandate, "to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home."

I have spoken of the Jewish people and the Jewish National Home. In defining the terms of reference for the committee of inquiry which you are to appoint and in all their future investigations, these should be regarded as key terms
and

basic concepts. They were the key terms and the basic concepts of the Balfour Declaration and of the Mandate under which Palestine is, or should be, administered today. To proceed without relation to them would be to detour into a political wilderness so far as Palestine is concerned. To treat the Palestine problem as if it were one of merely reconciling the differences between two sections of the population presently inhabiting the country, or of finding a haven for a certain number of refugees and displaced persons, will only contribute to confusion. The Balfour Declaration which was issued in behalf of His Majesty's Government as "a declaration of sympathy with Jewish Zionist aspirations", declares that "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people." The Mandate, in its preamble, recognizes "the historical connection of the Jewish people with Palestine and the grounds for reconstituting their national home in that country." These international commitments of a quarter of a century ago, which flowed from the recognition of historic rights and of present needs, and upon which so much has already been built in Palestine by the Jewish people, cannot now be erased. You cannot turn back the hands of the clock of history. Certainly the United Nations, guided by its great principle proclaimed in its Charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained", can never sanction the violation of treaties and of international law. Having this and similar situations in mind, a specific provision, you will recall, was written into the chapter of the Charter of the United Nations which deals with territories which might become trusteeship territories, and, therefore, especially applicable to territories now under mandate. This is Article 80 of that Chapter which reads "except as may be agreed upon in individual trusteeship agreements made under Articles 77, 79 and 81 placing each territory under the trusteeship system and until such agreements have been concluded, nothing in this Chapter shall be construed in and of itself to alter in any manner the rights whatsoever of any states or any peoples of the terms of existing international instruments to which members of the United Nations

may respectively be parties."

It is the perspective of your Committee of Inquiry on the entire problem which will prove decisive. It will give direction and will greatly expedite its work, and its conclusions will prove of constructive significance if it will keep the proper perspective always in view. A generation ago the international community of the world, of which the United Nations today is the political and spiritual heir, decreed that the Jewish people shall be given the right long denied and the opportunity to reconstitute their national home in Palestine. This national home is still in the making. It has not yet been fully established. No international community has cancelled, or even questioned, that right. The Mandatory Government which was entrusted with the obligation to safeguard the opportunity for the continuous growth and development of the Jewish National Home has unfortunately in recent years grievously interfered and circumscribed it. That opportunity must now be fully restored.

When will the Jewish National Home be an accomplished fact? The answer to this question may well be given by the man who was Prime Minister of Great Britain at the time when the Balfour Declaration was issued. I am quoting the testimony of Mr. Lloyd George given before the Palestine Royal Commission in 1937. "There could be no doubt as to what the Cabinet then had in their minds. It was not their idea that a Jewish state should be set up immediately by the Peace Treaty . . . On the other hand, it was contemplated that when the time arrived for according representative institutions to Palestine, if the Jews had meanwhile responded to the opportunity afforded them . . . and had become a definite majority of the inhabitants, then Palestine would thus become a Jewish Commonwealth. The notion that Jewish immigration would have to be artificially restricted in order to insure that the Jews would be a permanent minority never entered into the heads of anyone engaged in framing the policy. That would have been regarded as unjust and as a fraud on the people to whom we were appealing."

The answer could also be given by Mr. Winston Churchill who was an important member of the Government which issued the Balfour Declaration; by General Smuts who was a member of the Imperial War Cabinet at that time, who foretold an increasing stream of Jewish immigration into Palestine and "in generations to come a great Jewish State rising there once more"; by Lord Robert Cecil and many others. American statesmen shared this view of the Jewish National Home. Thus, President Wilson on March 3, 1919 stated: "I am persuaded that the Allied Nations, with the fullest concurrence of our own Government and people, are agreed that in Palestine shall be laid the foundations of a Jewish Commonwealth." That the Government of the United States does not now consider the Jewish National Home as already established is clearly stated in the letter of President Truman to King Ibn-Saud of Saudi Arabia, dated October 29, 1946. "The Government and people of the United States have given support to the concept of the Jewish National Home in Palestine ever since the termination of the first World War which resulted in the freeing of a large area of the Near East, including Palestine, and the establishment of a number of independent states which are now members of the United Nations. The United States, which contributed its blood and resources to the winning of that war, could not divest itself of a certain responsibility for the manner in which the freed territories were disposed of, or for the fate of the peoples liberated at that time. It took the position, to which it still adheres, that these peoples should be prepared for self-government and also that a national home for the Jewish people should be established in Palestine. I am happy to note that most of the liberated peoples are now citizens of independent countries. The Jewish National Home, however, has not as yet been fully developed."

It should, of course, be clear, and I regret that statements made by certain delegates in recent days have tended to confuse what should be clear, that when we speak of a Jewish state we do not have in mind any racial state or any theocratic state, but one which will be based upon full equality and rights

for all inhabitants without distinction of religion or race, and without domination or subjugation.

What we have in mind by the Jewish State is most succinctly stated in a resolution adopted by the British Labor Party in 1945, now represented by the present Government of Great Britain which requested this special session of the United Nations. "Here we halted half-way, irresolutely, between conflicting policies. But there is surely neither hope nor meaning in a Jewish National Home unless we are prepared to let the Jews, if they wish, enter this tiny land in such numbers as to become a majority. There was a strong case for this before the war, and there is an irresistible case for it now."

When your Committee of Inquiry will come to consider proposals for the future government of Palestine, this inescapable and irreducible factor, -- the international obligation to insure the uninterrupted development of the Jewish National Home -- should be kept constantly in mind.

I believe that it would be extremely helpful to the Committee of Inquiry if the Mandatory Government would present the account of its stewardship of the Palestine Mandate to it, rather than wait for the next Assembly of the United Nations. It would assist the Committee in thinking through the problem and in arriving at helpful recommendations for the future government of Palestine. It is illogical, I fear, to ask of the Committee of Inquiry to consider the future government of Palestine without first making a thorough study of the present government to discover what was faulty in the present administration, what neglect and what deviations occurred to have brought about a condition so dangerous and explosive as to necessitate the convoking of a special session of the United Nations to deal with it.

I believe that the Committee of Inquiry should most certainly visit Palestine. Written documents are important, but infinitely more instructive are the living documents, the visible testimony of creative effort and achievement.

In Palestine they will see what the Jewish people, inspired by the hope of reconstituting their national home after the long, weary centuries of their homelessness, and relying upon the honor and the pledged word of the world community, has achieved in the few short years against great odds and seemingly insurmountable physical handicaps. The task was enormous -- untrained hands, inadequate means, overwhelming difficulties. The land was stripped and poor -- neglected through the centuries. And the period of building took place between two disastrous world wars when European Jewry was shattered and impoverished. Nevertheless, the record of pioneering achievement of the Jewish people in Palestine has received the acclaim of the entire world. And what was built there with social vision and high human idealism has proved a blessing, not only to the Jews of Palestine, but to the Arabs and other non-Jewish communities as well.

That the return of the Jews to Palestine would prove of benefit, not only to themselves but also to their Arab neighbors, was envisaged by the Emir Feisal, who was ~~the~~ great leader of the Arab peoples at the Peace Conference following the first World War. On March 3, 1919, he wrote: "We Arabs.....look with the deepest sympathy on the Zionist movement. Our deputation here in Paris is fully acquainted with the proposals submitted yesterday by the Zionist Organization to the Peace Conference, and we regard them as moderate and proper. We will do our best, insofar as we are concerned, to help them through. We will wish the Jews a most hearty welcome home....I look forward, and my people with me look forward, to a future in which we will help you and you will help us, so that the countries in which we are mutually interested may once again take their places in the community of civilized peoples of the world."

They will conclude, we are confident, that, if allowed to develop uninterruptedly, the standards of life which are being developed in Palestine, the concepts of social justice and the modern scientific methods will serve as a great stimulus to the rebirth and progress of the entire Near East with which the

destinies of the Jewish National Home are naturally bound up.

The Committee of Inquiry should also consider the potentialities of the country which, if properly developed, can, according to the expert testimony of those most qualified to speak on the subject, sustain a population much greater than the present one. Many important projects, which will result in great economic and social improvement not alone in Palestine but in all the neighboring countries, are awaiting development pending a satisfactory political solution.

The Committee of Inquiry should, while in Palestine, also look into the real -- the fundamental -- causes of the tragic unrest and violence which today mar the life of the Holy Land to which our Jewish pioneers came, not with weapons, but with tools. They will inquire, I am sure, why a peace-loving community whose sole interest was in building a peaceful home and future for themselves and their children, is being driven to a pitch of resentment and tension, lamentably driving some of its members to actions which we all deplore. They will ask themselves, I am sure, why shiploads of helpless Jewish refugees, men and women and children, who have been through the hells of Nazi Europe, are being driven away from the shores of the Jewish National Home by a Mandatory Government which assumed as its prime obligation to facilitate Jewish immigration into that country. They will also investigate, I hope, how the Mandatory Government is carrying out another of its obligations which is to encourage close settlement of the Jews on the land, when in actual practice it is severely restricting free Jewish settlement to an area less than 6% of that tiny country, and is enforcing today in the Jewish National Home, discriminatory racial laws which the Mandate, as well as the Charter of the United Nations, severely condemn.

By way of digression, let it be said, if it need be said at all, that we are not engaged nor shall we be engaged in any criticism or condemnation of the people of Great Britain. We have no quarrel with them. On the contrary, we

have the highest regard and admiration for that people and for its monumental contributions to democratic civilization. We shall never forget that it was Great Britain which, first among the nations, gave recognition to the national aspirations of the Jewish people. It is only a wrong and unjustifiable policy which contradicts and tends to defeat the far-visioned British statesmanship of earlier years which we condemn.

We hope most earnestly that the Committee of Inquiry will also visit the Displaced Persons' camps in Europe and see with their own eyes the appalling human tragedy which mankind is permitting to continue unabated two years -- it is exactly two years today since V-E Day -- after the close of a war in which the Jewish people was the greatest sufferer. While committees of investigation and study are reporting on their sad plight, and while inter-governmental discussions and negotiations are going on, these war-ravaged men and women are languishing in their misery, still waiting for salvation. They ask for the bread of escape and hope; they are given the stone of inquiries and investigations. Their morale is slumping terribly. A spiritual deterioration, I am afraid, is setting in among them. It is only the hope that tomorrow, perhaps tomorrow, redemption may come, that keeps their spirits from breaking utterly. Most of them are desperately eager to go to the Jewish National Home. I hope that the conscience of mankind, speaking through you and through your Committee of Inquiry, will make it possible for these weary men and women to find peace at last and healing in the land of their fondest hopes, and that their liberation will not be delayed until the report of the Committee is finally made and the action of the Assembly is finally taken, but that pending ultimate decisions and implementations, these unfortunate people will be permitted forthwith to migrate in substantial numbers to Palestine. There is a desperate urgency about this tragic human problem which brooks no delay. An immediate relaxation of the restrictive measures on immigration into Palestine and a return to the status

which prevailed before the White Paper policy of 1939 was imposed, will not only be a boon to these suffering human beings, but will greatly relieve the present menacing tensions in Palestine, will wash out much of the bitterness, and will enable the deliberations of your Committee of Inquiry and of the next Assembly to be carried on in a calmer spirit, in an atmosphere of moderation and good will. We are all eager for peace. We must all make a contribution to achieve it. But the decisive contribution can only be made by the Mandatory Government.

I hope, Mr. Chairman, that I have not abused your patience and the patience of the delegates of the United Nations here assembled. Permit me to conclude with this observation: the Jewish people place great hope upon the outcome of the deliberations of this great body. It has faith in its collective sense of justice and fairness, and in the high ideals which inspire it. We are an ancient people and though we have often, on the long hard road which we have travelled, been disillusioned, we have never been disheartened. We have never lost faith in the sovereignty and the ultimate triumph of great moral principles. In these tragic years when the whole household of Israel became one great hostelry of pain, we could not have builded what we did build had we not preserved our unshakeable trust in the victory of truth. It is in that strong faith and hope that we wish to cooperate with you in this task which you have undertaken.

~~The Jewish people~~
~~* belong~~ in this society of nations. Surely the Jewish people is no less deserving than other peoples whose national freedom and independence have been established and whose representatives are now seated here. The Jewish people were your Allies in the war and joined their ~~strength~~ ^{sacrifices} to yours to achieve a common victory. The representatives of the Jewish people of Palestine should sit in your midst — the representatives of a people and a land which gave to mankind spiritual and ethical values, inspiring human personalities, and sacred texts which are your treasured possessions. We hope that that people, now rebuilding again its national life in its ancient home land, will be welcomed before long by you to this noble fellowship of the United Nations.

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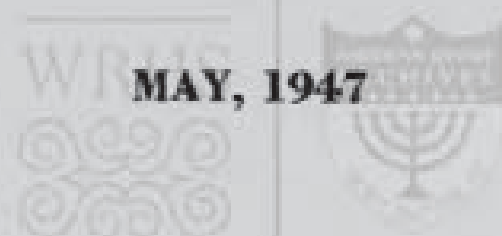
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THE JEWISH AGENCY BEFORE THE UNITED NATIONS



**Statements by Dr. Abba Hillel Silver,
Moshe Shertok, David Ben-Gurion**

At the special session of the General Assembly of the United Nations devoted to the Palestine question, representatives of the Jewish Agency for Palestine appeared before the General Assembly's Political and Security Committee. This pamphlet contains the text of their representations. These are:

The statement made by Dr. Abba Hillel Silver, head of the American Section of the Jewish Agency for Palestine—May 8, 1947

Replies to the questions asked Dr. Silver, given by Moshe Shertok, head of the Political Department of the Jewish Agency—May 12, 1947

Supplementary statement made by David Ben-Gurion, chairman of the Executive of the Jewish Agency—May 12, 1947

Statement made for the Jewish Agency by Dr. Abba Hillel Silver

May 8, 1947

Mr. Chairman and Delegates to the United Nations:

I should like to say at the outset that were Mr. David Ben-Gurion, chairman of the Jewish Agency for Palestine, here this morning, he would be making this statement. Unfortunately, the arrival of Mr. Ben-Gurion has been delayed. He will be here tomorrow, and I hope that in the course of the deliberations he will have an opportunity to participate here.

Permit me to thank the Assembly of the United Nations for granting the Jewish Agency for Palestine a hearing on the question which is before this Committee. We are grateful for the opportunity to take counsel with you in the matter of constituting and instructing a special committee of this body which is to study the problem of Palestine and to bring in recommendations for the future government of that country. We trust that our participation in these deliberations will be helpful and will prove to be a contribution to the just solution of this grave international problem which this international community is now earnestly seeking. Such a successful solution will prove a blessing not only to Palestine and to all its inhabitants, to the Jewish people, to the cause of world peace; but it will also enhance the moral authority and prestige of this great organization for world justice and peace upon which so many high hopes of mankind now rest.

We are pleased that the Palestine problem will now be reviewed by an international body and that the thought and conscience of mankind will now be brought to bear on a situation which, heretofore and for some years now, has been made extremely difficult by unilateral action and by decisions made presumably within the terms of a mandatory trust, but actually without the sanction or supervision of the international body which established that trust and which defined both its limits and its purposes. The administration of Palestine has, since the outbreak of the war, been conducted by the mandatory power as if it were vested with the sovereignty of Palestine, whereas it had assumed to administer that country of which it was not the sovereign, as a trustee for carrying out the purposes of the Mandate which clearly defined its rights and its obligations.

The problem of Palestine is, of course, of paramount importance to the Jewish people, and that fact, I take it, motivated the General Assembly of the United Nations to extend an invitation to the Jewish Agency of Palestine to present its views. We thank all those who so warmly urged our admission for their goodwill and their gallant action. The Jewish Agency, you will recall, is recognized in the Mandate for Palestine as a public body authorized to speak and act on behalf of the Jewish people in and out of Palestine in matters affecting the establishment of the Jewish National Home. It is the only recognized public body in the Mandate. It is recognized as such, to quote Article 4, "for

the purpose of advising and cooperating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country." Under Article 6 the Jewish Agency is entitled further to cooperate with the administration in encouraging "close settlement by the Jews on the land"; and by Article 11 it is given a preferred status in respect to the construction and operation of public works and the development of the natural resources of the country.

The Jewish Agency, which we have the honor to represent, therefore speaks, not merely for the organized Jewish community of Palestine, the democratically elected National Council of Palestine Jews, who are today the pioneering vanguard in the building of the Jewish National Home. It speaks also for the Jewish people of the world who are devoted to this historic ideal, for it was charged, by the same Article 4 of the Mandate, "to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home."

I HAVE spoken of "the Jewish people" and "the Jewish National Home." In defining the terms of reference of the committee of inquiry, which you are to appoint and in all the committee's future investigations, these in my judgment should be regarded as key terms and basic concepts. They were the key terms and the basic concepts of the Balfour Declaration and of the Mandate under which Palestine is, or should be, administered today. To proceed without relation to them would be to detour into a political wilderness so far as Palestine is concerned. To treat the Palestine problem as if it were one of merely reconciling the differences between two sections of the population presently inhabiting the country, or of finding a haven for a certain number of refugees and displaced persons, will only contribute to confusion. The Balfour Declaration which was issued by His Majesty's Government as "a declaration of sympathy with Jewish Zionist aspirations", declares: "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people." The Mandate, in its preamble, recognizes "the historical connection of the Jewish people with Palestine" and "the grounds for reconstituting"—I call your attention to the word "reconstituting"—"their national home in that country."

These international commitments of a quarter of a century ago, which flowed from the recognition of historic rights and of present needs, and upon which so much has already been built in Palestine by the Jewish people, cannot now be erased. You cannot turn back the hands of the clock of history. Certainly the United Nations, guided by its great principle proclaimed in its Charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained", can never sanction the violation of treaties and of international law. Having this and similar situations in mind, a specific provision, you will recall, was written into the chapter of the Charter of the United Nations which deals with territories which might become trusteeship territories, and which is, therefore, especially applicable to territories now under mandate. This is Article 80 of the Charter which reads:

except as may be agreed upon in individual trusteeship agreements made under Articles 77, 79 and 81 placing each territory under the trusteeship system and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which members of the United Nations may respectively be parties.

It is the perspective of your Committee of Inquiry on the entire problem which, in our judgment, will prove decisive. It will give direction and will greatly expedite its work, and its conclusions will prove of constructive significance if it will keep the proper perspective always in view. A generation ago the international community of the world, of which the United Nations today is the political and spiritual heir, decreed that the Jewish people shall be given the right long denied and the opportunity to reconstitute their national home in Palestine. That national home is still in the making. It has not yet been fully established. No international community has cancelled or even questioned, that right. The Mandatory Power which was entrusted with the obligation to safeguard the opportunity for the continuous growth and development of the Jewish National Home has unfortunately in recent years grievously interfered with and circumscribed it. That opportunity must now be fully restored.

When will the Jewish National Home be an accomplished fact? The answer to that question may well be given by the man who was Prime Minister of Great Britain at the time when the Balfour Declaration was issued. I am quoting the testimony of Mr. Lloyd George given before the Palestine Royal Commission in 1937:

There could be no doubt as to what the Cabinet then had in their minds. It was not their idea that a Jewish state should be set up immediately by the Peace Treaty . . . On the other hand, it was contemplated that when the time arrived for according representative institutions to Palestine, if the Jews had meanwhile responded to the opportunity afforded them . . . and had become a definite majority of the inhabitants, then Palestine would thus become a Jewish Commonwealth. The notion that Jewish immigration would have to be artificially restricted in order to insure that the Jews would be a permanent minority never entered into the heads of anyone engaged in framing the policy. That would have been regarded as unjust and as a fraud on the people to whom we were appealing.

The same answer could also be given by Mr. Winston Churchill who was an important member of the Government which issued the Balfour Declaration; by General Smuts who was a member of the Imperial War Cabinet at that time, who foretold an increasing stream of Jewish immigration into Palestine and "in generations to come a great Jewish State rising there once more"; by Lord Robert Cecil and by many others. American statesmen shared this view of the Jewish National Home. Thus, President Wilson on March 3, 1919 stated: "I am persuaded that the Allied Nations, with the fullest concurrence of our own Government and people, are agreed that in Palestine shall be laid the foundations of a Jewish Commonwealth." That the Government of the United States does not consider the Jewish National Home as already established is clearly stated in the letter of

President Truman to King Ibn-Saud of Saudi Arabia, dated October 29, 1946.
He wrote:

The Government and people of the United States have given support to the concept of a Jewish National Home in Palestine ever since the termination of the first World War, which resulted in the freeing of a large area of the Near East, including Palestine, and the establishment of a number of independent states which are now members of the United Nations. The United States, which contributed its blood and resources to the winning of that war, could not divest itself of a certain responsibility for the manner in which the freed territories were disposed of, or for the fate of the peoples liberated at that time. It took the position, to which it still adheres, that these peoples should be prepared for self-government and also that a national home for the Jewish people should be established in Palestine. I am happy to note that most of the liberated peoples are now citizens of independent countries. *The Jewish National Home, however, has not as yet been fully developed.*

IT SHOULD, of course, be clear,—and I regret that statements made by certain representatives in recent days have tended to confuse what should be clear,—that when we speak of a Jewish State we do not have in mind any racial state or any theocratic state, but one which will be based upon full equality and rights for all inhabitants without distinction of religion or race, and without domination or subjugation.

What we have in mind by the Jewish State is most succinctly stated in a resolution adopted in 1945 by the British Labor Party—now represented by the present Government of The United Kingdom—which requested this special session of the United Nations. I am quoting:

Here we halted half-way, irresolutely, between conflicting policies. But there is surely neither hope nor meaning in a Jewish National Home unless we are prepared to let the Jews, if they wish, enter this tiny land in such numbers as to become a majority. There was a strong case for this before the war, and there is an irresistible case for it now.

When your Committee of Inquiry will come to consider proposals for the future government of Palestine, this inescapable and irreducible factor—the international obligation to insure the continuous development of the Jewish National Home—should be kept, in our judgment, constantly in mind.

I believe that it would be extremely helpful to the Committee of Inquiry if the Mandatory Government would present the account of its stewardship of the Palestine Mandate to it, rather than wait for the next Assembly of the United Nations. It would assist the Committee in thinking through the problem and in arriving at helpful recommendations for the future government of Palestine. It is illogical, I fear, to ask of the Committee of Inquiry to consider the future government of Palestine without first making a thorough study of the present government to discover what was faulty in the present administration, what neglect and what deviations occurred to have brought about a condition so dangerous and explosive as to necessitate the convoking of a special session of the United Nations to deal with it.

I believe that the Committee of Inquiry should most certainly visit Palestine. Written documents are important, but infinitely more instructive are the living

documents, the visible testimony of creative effort and achievement. In Palestine they will see what the Jewish people, inspired by the hope of reconstituting their national home after the long, weary centuries of their homelessness, and relying upon the honor and the pledged word of the world community, has achieved in a few short years against great odds and seemingly insurmountable physical handicaps. The task was enormous—untrained hands, inadequate means, overwhelming difficulties. The land was stripped and poor—neglected through the centuries. And the period of building took place between two disastrous world wars when European Jewry was shattered and impoverished. Nevertheless, the record of pioneering achievement of the Jewish people in Palestine has received the acclaim of the entire world. And what was built there with social vision and high human idealism has proved a blessing, we believe, not only to the Jews of Palestine, but to the Arabs and other non-Jewish communities as well.

That the return of the Jews to Palestine would prove a blessing, not only to themselves but also to their Arab neighbors, was envisaged by the Emir Feisal, who was a great leader of the Arab peoples at the Peace Conference following the first World War. On March 3, 1919, he wrote:

We Arabs . . . look with the deepest sympathy on the Zionist movement. Our deputation here in Paris is fully acquainted with the proposals submitted yesterday by the Zionist Organization to the Peace Conference, and we regard them as moderate and proper. We will do our best, insofar as we are concerned, to help them through. We will wish the Jews a most hearty welcome home. . . . I look forward, and my people with me look forward, to a future in which we will help you and you will help us, so that the countries in which we are mutually interested may once again take their places in the community of civilized peoples of the world.

Your Committee of Inquiry will conclude, we are confident, that, if allowed to develop uninterruptedly, the standards of life which are being developed in Palestine, the concepts of social justice and the modern scientific methods will serve as a great stimulus to the rebirth and progress of the entire Near East with which Palestine and the destinies of the Jewish National Home are naturally bound up.

Your Committee of Inquiry should also consider the potentialities of the country which, if properly developed, can, according to the expert testimony of those most qualified to speak on the subject, sustain a population much greater than the present one. Many more projects, which will result in great economic and social improvement not alone in Palestine but in all the neighboring countries, are awaiting development pending a satisfactory political solution.

The Committee of Inquiry should, while in Palestine, also look into the real—the fundamental—causes of the tragic unrest and violence which today mar the life of the Holy Land to which our Jewish pioneers came not with weapons, but with tools. They will inquire, I am sure, why a peace-loving community whose sole interest was in building a peaceful home and future for themselves and their children, is being driven to a pitch of resentment and tension and lamentably driving some of its members to actions which we all deplore. They will ask themselves, I am sure, why shiploads of helpless Jewish refugees,

men and women and children, who have been through all the hells of Nazi Europe, are being driven away from the shores of the Jewish National Home by a Mandatory Government which assumed as its prime obligation to facilitate Jewish immigration into that country. They will also investigate, I hope, how the Mandatory Government is carrying out another of its obligations which is to encourage close settlement of the Jews on the land, when in actual practice it is today severely restricting free Jewish settlement to an area less than 6 per cent of that tiny country, and is enforcing today in the Jewish National Home, discriminatory racial laws which the Mandate, as well as the Charter of the United Nations, severely condemns.

By way of digression, let it be said, if it need be said at all, that we are not engaged nor shall we be engaged in any criticism or condemnation of the people of the United Kingdom. We have no quarrel with them. On the contrary, we have the highest regard and admiration for that people and for its monumental contributions to democratic civilization. We shall never forget that it was the United Kingdom which, first among the nations, gave recognition to the national aspirations of the Jewish people. It is only a wrong and unjustifiable policy which contradicts and tends to defeat the far-visioned British statesmanship of earlier years which we condemn.

We hope most earnestly that the Committee of Inquiry will also visit the Displaced Persons' camps in Europe and see with their own eyes the appalling human tragedy which mankind is permitting to continue unabated two years—it is exactly two years today since V-E Day—after the close of a war in which the Jewish people was the greatest sufferer. While committees of investigation and study are reporting on their sad plight, and while inter-governmental discussions and negotiations are going on, these war-ravaged men and women are languishing in their misery, still waiting for salvation. They ask for the bread of escape and hope; they are given the stone of inquiries and investigations. Their morale is slumping terribly. A spiritual deterioration, I am afraid, is setting in among them. It is only the hope that tomorrow—perhaps tomorrow—redemption may come, that keeps their spirits from breaking utterly.

Most of them are desperately eager to go to the Jewish National Home. I hope that the conscience of mankind, speaking through you and through your Committee of Inquiry, will make it possible for these weary men and women to find peace at last and healing in the land of their fondest hopes, and that their liberation will not be delayed until the report of the Committee is finally made and the action of the Assembly is finally taken, but that pending ultimate decisions and implementations, these unfortunate people will be permitted forthwith to migrate in substantial numbers to Palestine.

There is a desperate urgency about this tragic human problem, my friends, which brooks no delay. An immediate relaxation of the restrictive measures on immigration into Palestine and a return to the status which prevailed before the White Paper policy of 1939 was imposed, will not only be a boon to these suffering humans, but will greatly relieve the present menacing tensions in Palestine, will wash out much of the bitterness, and will enable the deliberations of your Committee of Inquiry and of the next Assembly to be carried on in a calmer spirit,

in an atmosphere of moderation and good will. We are all eager for peace. We must all make a contribution to achieve it. But the decisive contribution can be made only by the Mandatory Government.

I hope, Mr. Chairman, that I have not abused your patience and the patience of the representatives of the United Nations here assembled. Permit me to conclude with this observation: The Jewish people places great hope upon the outcome of the deliberations of this great body. It has faith in its collective sense of justice and fairness, and in the high ideals which inspire it. We are an ancient people and though we have often, on the long hard road which we have travelled, been disillusioned, we have never been disheartened. We have never lost faith in the sovereignty and the ultimate triumph of great moral principles. In these last tragic years when the whole household of Israel became one great hostelry of pain, we could not have builded what we did build had we not preserved our unshakeable trust in the victory of truth. It is in that strong faith and hope that we wish to cooperate with you in this task which you have undertaken.

The Jewish people belongs in this society of nations. Surely the Jewish people is no less deserving than other peoples whose national freedom and independence have been established and whose representatives are now seated here. The Jewish people were your Allies in the war and joined their sacrifices to yours to achieve a common victory. The representatives of the Jewish people of Palestine should sit in your midst—the representatives of the people and of the land which gave to mankind spiritual and ethical values, inspiring human personalities, and sacred texts which are your treasured possessions. We hope that that people, now again rebuilding its national life in its ancient homeland, will be welcomed before long by you to this noble fellowship of the United Nations.

At the close of Dr. Silver's statement the following questions were put to him by delegates and he was asked to prepare a reply for a later meeting:

Asaf Ali, INDIA:

What was the number of Jews from outside Palestine in 1900, again in 1930, and finally in 1939 when the White Paper of 1939 was issued by the British Government?

My next question would be whether Dr. Silver recognizes the fact that there is a very clear distinction between a Jewish state and a Jewish National Home, which is mentioned in the Mandate. Does he also recognize the fact that even the statement, to which he made a reference, which was made by the representative of the liberal government—of the Labor party—referred not to a Jewish state but to a Jewish National Home?

My third question is concerned with Dr. Silver's reference to European Jewry. Will he be so kind as to provide us with some idea of the age of the various com-

munities of national Jewry living in Europe, who would now like to go back to the National Home, how long have they lived in Europe; and are they easily assimilable in Palestine?

My fourth question is as follows: He has made a statement to the effect that at Paris in 1919 an extremely conciliatory statement was made by a great Arab leader who welcomed the Jews to Palestine. Is there any reason why the Arabs are resisting immigration now?

My fifth question relates to the refugees from Nazi oppression. The Nazi Government in Europe has been completely suppressed and Nazi Germany is now under the control of the Security Council, or, at any rate, the United Nations. If that is so, is there any reason why these refugees cannot be resettled in their natural German home, where they speak the language of the country and where they find themselves far more easily assimilable?

My sixth and last question would be about the conditions which are currently prevailing in Palestine. It is very gratifying to learn that Dr. Silver, on behalf of the Jewish Agency, has recognized the noble role which the people of the United Kingdom have played in recognizing the urgency of the Jewish problem. May I know why public servants of the Government of the United Kingdom, who are doing their duty under extremely difficult circumstances, are being picked off today by violence?

Dr. Alfred Fiderkiewicz, POLAND:

First of all, whom does the Jewish Agency represent, how many organizations; how is the executive committee established and organized and how does it work?

The second question: Have there been any attempts at collaboration between the Jews and Arabs in Palestine?

Dr. A. Gonzales Fernandez, COLOMBIA:

I should like to ask Dr. Silver, not as an element of final judgment for us, but simply as an element of illustration, what the views of the Jewish Agency for Palestine are regarding the composition of the investigating committee.

H. T. Andrews, SOUTH AFRICA:

I would only ask one question and that has relation to the terms of reference which we may be giving this committee of inquiry. Dr. Silver has referred to the homeless Jews in Europe. If he would be so kind as to help me clarify my own mind, he said that the committee of inquiry should look into the condition of the homeless Jews in Europe. I would ask him, does he mean that the committee of inquiry should look into the situation as a whole or only in relation to the question of continuing immigration into Palestine?

Replies by Moshe Shertok to the Questions Asked after Dr. Silver's Statement

May 12, 1947

I AM HERE to reply to the questions which were put to Dr. Silver after the conclusion of his address to the Committee. In so doing, I hope I may be permitted also to clear up some of the underlying issues, in order to bring out the meaning of my replies a little more clearly.

I would begin with a question asked by the representative of Poland as to the organization, composition and functions of the Jewish Agency for Palestine. In the Mandate, it was the Zionist Organization which was recognized as the Jewish Agency, with powers to advise and cooperate with the mandatory administration in matters concerning the Jewish National Home and to take part in the country's development.

At that time, the World Zionist Organization, founded fifty years ago, was already twenty-five years old. Subsequently, certain non-Zionist groups joined in forming an enlarged Jewish Agency, but the Zionist Organization has remained the main driving force. The World Zionist Organization has today local organizations in more than sixty countries—with a few exceptions, in every country where Jews live.

Within the Zionist movement, as in any democratically organized society, there are parties: the Labor party and other labor groups, the Center or General Zionists, the Mizrachi or the orthodox religious Zionists, and the Revisionists. This party division is reflected in our Congresses, which are held once in every two years after a general election in all countries. The Congress elects our executive. The present executive was elected by the 360 delegates to the Twenty-second Zionist Congress in Basle last December, who, in turn were elected by nearly two million Zionist voters throughout the world. The executive has headquarters in Jerusalem and branches with resident members in New York, London and Paris.

Two things must be stressed. First, the Agency is the spokesman, not merely of Jews already settled in Palestine, but of all Jews throughout the world who are devoted to the idea of the Jewish National Home. The entire Jewish people, I might say, hold the Jewish Agency responsible for the success of that great enterprise. Secondly, the Agency is not merely an organ of national representation, but an instrument of nation-building, an institution of immigration, development and settlement. It mobilizes the energies and resources of our people for national reconstruction, and in Palestine it directs large-scale practical development work.

It has been responsible for bringing hundreds of thousands of Jews to Palestine and settling them there. It has carried out an extensive program of settlement on the land. It has stimulated major industrial development. It has supplied guidance and coordination to the vast volume of free initiative and

enterprise in the work of Jewish settlement. Our Jerusalem headquarters is divided into departments: political, financial, immigration, agricultural settlement, trade and industry, labor, etc.

During the war, the Jewish Agency acted, in a way, as a recruiting authority. It mobilized the Jewish war effort in Palestine in the cause of the United Nations. It supplied 33,000 volunteers for armed service within the British forces. They defended Palestine, served in most middle eastern countries and fought in the campaigns of Africa and Europe. All industrial, technical and scientific resources of Jewish Palestine were harnessed to the war effort.

SO MUCH for the Jewish Agency as such. Politically, its primary function has been to uphold and defend Jewish rights under the Mandate. Immigration is the crux of the problem and several of the questions put to Dr. Silver bear on that issue. In answering these questions, I must make one basic point clear by way of background.

If it is granted that the Jewish people are in Palestine as of right, then all the implications and corollaries of that premise must be accepted. The foremost is that Jews must be allowed to resettle in Palestine in unlimited numbers, provided only they do not displace or worsen the lot of the existing inhabitants who are also there as of right. If that basic premise is not granted, then there is very little to discuss.

It may sound quite plausible to argue that if the right of the Jews to return to Palestine is admitted on the grounds of ancient history, then the whole map of the world would have to be remade and chaos would ensue. But does the question really arise? Do the descendants of the Romans, for example, claim entry into England? Do they need England? Does their future, their very existence, depend on settling there? Or do the Arabs, for that matter, press to return to Andalusia in Spain? Is it a matter of life and death for them? The analogy is fallacious and misleading.

The great historic phenomenon of the Jewish return to Palestine is unique because the position of the Jewish people as a homeless people, and yet attached with an unbreakable tenacity to its birthplace, is unique. It is that phenomenon that has made the problem of Palestine an issue in international affairs, and no similar issue has ever arisen.

Were it not for the presence in Palestine today of over 600,000 Jews who refuse to be left in the minority position under Arab domination; were it not for the urge to settle in Palestine, of hundreds of thousands of homeless and uprooted Jews in Europe, in the Orient, and elsewhere; were it not for the hopes and efforts of millions of Jews throughout the world to re-establish their national home and build it up into a Jewish state, then the world would not be faced with the problem of Palestine as it is now. The problem is real and pressing. It cannot be made to disappear by conjuring up non-existent difficulties alleged to be involved in its solution.

WHEN the distinguished representative from India asks how many Jews from outside there were in Palestine at certain dates—the operating words being “from outside”—I must confess I am somewhat baffled. I can give him the round

figures for the Jewish population in those years—50,000 in 1900, 165,000 in 1930, 475,000 in 1939. Now it is about 630,000. Incidentally, there are more Jews in Palestine today than there were Arabs at the end of the first World War. But as to "Jews from outside," I cannot say. In a way, they are all from outside; they are practically all immigrants.

There was but a tiny Jewish community in Palestine prior to 1880. In the early 1880's, the return started, almost simultaneously from Russia and Rumania, from Morocco and southern Arabia, and since then it has been practically continuous. It started because the Jews had always believed it to be their inalienable right to resettle Palestine. That right was subsequently internationally recognized and enshrined in the Mandate. But quite apart from the Mandate, nothing will eradicate, from the hearts of Jews, the conviction that it is their right to return. So in that deeper sense, they are not from outside at all but sons of the country.

By the way, my Arab countrymen make much of the fact that Palestine has already taken in so many immigrants. These immigrants, they said, were received by the Arabs. We are very sorry, but we cannot concede them that credit. Conversely, they say that the Jews have settled in Palestine at the expense of the Arabs. That debit item, too, we cannot admit. There has been no receiving of Jewish immigrants by Arabs nor any settlement of Jews at the expense of the Arabs.

The Jews did not come as guests of anyone. They came in their own right. They received themselves and their brothers; and they did so by their own efforts and at the expense of no one else. Every acre of land we tilled was bought and had to be wrested from wilderness and desolation. Nothing was taken away—not one house, not one job. A tremendous amount of work, wealth and well-being was presented to the Arab population.

THE honorable representative from India also asked what was the age of the Jewish communities in Europe; and whether, since the Hitler regime had been crushed, the Jewish displaced persons would not be better advised to stay in Germany.

As to the age of European Jewry, it is on the whole quite venerable, but age has not made for security. Three-quarters of that Jewry—6,000,000 people—are no more. But let us go back into the past. Jews had lived in Spain for a whole millennium when, in 1492, they were despoiled and expelled, and only those who gave up their Jewish identity and became Christians were allowed to remain. Jews have lived in Poland since the eleventh or twelfth century, but in the seventeenth they were the victims of ferocious massacres. Then there were pogroms under the Russian Czars in the nineteenth and twentieth centuries; and in the last war, as we have just heard, came the final catastrophe. Nearly all of Polish Jewry—3,000,000 men, women and children—were wiped out by the Nazis.

In Germany, the beginnings of Jewish settlement are traced back to the fourth century. But just six centuries ago, most of the Jews in Germany were destroyed in a wave of frenzied persecution which swept Europe. Then, by the twentieth century, German Jews had reached the pinnacle of emancipation and were largely assimilated. Yet they were hurled down into the abyss of degradation and death. Even converts to Christianity were not spared.

It is true that Hitler is gone now, but not anti-Semitism. He was the product, not the source, of German Jew-hatred. Anti-Semitism in Germany and in many other parts of Europe is as rife as ever and potentially militant and fierce. Some Governments tried their best to keep it down, but they have a very hard job in doing so. The very age of European Jewry serves only to accentuate the basic historic insecurity of Jewish life in the dispersion.

THE honorable representative of India has also asked whether the Jewish displaced persons would be assimilable in Palestine. The answer is yes. They would be perfectly assimilable in the Jewish community there—the one Jewish community in the world with a self-contained economic system and an independent cultural life which is eager and able to recover and absorb them. He asked whether they would not be better assimilable in Germany. The answer is no. You cannot settle in a graveyard, nor can you build a dwelling out of heaps of rubble.

Actually, most of the Jewish displaced persons are not from Germany itself, but from other countries. They are today in camps, or they otherwise continue as refugees because they cannot be resettled in Europe. They have now waited for two years, and in all this time no one has come forward with a solution to their problem. The clear recommendations of the Anglo-American Committee have remained on paper and, to them, they have proved a mockery.

No one has offered an alternative to Palestine. But even if there were an alternative, they refused to be treated as mere chattels. They appeal to the world to realize that they form part of a people which has a national will of its own. They want to go to the only country where they will feel at home, both individually and collectively. Their problem is inseparable from the problem of Palestine. It is the problem of Palestine.

To treat the issue of Palestine in isolation from the immigration issue would make as much sense as to study the beating of a heart in disregard of blood circulation. A solution for the problem of Palestine which would ignore the Jewish claim and the need for immigration would solve nothing. Whoever undertook to implement such a solution would be driven back by the sheer impact of reality to face the problem of immigration.

I MAY perhaps interpose here an answer to the question put by the honorable representative of the Union of South Africa. He asked whether we wanted the question of the LP's in Europe examined solely in connection with Palestine, or in its general aspect. Our answer is that we believe that only in Palestine can the problem of these people be permanently and constructively solved, for only there can their lives be rebuilt on secure foundations and their homes become part of the home of the entire people.

The immigration issue is not confined to that of the Jewish displaced persons and unsettled refugees in Europe. Various Jewish communities in Europe are involved, as well as the Jews of the Arab and Oriental countries. With regard to these, members of the United Nations have heard during the present session idyllic accounts of the conditions of complete equality and true brotherhood under which they live. The Jewish Agency is naturally very intimately acquainted with the position, and the picture as we know it is totally different.

In most of these countries Jews are treated as second or third-rate citizens. They live in perpetual fear of eruptions of fierce fanaticism, of which there have been tragic examples both in recent years and in the more remote past. Their lot ranges from precarious sufferance to active persecution. All formal statements under duress notwithstanding, their hopes and dreams are centered on Zion, and their youth has no other ideal but to join its builders.

We very strongly urge that the position of these communities should form part of the committee's investigations. But the most urgent problem is, of course, that of the displaced persons in Europe who are now on the brink of despair.

THE present political crisis in Palestine is nothing but a clash between the dire needs of Jewish immigration and the current anti-immigration policy of the mandatory power. We were asked by the representative of India why public servants of the British Government in Palestine are today the victims of terrorist activity. The answer is because the White Paper of 1939 is still in force. Terrorism is a pernicious outgrowth of a disastrous policy.

The Jewish Agency has unreservedly condemned terrorist bloodshed, and in that attitude it is supported by the large majority of the organized Jewish community. Its harm to the Jews and to the Jewish future is far graver than to the Government and people of the United Kingdom. But Jewish efforts to resist and check terrorism are continually frustrated because Government action, in pursuance of the White Paper, adds fuel to the fire. Our efforts will continue, but the representative of India will no doubt agree that Palestine is not the only country which has been afflicted with this most hateful disease.

ANOTHER question was why, in contradiction to the Emir Feisal's attitude, the Palestine Arabs were now opposed to Jewish immigration. Since that question was put, we have heard a very able exposition of the Palestine-Arab case which fully covered the point. All I would add is that the uncompromising opposition to immigration now voiced does not invalidate the broader conception and bolder vision expressed in the Feisal-Weizmann agreement, which indicated a way of harmonizing Jewish and Arab aspirations within a wider framework, fully taking into account the independence then promised and now achieved by the Arabs in vast territories.

While I am on the point of promises, may I be permitted to recall that Sir Henry McMahon (British High Commissioner in Egypt during World War I) himself stated that Palestine was never included in the promises made by him to the Arabs, and that this was well understood at the time by the late King Hussein; also that Trans-Jordan, which was originally included in the Balfour Declaration, is today an Arab state.

FINALLY, the distinguished representative of India asked whether we recognized the distinction between a Jewish State and a Jewish National Home. The answer is that we do, but perhaps not quite in the sense in which the question was meant. The establishment of the Jewish National Home is a process. The setting up of a Jewish State is its consummation. That such consummation had been intended by the authors of the Jewish National Home policy and that a way was definitely left open for its achievement was conclusively proved by the

Palestine Royal Commission. The point was fully understood by those responsible for the 1944 Statement on Palestine of the British Labor Party executive.

The Indian representative drew attention to the use in that statement of the term "Jewish National Home" and not "Jewish State." But may I recall the words of Mr. Hugh Dalton, the present Chancellor of the Exchequer, when reporting on that statement of the executive to the Labor Party Conference. He urged common support, in consultation with the United States and Soviet Governments—and now I quote—"for a policy which will give us a happy, free, and prosperous Jewish State in Palestine." That was only two years ago.

The matter has a most vital bearing on the question of Palestine's independence. Unlike other mandates of Category A, the declared object of which was to prepare the country for independence, the Palestine Mandate has no such clause. Its primary purpose, in the words of the Royal Commission, is the establishment of the Jewish National Home. But, of course, the ultimate goal must be independence and the Mandate must be terminated.

So if, upon the termination of the Palestine Mandate, its original purpose is to be fulfilled, if the future of the Jewish National Home is to be permanently secured, if the national interest of the Jewish people is to be harmonized with other interests and not sacrificed for their sake, then a Jewish State must come into being. A home, in the words of a British statesman, in the debate on the White Paper for Palestine, is a place to which one is always free to come back. How is the National Home to fulfill its primary functions of being open to Jews in need of it, if it is to remain forever subjected to non-Jewish sovereignty?

An Arab minority in a Jewish State will be secure, if for no other reason, because the State will forever remain surrounded by Arab countries with which it will be most vitally interested to be at peace; also because there will always be Jewish minorities in other lands.

But a Jewish minority in an Arab State will have no such security at all. It will be at the mercy of the Arab majority, which would be free from all restraints. To provide boldly, if I may put it that way, for the independence of Palestine as a country, without placing an equal emphasis on safeguarding the independence of the Jews as a people, is to tear the problem out of its real context and load the dice heavily against the Jews. The whole issue is likely to be vitiated in advance by such an approach.

THE question of our living with the Arab peoples and the relationship of a Jewish State with them is, of course, the dominant question of the future. The distinguished representative of Poland has asked, in his second question, whether there have been attempts at collaboration between Jews and Arabs. The answer is, yes, there have been, on both sides. Arabs and Jews have cooperated and are cooperating successfully in the wide and varied fields of municipal, commercial and labor affairs.

Arabic is taught in all Jewish secondary schools and in a large number of primary schools. The Jewish Agency is particularly active in spreading knowledge of Arabic in the Jewish settlements and promoting friendly relations between them and their Arab neighbors. From personal observation and direct experience

accumulated over a period of forty-one years' residence in Palestine, I can affirm that there is nothing inherent in the nature of either the native Arab or the immigrant Jew which prevents friendly cooperation. On the contrary, considering the admitted great difference of background, they mix remarkably well.

By mixing I do not mean assimilation, for the Jew does not come to Palestine to assimilate to the Arab, but to develop his own distinctive individuality. Nor does he expect the Arab to assimilate to himself. What I mean is cooperation between a self-respecting Jew and a self-respecting Arab, and between the two communities.

Today the issue is overshadowed and practical cooperation is hampered by the political conflict over the country's future. The present official leaders of the Arab states, having achieved practically all they wanted with so little sacrifice, refuse to admit the legitimacy of the national aspirations of another people. At the head of the Arab Higher Committee of Palestine stands a man who, apart from other well-known aspects of his activity, was directly involved during the war in the Nazi policy of extermination of the European Jews.

Nevertheless, the Jews do not lose heart. They come to Palestine not to fight the Arab world, but to live at peace with it. They are not an outpost of any foreign domination. Their ambition is to integrate themselves into the modern structure of reviving Asia. They are an old Asiatic people returning to their home. At the same time, they are anxious to make their contribution to the great work of bridge-building between modern Asia and the rest of the world.

Their intense experience in development within the narrow confines of Palestine is yielding results which may be of value to all who are interested in social and economic progress in the Middle East and beyond. But their true partnership with their neighbors can only be based upon equality of status and mutual respect. They claim what is the natural right of any people on the face of the earth—that as many of them as possible should live together in their own country, freely develop their civilization, make their contribution to the common stock of humanity, and be self-governing and independent. They cannot possibly surrender that claim, and for its attainment they appeal for the assistance of the entire family of nations.

IN CONCLUSION, may I answer the question of the distinguished delegate from Colombia on our views regarding the composition of the special committee. We would not differentiate between big and small powers, nor would we suggest the exclusion of any Government merely because it happens to have or may develop a policy on Palestine. Having a policy does not necessarily mean being directly concerned as an interested party. But we believe that parties directly concerned should not serve on the committee. That should exclude the United Kingdom, for reasons put, if I may say so, with unanswerable cogency by the distinguished representative of the United Kingdom himself. We would also definitely exclude the Arab states, unless it were agreed that the committee should contain one Arab and one Jewish member.

Supplementary Statement by David Ben-Gurion

May 12, 1947

I AM GRATEFUL for the opportunity afforded to me to make a few supplementary remarks to the statement made by my colleague, Dr. Silver, on behalf of the Jewish Agency for Palestine.

First of all, I would like to try to clarify further the nature of the problem which the mandatory power has placed before the United Nations, as this is essential for defining properly the terms of reference of the special committee. Last Friday, the representative of the United Kingdom on behalf of his Government, declared that they tried for years to settle the problem of Palestine and had failed. They have, therefore, brought the problem to you in the hope that the United Nations would find a just solution.

This statement is open to misunderstanding. The mandatory power was not charged with discovering a solution to the Palestine problem and its failure was not in its inability to find the right solution. The mandatory power was charged by the League of Nations with the carrying out of a definite settlement. That settlement was set out and determined originally by the United Kingdom herself and subsequently confirmed by all the Allied and Associated Powers in the first World War, as well as by the Arabs through Emir Feisal and the Syrian Arab Committee. It was later embodied in the Mandate approved by fifty-two nations and made international law.

The terms of that settlement, as decreed by the conscience and the law of nations, are common knowledge. It is the restoration of Palestine to the Jewish people.

At the time the United Kingdom took over the Mandate, the problem of Palestine had been clearly adjudicated and settled. The failure of the Mandatory Government, as admitted by the British representative, was a failure to carry out the settlement agreed upon and entrusted to it by the nations of the world. The failure became manifest with the introduction of a policy set forth in the White Paper of 1939, which violated the most essential terms of the Mandate and vitiated its entire purpose.

The White Paper policy, as you know, was condemned by the permanent Mandates Commission of the League of Nations as incompatible with the Mandate and with the pledges repeatedly given by the Mandatory Government itself. It was also denounced by the most eminent political leaders of the United Kingdom itself, including all the prominent members of the present Government of the United Kingdom, as a breach of faith. Only recently, the White Paper was again unanimously condemned by the Anglo-American Committee of Inquiry. The White Paper policy is responsible for the misery and deaths of a large number of Jews and for cruel acts of expulsion of Jewish refugees.

It is responsible for establishing in Palestine a police state without parallel in the civilized world. It is responsible for the introduction in Palestine of racial discrimination against Jews in land legislation. This is the real nature of the failure of the mandatory power.

Therefore, I venture to suggest that the first problem facing the United Nations is how to set right that failure and to ensure that international obligations toward the Jewish population in Palestine are faithfully fulfilled.

THE second point to which I would like to invite the attention of your committee is the fact that in Palestine you are faced not merely with a large and growing number of Jews, but with a distinct Jewish nation. There are Jews and Jewish communities in many countries, but in Palestine there is a new and unique phenomenon—a Jewish nation, with all the attributes, characteristic resources and aspirations of nationhood. This nationhood springs from a long history and an uninterrupted connection for 3,500 years with its ancestral soil.

Palestine, which for the Jewish people has always been and will always remain the Land of Israel, was in the course of centuries conquered and invaded by many alien peoples, but none of them ever identified its national fate with Palestine. The Jewish nation in Palestine is rooted not only in past history but in a great living work of reconstruction and rebuilding, both of a country and of a people.

The growth of this nation and its work of reconstruction must not and cannot be arrested—and this, for two reasons. One is the existence of large numbers of homeless Jews for whom there is no other salvation in the future except in their own national home. The second is that more than two-thirds of the land in Palestine is still waste land, uncultivated, unsettled and believed by the Arabs to be uncultivable. The history of our settlement in the last seventy years has shown that this land can be and is being cultivated by us.

This is not because we are more skilled or more capable than others, but because this is the only soil in the world which we call our own. We are not, like our Arab neighbors, in possession of vast underpopulated territories, like Iraq, Syria, Arabia, etc. We must therefore make use of every bit of free land in our country, even desert land.

ANOTHER observation is this: we are told that the Arabs are not responsible for the persecution of the Jews in Europe, nor is it their obligation to relieve their plight. I wish to make it quite clear that it never entered our minds to charge the Arabs with solving the Jewish problem, or to ask Arab countries to accept Jewish refugees. We are bringing our homeless and persecuted Jews to our own country and settling them in Jewish towns and villages. There are Arab towns and villages in Palestine—Nablus, Jenin, Ramleh, Zarnuka, Lydda, Tarshiha. You will not find a single Jewish refugee in any of them. The Jews who have returned to their country are settled in Petah Tiqva, Rishon le Zion, Tel Aviv, Haifa, Jerusalem, Daganah, the Negev and other Jewish towns and villages built by us.

The return of the Jews to their country is a work of self-liberation and self-reconstruction, which is contributing to the reconstruction and liberation of the country as a whole.

My fourth and last remark is this. We have no conflict with the Arab people. On the contrary, it is our deep conviction that historically the interests and aspirations of the Jewish and Arab peoples are compatible and complementary. What we are doing in our country, in Palestine, is reclaiming the land, increasing the yield of the soil, developing modern agriculture and industry, science, and art, raising the dignity of labor, insuring women's status of equality, increasing men's mastery over nature and working out a new civilization based on human equality, freedom and cooperation in a world which we believe is as necessary and beneficial for our Arab neighbors as for ourselves.

A Jewish-Arab partnership, based on equality and mutual assistance, will help to bring about the regeneration of the entire Middle East. We Jews understand and deeply sympathize with the urge of the Arab people for unity, independence and progress, and our Arab neighbors, I hope, will realize that the Jews in their own historic homeland, can under no conditions be made to remain a subordinate, dependent minority as they are in all other countries in the Diaspora. The Jewish nation in its own country must become a free and independent state with a membership in the United Nations. It is eager to cooperate with its free Arab neighbors to promote the economic development, social progress and real independence of all the Semitic countries in the Middle East.

I most earnestly suggest to your committee that the real, just and lasting solution of the problem before you is a Jewish State and a Jewish-Arab alliance.

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